



New South Wales

Petroleum (Submerged Lands) Amendment (Permits and Leases) Act 2005 No 35

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Petroleum (Submerged Lands) Amendment (Permits and Leases) Act 2005 No 35

Act No 35, 2005

An Act to amend the *Petroleum (Submerged Lands) Act 1982* in relation to renewals of exploration permits for petroleum and the imposition of conditions on retention leases for petroleum and in relation to the identification of certain land; and for other purposes. [Assented to 15 June 2005]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Petroleum (Submerged Lands) Amendment (Permits and Leases) Act 2005*.

2 Commencement

This Act commences on the date of assent.

3 Amendment of Petroleum (Submerged Lands) Act 1982 No 23

The *Petroleum (Submerged Lands) Act 1982* is amended as set out in Schedules 1 and 2.

4 Repeal of Petroleum (Submerged Lands) Savings Regulation 2000

The *Petroleum (Submerged Lands) Savings Regulation 2000* is repealed.

Schedule 1 Amendments relating to permits and leases

(Section 3)

[1] Section 31 Application for renewal of permit

Omit “section 32” from section 31 (1). Insert instead “sections 32 and 32A”.

[2] Section 32A

Insert after section 32:

32A Certain permits cannot be renewed more than twice

- (1) This section applies to an application for the renewal of a permit if:
 - (a) the original permit was granted under section 23:
 - (i) on or after 1 January 2006, and
 - (ii) as a result of an application made in response to an invitation in an instrument that was published under section 21 (1) on or after 1 January 2006, or
 - (b) the original permit was granted under section 28 on or after 1 January 2006.
- (2) A permittee must not make such an application if it could result in the original permit being renewed more than twice.

[3] Section 39H Conditions of lease

Omit “2 notices” from section 39H (4). Insert instead “a notice”.

[4] Schedule 4 Savings, transitional and other provisions

Insert before Part 1:

Part 1AA Preliminary

[5] Schedule 4

Renumber clause 3 as clause 1AA and insert it in Part 1AA (as inserted by item [4]).

[6] Schedule 4

Insert at the end of clause 1AA (1) (b) (as renumbered by item [5]):

*Petroleum (Submerged Lands) Amendment (Permits and Leases)
Act 2005*

[7] Schedule 4, Part 3

Insert after clause 5:

**Part 3 Provision consequent on enactment of
Petroleum (Submerged Lands)
Amendment (Permits and Leases) Act 2005**

6 Saving of existing conditions

If, before the commencement of the amendment to section 39H made by the *Petroleum (Submerged Lands) Amendment (Permits and Leases) Act 2005*:

- (a) a lessee had already complied with a notice of the kind referred to in section 39H (3) during the term of the lease, and
 - (b) the Minister had given to the lessee during that term a further notice of that kind, and
 - (c) the lessee had not complied with the further notice,
- this Act has effect, after the commencement of that amendment, as if the Minister had not given the further notice.

