



New South Wales

Petroleum (Offshore) Regulation 2016

under the

Petroleum (Offshore) Act 1982

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Petroleum (Offshore) Act 1982*.

ANTHONY ROBERTS, MP
Minister for Industry, Resources and Energy

Explanatory note

The object of this Regulation is to repeal and remake, with no changes in substance, the *Petroleum (Offshore) Regulation 2006*. That Regulation is due for repeal on 1 September 2016 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation prescribes:

- (a) the fees that apply for the purposes of the *Petroleum (Offshore) Act 1982*, including applications for certain titles and fees for the release of certain information and for the inspection of cores, cuttings or samples, and
- (b) the form of an instrument of transfer of an exploration permit, retention lease, production licence, pipeline licence or access authority issued under that Act.

This Regulation is made under the *Petroleum (Offshore) Act 1982*, including section 152 (the general regulation-making power) and the sections referred to in this Regulation.

This Regulation comprises or relates to matters arising under legislation that is substantially uniform or complementary with legislation of the Commonwealth or another State or Territory.

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Petroleum (Offshore) Regulation 2016

under the

Petroleum (Offshore) Act 1982

1 Name of Regulation

This Regulation is the *Petroleum (Offshore) Regulation 2016*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Definition

(1) In this Regulation:

the Act means the *Petroleum (Offshore) Act 1982*.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Fees

The fee for the purposes of a provision of the Act specified in Schedule 1 is the fee specified opposite that provision.

5 Transfer of title

The prescribed form for an instrument of transfer referred to in section 78 (3) (a) of the Act is the Form set out in Schedule 2.

6 Repeal and savings

(1) The *Petroleum (Offshore) Regulation 2006* is repealed.

(2) Any act, matter or thing that had effect under the *Petroleum (Offshore) Regulation 2006* immediately before the repeal of that Regulation is taken to have effect under this Regulation.

Schedule 1 Fees

(Clause 4)

Matter for which fee payable	Fee
Application fees	
Exploration permit (section 22 (1) (f))	\$3,000
Exploration permit for surrendered, cancelled or determined block or blocks (section 25 (1) (a))	\$3,000
Exploration permit renewal (section 31 (2) (c))	\$1,200
Retention lease (section 39A (2) (e))	\$1,200
Retention lease renewal (section 39F (2) (d))	\$1,200
Production licence (section 42 (1) (e))	\$1,200
Production licence for surrendered, cancelled or determined block or blocks (section 49 (1) (a))	\$3,000
Production licence for individual blocks (section 52 (2) (e))	\$600
Production licence renewal (section 55 (2) (d))	\$1,200
Pipeline licence (section 65 (1) (f))	\$3,000
Pipeline licence renewal (section 69 (2) (c))	\$1,200
Pipeline licence variation (section 72 (2) (e))	\$600
Special prospecting authority (section 112 (2) (d))	\$600
Transfer fees	
Transfer fees generally (section 92 (2), (3) and (6))	\$600
Transfer fees for related corporations (section 92 (4) and (6A))	\$3,000
Annual fees	
Exploration permit (section 137)	\$1,000, or \$50 for each block to which the permit relates as at the beginning of the year concerned, whichever is the greater
Retention lease (section 137A)	\$6,000 for each block to which the lease relates as at the beginning of the year concerned
Production licence (section 138)	\$18,000 for each block to which the licence relates as at the beginning of the year concerned
Pipeline licence (section 139)	\$80 for each kilometre, or part of a kilometre, of the length of the pipeline as at the beginning of the year concerned

Matter for which fee payable	Fee
Fees for the release of information	
Information contained in a document that is lent to the person making the request (section 119 (1A), (2), (5) and (5A))	\$25 for each day, or part of a day, during which the document is on loan
Information contained in a document that is not readily available and for which a search has to be made (section 119 (1A), (2), (5) and (5A))	\$25 for each hour, or part of an hour after the first half hour, taken to locate the information
Information that is, on the application of the person making the request, copied or reproduced or consigned to that person (section 119 (1A), (2), (5) and (5A))	An amount equal to the costs incurred in the copying, reproduction or consignment, including the costs of packaging
Fees for the inspection of cores, cuttings or samples	
Core, cutting or sample lent to the person making the request (section 119 (3) and (5))	\$25 for each day, or part of a day, during which the core, cutting or sample is on loan
Core, cutting or sample that is not readily available and for which a search has to be made (section 119 (3) and (5))	\$25 for each hour, or part of an hour after the first half hour, taken to locate the core, cutting or sample
Core, cutting or sample that is, on the application of the person making the request, consigned to that person (section 119 (3) and (5))	An amount equal to the costs incurred in the consignment, including the costs of packaging
Miscellaneous fees	
Register entry (section 79 (2) and (3) (b))	\$60
Inspection of Register and documents (section 86 (1))	\$12 per inspection
Provision of copies of, or extracts from, Register or of or from certain other documents (section 87 (2))	\$2 per page
Provision of evidentiary certificates (section 87 (3))	\$30 per certificate

Schedule 2 Form of instrument of transfer

(Clause 5)

Transfer of title

Section 78, Petroleum (Offshore) Act 1982

I/We* [*name or names*] being the registered holder/holders* of [*type (eg exploration permit, production licence) and number of title being transferred*], in consideration of [*value of consideration for the transfer or value of title transferred*]¹ hereby transfer all right, title and interest in that [*type (eg exploration permit, production licence) and number of title being transferred*] to [*name and address of transferee, or, if there are two or more transferees, of all transferees*].

IN WITNESS of this transfer the parties to the transfer have affixed their respective common seals or signatures below on this day of 20 .

Transferor

Transferee

* *Delete whichever is inapplicable*

¹ If the transfer of the title is pursuant to a dealing that has been approved and registered under the Act, insert a reference that is sufficient to identify that dealing.