

Passed by both Houses



New South Wales

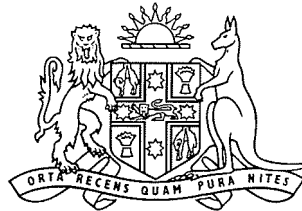
Petroleum (Submerged Lands) Amendment (Permits and Leases) Bill 2005

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2005*



New South Wales

Petroleum (Submerged Lands) Amendment (Permits and Leases) Bill 2005

Act No , 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.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

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The *Petroleum (Submerged Lands) Savings Regulation 2000* is repealed.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

Schedule 2 Amendments by way of statute law revision

(Section 3)

[1] Section 7 Ascertaining points and other matters

Insert “(other than Schedule 2)” after “Act” where firstly occurring.

[2] Section 7 (2)

Insert at the end of section 7:

- (2) The points of latitude and longitude referred to in Schedule 2 are to be determined by reference to a spheroid having its centre at the centre of the Earth and a major (equatorial) radius of 6,378,160 metres and a flattening of 100/29825 and by reference to the position of the Johnston Geodetic Station in the Northern Territory of Australia, which is taken to be situated at 133 degrees, 12 minutes and 30.0771 seconds of East Longitude and at 25 degrees, 56 minutes and 54.5515 seconds of South Latitude and to have a ground level of 571.2 metres above that spheroid.

[3] Section 92 Imposition of registration fees

Omit “stamp duty under Part 3 of, and the Second Schedule to, the *Stamp Duties Act 1920*” from section 92 (7).

Insert instead “duty under the *Duties Act 1997*”.