

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

[2005-35]



New South Wales

Status Information

Currency of version

Repealed version for 15 June 2005 to 23 November 2005 (accessed 28 December 2024 at 20:38)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by Sch 4 to the [Statute Law \(Miscellaneous Provisions\) Act \(No 2\) 2005 No 98](#) with effect from 24.11.2005.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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



New South Wales

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.

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The *Petroleum (Submerged Lands) Savings Regulation 2000* is repealed.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