



Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Act 2019

No. 93, 2019

An Act to amend the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003*, and for related purposes

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)

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No. 93, 2019

An Act to amend the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003*, and for related purposes

[Assented to 28 October 2019]

The Parliament of Australia enacts:

No. 93, 2019 Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) 1
Amendment Act 2019

1 Short title

This Act is the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Act 2019*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	28 October 2019
2. Schedule 1, Part 1	The day after this Act receives the Royal Assent.	29 October 2019
3. Schedule 1, Part 2	A single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	28 April 2020
4. Schedule 2	At the same time as Schedule 1 to the <i>Offshore Petroleum and Greenhouse Gas Storage Amendment (Miscellaneous Amendments) Act 2019</i> commences.	28 April 2020
5. Schedule 3	A single day to be fixed by Proclamation. However, if the provisions do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	28 April 2020
6. Schedules 4	The day after this Act receives the Royal	29 October 2019

Commencement information		
Column 1	Column 2	Column 3
Provisions and 5	Commencement	Date/Details
7. Schedule 6	Immediately after the commencement of the provisions covered by table item 3.	28 April 2020

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Well activity levy

Part 1—Amendments commencing on the day after Royal Assent

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

1 Paragraph 10C(1)(a)

Repeal the paragraph, substitute:

- (a) a person makes an application to NOPSEMA, under Part 5 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*, for acceptance of a well operations management plan; and

2 Subsection 10C(5)

Repeal the subsection.

3 Paragraph 10D(1)(a)

Omit “either”, substitute “any of the following subparagraphs applies”.

4 Subparagraph 10D(1)(a)(i)

Omit “or” (last occurring).

5 Subparagraph 10D(1)(a)(ii)

Omit “Part 5 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*”, substitute “Part 5 of the old Resource Management and Administration Regulations”.

6 Subparagraph 10D(1)(a)(ii)

Omit “and” (last occurring).

7 At the end of paragraph 10D(1)(a)

Add:

- (iii) a person makes an application to NOPSEMA, under the regulations of a State or Territory that substantially correspond to Part 5 of the old Resource Management and Administration Regulations, for acceptance of a well operations management plan; and

8 Paragraph 10D(5)(a)

Omit “Part 5 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*”, substitute “Part 5 of the old Resource Management and Administration Regulations”.

9 Subsection 10D(6)

Insert:

old Resource Management and Administration Regulations
means the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*, as in force before the commencement of the *Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Well Operations) Regulation 2015*.

10 Application of amendments

- (1) The amendments of section 10C of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Schedule apply in relation to an application made to NOPSEMA after the commencement of this item.
- (2) The amendments of section 10D of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part, so far as they relate to an application made to NOPSEMA, apply in relation to an application made to NOPSEMA after the commencement of this item.

Part 2—Amendments commencing on a day to be fixed by Proclamation

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

11 Paragraph 10C(1)(a)

Repeal the paragraph, substitute:

(a) either:

- (i) a person makes an application to NOPSEMA, under Part 5 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*, for acceptance of a well operations management plan; or
- (ii) a person submits to NOPSEMA, under regulation 5.13 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*, a proposed revision of a well operations management plan; and

12 At the end of subsection 10C(1)

Add “or submission”.

13 Subsection 10C(4)

After “application”, insert “or submission”.

14 Subparagraph 10D(1)(a)(iii)

Omit “and” (last occurring).

15 At the end of paragraph 10D(1)(a)

Add:

- (iv) a person submits to NOPSEMA, under a regulation of a State or Territory that substantially corresponds to regulation 5.13 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and*

Administration) Regulations 2011, a proposed revision of a well operations management plan; and

16 At the end of subsection 10D(1)

Add “or submission”.

17 Subsection 10D(4)

After “application”, insert “or submission”.

18 Application of amendments

- (1) The amendments of section 10C of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part, so far as they relate to an application to NOPSEMA, apply in relation to an application made to NOPSEMA after the commencement of this item.
- (2) The amendments of sections 10C and 10D of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part, so far as they relate to a submission to NOPSEMA of a proposed revision of a well operations management plan, apply in relation to a submission made to NOPSEMA after the commencement of this item.

Schedule 2—Greenhouse gas storage

Part 1—Well investigation levy

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

1 Section 9 (heading)

Repeal the heading, substitute:

9 Imposition of well investigation levy—Commonwealth titles

2 Subparagraphs 9(1)(a)(i) and (ii)

Omit “a petroleum title”, substitute “an eligible title”.

3 Paragraph 9(1)(b)

After “(2)”, insert “or 13B(1) or (2)”.

4 Subsection 9(1) (note)

After “Note”, insert “1”.

5 At the end of subsection 9(1)

Add:

Note 2: Clause 13B of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* deals with the duties of greenhouse gas titleholders in relation to wells.

6 Subsection 9(5)

Insert:

eligible title means:

- (a) a petroleum title; or
- (b) a greenhouse gas title.

greenhouse gas title has the same meaning as in Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

7 Subsection 9(5) (definition of *registered holder*)

Omit “a petroleum title”, substitute “an eligible title”.

8 Subsection 9(5) (definition of *title area*)

Repeal the definition, substitute:

title area:

- (a) in relation to a petroleum title—has the same meaning as in clause 13A of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*; or
- (b) in relation to a greenhouse gas title—has the same meaning as in clause 13B of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

9 Section 10 (heading)

Repeal the heading, substitute:

10 Imposition of well investigation levy—State/Territory titles

10 Subparagraph 10(1)(a)(i)

Omit “petroleum”.

11 Subparagraph 10(1)(a)(ii)

Omit “petroleum”, substitute “State/Territory”.

12 Paragraph 10(1)(b)

After “(2)”, insert “or 13B(1) or (2)”.

13 Subsection 10(1) (note)

After “Note”, insert “1”.

14 At the end of subsection 10(1)

Add:

- Note 2: Clause 13B of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* deals with the duties of greenhouse gas titleholders in relation to wells.

15 Subsection 10(5)

Insert:

Commonwealth greenhouse gas title means a greenhouse gas title within the meaning of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

16 Subsection 10(5) (definition of *registered holder*)

Omit “petroleum”.

17 Subsection 10(5)

Insert:

State/Territory greenhouse gas title means an instrument under a State PSLA or Territory PSLA that confers, in relation to the designated coastal waters of a State or Territory, some or all of the rights that a Commonwealth greenhouse gas title confers in relation to the offshore area of the State or Territory.

State/Territory title means:

- (a) a State/Territory petroleum title; or
- (b) a State/Territory greenhouse gas title.

18 Subsection 10(5) (definition of *title area*)

Repeal the definition, substitute:

title area:

- (a) in relation to a State/Territory petroleum title—has the same meaning as in the provisions of the relevant State PSLA or Territory PSLA that substantially correspond to clause 13A of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*; or
- (b) in relation to a State/Territory greenhouse gas title—has the same meaning as in the provisions of the relevant State PSLA or Territory PSLA that substantially correspond to clause 13B of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

19 Application of amendments

The amendments of sections 9 and 10 of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part apply in relation to an investigation that starts to be conducted by a NOPSEMA inspector after the commencement of this item.

Part 2—Annual well levy

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

20 Section 10A (heading)

Repeal the heading, substitute:

10A Imposition of annual well levy—Commonwealth titles

21 Subsection 10A(1)

Omit “a petroleum title”, substitute “an eligible title”.

22 Subsection 10A(3)

Omit “petroleum title”, substitute “eligible title”.

23 Paragraph 10A(5)(a)

Omit “a petroleum title”, substitute “an eligible title”.

24 Subparagraph 10A(5)(b)(ii)

Omit “a petroleum title”, substitute “an eligible title”.

25 Paragraph 10A(6)(a)

Omit “a petroleum title”, substitute “an eligible title”.

26 Subparagraph 10A(6)(b)(ii)

Omit “a petroleum title”, substitute “an eligible title”.

27 Subsection 10A(8)

Insert:

eligible title means:

- (a) a petroleum title; or
- (b) a greenhouse gas title.

greenhouse gas title has the same meaning as in Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

28 Subsection 10A(8) (definition of *registered holder*)

Omit “a petroleum title”, substitute “an eligible title”.

29 Subsection 10A(8) (definition of *title area*)

Repeal the definition, substitute:

title area:

- (a) in relation to a petroleum title—has the same meaning as in clause 13A of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*; or
- (b) in relation to a greenhouse gas title—has the same meaning as in clause 13B of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

30 Section 10B (heading)

Repeal the heading, substitute:

10B Imposition of annual well levy—State/Territory titles

31 Paragraphs 10B(1)(a) and (b)

Omit “petroleum”.

32 Subsection 10B(3)

Omit “petroleum”.

33 Paragraph 10B(5)(a)

Omit “petroleum”.

34 Subparagraph 10B(5)(b)(ii)

Omit “petroleum”.

35 Paragraph 10B(6)(a)

Omit “petroleum”.

36 Subparagraph 10B(6)(b)(ii)

Omit “petroleum”.

37 Subsection 10B(8)

Insert:

Commonwealth greenhouse gas title means a greenhouse gas title within the meaning of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

38 Subsection 10B(8) (definition of *registered holder*)

Omit “petroleum”.

39 Subsection 10B(8)

Insert:

State/Territory greenhouse gas title means an instrument under a State PSLA or Territory PSLA that confers, in relation to the designated coastal waters of a State or Territory, some or all of the rights that a Commonwealth greenhouse gas title confers in relation to the offshore area of the State or Territory.

State/Territory title means:

- (a) a State/Territory petroleum title; or
- (b) a State/Territory greenhouse gas title.

40 Subsection 10B(8) (definition of *title area*)

Repeal the definition, substitute:

title area:

- (a) in relation to a State/Territory petroleum title—has the same meaning as in the provisions of the relevant State PSLA or Territory PSLA that substantially correspond to clause 13A of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*; or
- (b) in relation to a State/Territory greenhouse gas title—has the same meaning as in the provisions of the relevant State PSLA or Territory PSLA that substantially correspond to clause 13B of Schedule 3 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

41 Application of amendments

Commonwealth greenhouse gas titles

- (1) The amendments of section 10A of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part, so far as they concern an eligible well in relation to a greenhouse gas title for a year, apply in relation to an eligible well in relation to a greenhouse gas title for a year that began at or after the commencement of this item.
- (2) For the purposes of the application of:
- (a) subitem (1); and
 - (b) section 10A of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* (as amended by this Part);
- to a well that is or was drilled under the authority of a greenhouse gas title, if this item does not commence on a 1 January, the period:
- (c) beginning at the commencement of this item; and
 - (d) ending at the end of 31 December next following that commencement;
- is taken to be a year.

State/Territory greenhouse gas titles

- (3) The amendments of section 10B of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part, so far as they concern an eligible well in relation to a State/Territory greenhouse gas title for a year, apply in relation to an eligible well in relation to a State/Territory greenhouse gas title for a year that began at or after the commencement of this item.
- (4) For the purposes of the application of:
- (a) subitem (3); and
 - (b) section 10B of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* (as amended by this Part);
- to a well that is or was drilled under the authority of a State/Territory greenhouse gas title, if this item does not commence on a 1 January, the period:

- (c) beginning at the commencement of this item; and
- (d) ending at the end of 31 December next following that commencement;

is taken to be a year.

Commonwealth petroleum titles

- (5) The amendments of section 10A of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part, so far as they concern an eligible well in relation to a petroleum title for a year, apply in relation to an eligible well in relation to a petroleum title for a year that began at or after the commencement of this item.

State/Territory petroleum titles

- (6) The amendments of section 10B of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part, so far as they concern an eligible well in relation to a State/Territory petroleum title for a year, apply in relation to an eligible well in relation to a State/Territory petroleum title for a year that began at or after the commencement of this item.

Part 3—Well activity levy

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

42 Section 3

Insert:

greenhouse gas assessment permit has the same meaning as in the
Offshore Petroleum and Greenhouse Gas Storage Act 2006.

43 Section 10C (heading)

Repeal the heading, substitute:

10C Imposition of well activity levy—Commonwealth titles

44 Paragraph 10C(1)(b)

Omit “a petroleum title”, substitute “an eligible title”.

45 Subsection 10C(6)

Insert:

eligible title means:

- (a) a petroleum title; or
- (b) a greenhouse gas title.

greenhouse gas title means:

- (a) a greenhouse gas assessment permit; or
- (b) a greenhouse gas holding lease; or
- (c) a greenhouse gas injection licence.

46 Subsection 10C(6) (definition of *registered holder*)

Omit “a petroleum title”, substitute “an eligible title”.

47 Section 10D (heading)

Repeal the heading, substitute:

10D Imposition of well activity levy—State/Territory titles

48 Paragraph 10D(1)(b)

Omit “petroleum”.

49 Subparagraph 10D(5)(c)(ii)

Omit “petroleum”.

50 Subsection 10D(6)

Insert:

Commonwealth greenhouse gas title means:

- (a) a greenhouse gas assessment permit; or
- (b) a greenhouse gas holding lease; or
- (c) a greenhouse gas injection licence.

51 Subsection 10D(6) (definition of *registered holder*)

Omit “petroleum”.

52 Subsection 10D(6)

Insert:

State/Territory greenhouse gas title means an instrument under a State PSLA or Territory PSLA that confers, in relation to the designated coastal waters of a State or Territory, some or all of the rights that a Commonwealth greenhouse gas title confers in relation to the offshore area of the State or Territory.

State/Territory title means:

- (a) a State/Territory petroleum title; or
- (b) a State/Territory greenhouse gas title.

53 Subsection 10F(7) (definition of *greenhouse gas assessment permit*)

Repeal the definition.

54 Application of amendments

- (1) The amendments of sections 10C and 10D of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part, so far as they relate to an application made to NOPSEMA, apply in relation to an application made to NOPSEMA after the commencement of this item.
- (2) The amendments of sections 10C and 10D of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Part, so far as they relate to a submission to NOPSEMA of a proposed revision of a well operations management plan, apply in relation to a submission made to NOPSEMA after the commencement of this item.

Schedule 3—Investigations

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

1 Section 3

Insert:

compliance investigation means an investigation under Part 3 of the *Regulatory Powers (Standard Provisions) Act 2014*, in its application under Division 1 of Part 6.5 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

2 Paragraph 5(1)(b)

Omit “an inspection”, substitute “a compliance investigation”.

3 Subsection 5(8) (definition of *inspection*)

Repeal the definition.

4 Paragraph 9(1)(b)

Omit “an inspection concerning”, substitute “a compliance investigation relating to”.

5 Paragraphs 9(1)(d) and (e)

Omit “inspection”, substitute “compliance investigation”.

6 Subsection 9(1)

Omit “on the inspection”, substitute “on the compliance investigation”.

7 Paragraph 9(1)(g)

Omit “inspection”, substitute “compliance investigation”.

8 Subsection 9(4)

Omit “an inspection”, substitute “a compliance investigation”.

9 Subsection 9(5) (definition of *conduct*)

Omit “an inspection”, substitute “a compliance investigation”.

10 Subsection 9(5) (definition of *conduct*)

Omit “the inspection”, substitute “the compliance investigation”.

11 Subsection 9(5) (definition of *inspection*)

Repeal the definition.

12 Application of amendments

The amendments of sections 5 and 9 of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Schedule apply in relation to a compliance investigation that began to be conducted after the commencement of this item.

Schedule 4—Abandoned wells

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

1 Before subsection 10A(7)

Insert:

- (6A) For the purposes of this section, disregard the abandonment of a well unless the process of abandoning the well was the subject of a notification under paragraph 5.17(c) of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*.

2 Subsection 10A(7)

After “if”, insert “a well commences to be abandoned, and”.

3 Subsection 10A(7)

Before “requires”, insert “(as in force at the time when the abandonment commenced)”.

4 Subsection 10A(7)

Omit “a well”, substitute “the well”.

5 Subsection 10B(7)

Omit “Part 5 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*”, substitute “Part 5 of the old Resource Management and Administration Regulations”.

6 Subsection 10B(8)

Insert:

old Resource Management and Administration Regulations
means the *Offshore Petroleum and Greenhouse Gas Storage
(Resource Management and Administration) Regulations 2011*, as
in force before the commencement of the *Offshore Petroleum and*

Greenhouse Gas Storage Legislation Amendment (Well Operations) Regulation 2015.

7 Application of amendment

Subsection 10A(6A) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* (as amended by this Schedule) applies in relation to the abandonment of a well if the abandonment commenced at or after the commencement of this item.

Schedule 5—Removal of spent provisions

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

1 Subsections 10A(9) and (10)

Repeal the subsections.

2 Subsections 10B(9) and (10)

Repeal the subsections.

3 Transitional

- (1) Despite the repeal of subsection 10A(9) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* by this Schedule, that subsection continues to apply, in relation to the period mentioned in that subsection, as if that repeal had not happened.
- (2) Despite the repeal of subsection 10A(10) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* by this Schedule, that subsection continues to apply, in relation to a well mentioned in that subsection, as if that repeal had not happened.
- (3) Despite the repeal of subsection 10B(9) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* by this Schedule, that subsection continues to apply, in relation to the period mentioned in that subsection, as if that repeal had not happened.
- (4) Despite the repeal of subsection 10B(10) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* by this Schedule, that subsection continues to apply, in relation to a well mentioned in that subsection, as if that repeal had not happened.

Schedule 6—Regulations references

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

1 Subsection 7(8) (definition of *safety case in force in relation to a facility*)

Repeal the definition, substitute:

safety case in force in relation to a facility has the meaning given by prescribed regulations, or a prescribed provision of regulations, made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

2 Subsection 7(9)

Repeal the subsection.

3 Subsection 8(8) (definition of *safety case in force in relation to a facility*)

Repeal the definition, substitute:

safety case in force in relation to a facility has the same meaning as in regulations of that State or Territory that substantially correspond to prescribed regulations, or a prescribed provision of regulations, made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

4 Subsection 8(9)

Repeal the subsection.

5 Before subsection 10A(6A)

Insert:

Abandoned wells

6 Subsection 10A(6A)

Omit “paragraph 5.17(c) of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*”, substitute “a prescribed provision of regulations made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

7 Subsection 10A(7) (heading)

Repeal the heading.

8 Subsection 10A(7)

Omit “the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011* (as in force at the time when the abandonment commenced)”, substitute “prescribed regulations, or a prescribed provision of regulations, made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (as those prescribed regulations are in force, or as that prescribed provision is in force, at the time when the abandonment commenced)”.

9 Paragraph 10B(1)(c)

Omit “Part 5 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*”, substitute “prescribed regulations, or a prescribed provision of regulations, made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

10 Subparagraph 10C(1)(a)(i)

Omit “Part 5 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*”, substitute “prescribed regulations, or a prescribed provision of regulations, made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

11 Subparagraph 10C(1)(a)(ii)

Omit “regulation 5.13 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*”, substitute “a prescribed provision of regulations made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

12 Subparagraph 10D(1)(a)(i)

Omit “Part 5 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*”, substitute “prescribed regulations, or a prescribed provision of regulations, made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

13 Subparagraph 10D(1)(a)(iv)

Omit “regulation 5.13 of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*”, substitute “a prescribed provision of regulations made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

14 Subparagraph 10F(1)(a)(i)

Omit “regulation 9 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*”, substitute “a prescribed provision of regulations made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

15 Subparagraph 10F(1)(b)(i)

Omit “regulation 17, 18 or 19 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*”, substitute “a prescribed provision of regulations made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

16 Subparagraph 10F(1)(c)(i)

Omit “regulation 9 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*”, substitute “a prescribed provision of regulations made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

17 Subparagraph 10G(1)(a)(i)

Omit “regulation 9 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*”, substitute “a prescribed provision of regulations made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

18 Subparagraph 10G(1)(b)(i)

Omit “regulation 17, 18 or 19 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*”, substitute “a prescribed provision of regulations made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

19 Subparagraph 10G(1)(c)(i)

Omit “regulation 9 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*”, substitute “a prescribed provision of regulations made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”.

20 Application and transitional provisions

- (1) For the purposes of the operation of subsection 10A(6A) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* on and after the commencement of this item, a notification under paragraph 5.17(c) of the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011* is taken to be a notification covered by that subsection.
- (2) For the purposes of the operation of subsection 10A(7) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* on and after the commencement of this item, an approval by NOPSEMA, under the *Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011*, of the commencement of the abandonment of a well is taken to be an approval covered by that subsection.
- (3) The amendment of paragraph 10B(1)(c) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Schedule applies in relation to years beginning on or after the commencement of this item.

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- (4) The amendment of subparagraph 10C(1)(a)(i) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Schedule applies in relation to an application made on or after the commencement of this item.
 - (5) The amendment of subparagraph 10C(1)(a)(ii) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Schedule applies in relation to a submission made on or after the commencement of this item.
 - (6) The amendment of subparagraph 10D(1)(a)(i) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Schedule applies in relation to an application made on or after the commencement of this item.
 - (7) The amendment of subparagraph 10D(1)(a)(iv) of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Schedule applies in relation to a submission made on or after the commencement of this item.
 - (8) The amendments of sections 10F and 10G of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by this Schedule apply in relation to a submission made on or after the commencement of this item.
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[Minister's second reading speech made in—
House of Representatives on 25 July 2019
Senate on 11 September 2019]

(124/19)

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