



# **Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Miscellaneous Measures) Act 2020**

**No. 42, 2020**

***An Act to amend the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003*, and for other 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. 42, 2020**

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

*[Assented to 15 May 2020]*

The Parliament of Australia enacts:

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*No. 42, 2020      Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies)      1*  
*Amendment (Miscellaneous Measures) Act 2020*

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## 1 Short title

This Act is the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Miscellaneous Measures) Act 2020*.

## 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.	15 May 2020
2. Schedule 1	At the same time as Part 1 of Schedule 1 to the <i>Offshore Petroleum and Greenhouse Gas Storage Amendment (Cross-boundary Greenhouse Gas Titles and Other Measures) Act 2020</i> commences. However, the provisions do not commence at all if that Part does not commence.	1 October 2020
3. Schedule 2	At the same time as Schedule 2 to the <i>Offshore Petroleum and Greenhouse Gas Storage Amendment (Cross-boundary Greenhouse Gas Titles and Other Measures) Act 2020</i> commences. However, the provisions do not commence at all if that Schedule does not commence.	16 May 2020
4. Schedule 3	Immediately after the commencement of section 2 of the <i>Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Act 2019</i> .	28 October 2019

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2      *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Miscellaneous Measures) Act 2020*      No. 42, 2020

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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—Cross-boundary greenhouse gas titles

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

#### 1 Section 3 (at the end of the definition of **Commonwealth waters**)

Add:

Note: See also section 3B.

#### 2 Section 3

Insert:

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

*cross-boundary greenhouse gas holding lease* has the same meaning as in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

*cross-boundary greenhouse gas injection licence* has the same meaning as in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

*lease area* has the same meaning as in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

*licence area* has the same meaning as in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

*permit area* has the same meaning as in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

#### 3 After section 3A

Insert:

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**3B Commonwealth waters—cross-boundary greenhouse gas titles**

For the purposes of this Act, each of the following areas is taken to be in Commonwealth waters:

- (a) the permit area of a cross-boundary greenhouse gas assessment permit;
- (b) the lease area of a cross-boundary greenhouse gas holding lease;
- (c) the licence area of a cross-boundary greenhouse gas injection licence.

**4 Subsection 10E(7) (after paragraph (g) of the definition of *eligible title*)**

Insert:

- (ga) a cross-boundary greenhouse gas assessment permit; or

## Schedule 2—Crown to be bound etc.

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

#### 1 Before section 4

Insert:

#### 3C Crown to be bound

This Act binds, and is taken always to have bound, the Crown in right of each of the States and of the Northern Territory. However, it does not bind, and is taken never to have bound, the Crown in right of the Commonwealth.

#### 3D Act does not impose a tax on property of a State

- (1) This Act has no effect, and is taken always to have had no effect, to the extent (if any) to which it imposes a tax on property of any kind belonging to a State.
- (2) In this section, *property of any kind belonging to a State* has the same meaning as in section 114 of the Constitution.

## **Schedule 3—Technical correction**

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

#### **1 Subsection 2(1) (table item 4, column 2)**

Before “Schedule 1”, insert “Division 1 of Part 1 of”.

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*[Minister’s second reading speech made in—  
House of Representatives on 4 December 2019  
Senate on 12 February 2020]*

(233/19)

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