Offshore Petroleum Amendment (Greater Sunrise) Act 2007

No. 49, 2007

An Act to amend the Offshore Petroleum Act 2006, and for other purposes

Note: An electronic version of this Act is available in ComLaw (http://www.comlaw.gov.au/)
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Offshore Petroleum Amendment (Greater Sunrise) Act 2007

An Act to amend the Offshore Petroleum Act 2006, and for other purposes

[Assented to 10 April 2007]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the Offshore Petroleum Amendment (Greater Sunrise) Act 2007.
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.

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<td>The day on which this Act receives the Royal Assent.</td>
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<td>Immediately after the commencement of section 3 of the Offshore Petroleum Act 2006.</td>
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Note: This table relates only to the provisions of this Act as originally passed by both Houses of the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

(2) Column 3 of the table contains additional information that is not part of this Act. Information in this column may be added to or edited in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Part 1—General

*Offshore Petroleum Act 2006*

1 Section 3

Omit:

- Generally, the administration of this Act in relation to an offshore area of a State or the Northern Territory is divided between:

  a) the Joint Authority for the State or Territory (the Joint Authority is constituted by the responsible State/Territory Minister and the responsible Commonwealth Minister); and

  b) the Designated Authority of the State or Territory (the Designated Authority is the responsible State/Territory Minister).

substitute:

- Generally, the administration of this Act in relation to an offshore area of a State is divided between:

  a) the Joint Authority for the State (the Joint Authority is constituted by the responsible State Minister and the responsible Commonwealth Minister); and

  b) the Designated Authority for the State (the Designated Authority is the responsible State Minister).

- Generally, the administration of this Act in relation to the Principal Northern Territory offshore area is divided between:
(a) the Joint Authority for that area (the Joint Authority is constituted by the responsible Northern Territory Minister and the responsible Commonwealth Minister); and

(b) the Designated Authority for that area (the Designated Authority is the responsible Northern Territory Minister).

2 Section 6 (definition of Designated Authority)

Omit “of the State or Territory”, substitute “for the offshore area”.

3 Section 6

Insert:

Eastern Greater Sunrise offshore area has the meaning given by Schedule 7.

Note: The Eastern Greater Sunrise offshore area is a part of the offshore area of the Northern Territory.

4 Section 6

Insert:

Greater Sunrise unit area has the meaning given by Schedule 7.

5 Section 6

Insert:


Note: In 2007, the text of international agreements was accessible through the Australian Treaties Library on the AustLII Internet site (www.austlii.edu.au).

6 Section 6

Insert:

Greater Sunrise unit reservoir production licence means a production licence in respect of one or more blocks within the

4 Offshore Petroleum Amendment (Greater Sunrise) Act 2007 No. 49, 2007
Eastern Greater Sunrise offshore area that would allow the licensee to recover petroleum from either or both of the Greater Sunrise unit reservoirs.

7 Section 6
Insert:

Greater Sunrise unit reservoirs means the unit reservoirs within the meaning of the Greater Sunrise unitisation agreement.

8 Section 6
Insert:

Greater Sunrise visiting inspector means a project inspector who is specified in the identity card issued to that inspector under subsection 318(2) as being a Greater Sunrise visiting inspector.

9 Section 6 (definition of Joint Authority)
Omit “of the State or Territory”, substitute “for the offshore area”.

10 Section 6 (definition of offshore area)
Repeal the definition, substitute:

offshore area means:
(a) the offshore area of New South Wales; or
(b) the offshore area of Victoria; or
(c) the offshore area of Queensland; or
(d) the offshore area of Western Australia; or
(e) the offshore area of South Australia; or
(f) the offshore area of Tasmania; or
(g) the Principal Northern Territory offshore area; or
(h) the Eastern Greater Sunrise offshore area; or
(i) the offshore area of Norfolk Island; or
(j) the offshore area of the Territory of Christmas Island; or
(k) the offshore area of the Territory of Cocos (Keeling) Islands; or
(l) the offshore area of the Territory of Ashmore and Cartier Islands; or
(m) the offshore area of the Territory of Heard Island and McDonald Islands;
and, when used in the expression *the offshore area*, means whichever of the areas referred to in paragraph (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l) or (m) is applicable.

Note 1: The *offshore area* of a State or Territory is defined by section 7.

Note 2: The offshore area of a State or Territory corresponds to the term *adjacent area* under the repealed *Petroleum (Submerged Lands) Act 1967*.

11 Section 6 Insert:

*Principal Northern Territory offshore area* means so much of the offshore area of the Northern Territory as does not consist of the Eastern Greater Sunrise offshore area.

Note: The *offshore area* of the Northern Territory is defined by section 7.

12 Section 6 Insert:

*Timor Sea Treaty* means the Timor Sea Treaty between Australia and East Timor, done on 20 May 2002 [2003] ATS 13, as amended from time to time.

Note: In 2007, the text of international agreements in the Australian Treaty Series was accessible through the Australian Treaties Library on the AustLII Internet site (www.austlii.edu.au).

13 Section 6 Insert:

*Timor Sea Treaty Designated Authority* means the Designated Authority within the meaning of the *Petroleum (Timor Sea Treaty) Act 2003*.

14 Section 6 Insert:

*Western Greater Sunrise area* has the meaning given by Schedule 7.

Note: Activities occurring in the Western Greater Sunrise area in relation to the exploration, development and exploitation of the Greater Sunrise unit reservoirs are dealt with under the *Petroleum (Timor Sea Treaty) Act 2003*.
15 Subsection 7(1) (note)

After “offshore area”, insert “of a State or Territory”.

Note: The heading to section 7 is altered by adding at the end “of the States and Territories”.

16 At the end of section 22

Add:

(3) For the purposes of this Act, the position on the surface of the Earth of an area described in Schedule 7 is to be determined by reference to the Geocentric Datum of Australia.

Note: Schedule 7 describes the Greater Sunrise unit area, the Eastern Greater Sunrise offshore area and the Western Greater Sunrise area.

(4) In subsection (3):

Geocentric Datum of Australia means the Geocentric Datum of Australia as defined in Gazette No. 35 of 6 September 1995 (GDA94 geocentric data set).

17 At the end of section 35

Add:

Note: The offshore area of a State or Territory is defined by section 7.

18 At the end of section 36

Add:

Note: The offshore area of a State or Territory is defined by section 7.

19 After subsection 38(2)

Insert:

(2A) The Joint Authority for an offshore area of a State is taken to be the Joint Authority for the State.

20 Subsection 38(3)

Repeal the subsection, substitute:

Principal Northern Territory offshore area

(3) The Joint Authority for the Principal Northern Territory offshore area is constituted by:
Schedule 1
Part 1 General

(a) the responsible Northern Territory Minister; and
(b) the responsible Commonwealth Minister;
and is to be known as the Commonwealth-Northern Territory Offshore Petroleum Joint Authority.

(3A) The Commonwealth-Northern Territory Offshore Petroleum Joint Authority is taken to be the Joint Authority for the Northern Territory.

Eastern Greater Sunrise offshore area

(3B) The responsible Commonwealth Minister is the Joint Authority for the Eastern Greater Sunrise offshore area, and is to be known as the Greater Sunrise Offshore Petroleum Joint Authority.

(3C) The Greater Sunrise Offshore Petroleum Joint Authority is taken not to be the Joint Authority for the Northern Territory.

21 At the end of section 38
Add:

(5) The Joint Authority for the offshore area of an external Territory is taken to be the Joint Authority for that Territory.

22 Section 39
Before “A Joint Authority for a”, insert “(1)”.

23 Section 39
After “Territory” (first occurring), insert “(other than the Northern Territory)”.

24 At the end of section 39
Add:

(2) The Joint Authority for the Principal Northern Territory offshore area has, in relation to that offshore area, the functions and powers that this Act confers on a Joint Authority.

(3) The Joint Authority for the Eastern Greater Sunrise offshore area has, in relation to that offshore area, the functions and powers that this Act confers on a Joint Authority.

8 Offshore Petroleum Amendment (Greater Sunrise) Act 2007 No. 49, 2007
25 **After subsection 46(1)**

Insert:

_Joint Authority for the Eastern Greater Sunrise offshore area_

(1A) All courts must take judicial notice of:

(a) the signature of a person who is, or has been:
   (i) the Joint Authority for the Eastern Greater Sunrise offshore area; or
   (ii) a delegate of the Joint Authority for the Eastern Greater Sunrise offshore area; and

(b) the fact that the person is, or was at a particular time:
   (i) the Joint Authority for that offshore area; or
   (ii) a delegate of the Joint Authority for that offshore area.

26 **Subsection 48(1)**

Omit “to 2 persons together.”, substitute:

  to 2 persons together, each of whom is one of the following:
  (a) an APS employee who is an SES employee or acting SES employee;
  (b) an employee of a State or of the Northern Territory.

*Note:* The expressions _APS employee_, _SES employee_ and _acting SES employee_ are defined in section 17AA of the _Acts Interpretation Act 1901_.

27 **Subsection 48(8)**

Repeal the subsection.

28 **After section 48**

Insert:

48A **Delegation by Greater Sunrise Offshore Petroleum Joint Authority**

(1) The Greater Sunrise Offshore Petroleum Joint Authority may, by written instrument, delegate to:

(a) an APS employee who is an SES employee or acting SES employee; or

(b) an employee of the Northern Territory;
any or all of the functions or powers of the Joint Authority under this Act or the regulations.

Note 1: The expressions *APS employee*, *SES employee* and *acting SES employee* are defined in section 17AA of the *Acts Interpretation Act 1901*.

Note 2: See also sections 34AA and 34AB of the *Acts Interpretation Act 1901*.

(2) If the Joint Authority delegates a function or power under this section, the delegation continues in force despite:

(a) a vacancy in the office of Joint Authority; or

(b) a change in the identity of the holder of the office of Joint Authority.

(3) Despite subsection (2), a delegation under this section may be revoked by the Joint Authority in accordance with subsection 33(3) of the *Acts Interpretation Act 1901*.

(4) A copy of each instrument making, varying or revoking a delegation under this section must be published in the *Gazette*.

29 At the end of Division 1 of Part 1.3

Add:

49A Greater Sunrise Offshore Petroleum Joint Authority—consultations

The Greater Sunrise Offshore Petroleum Joint Authority may consult with the Timor Sea Treaty Designated Authority before exercising any power, or performing any function, that is conferred on the Joint Authority under this Act or the regulations.

30 After subsection 50(2)

Insert:

(2A) The Designated Authority for the offshore area of a State is taken to be the Designated Authority for the State.

31 Subsection 50(3)

Omit “the offshore area of the Northern Territory”, substitute “the Principal Northern Territory offshore area”.

Note: The heading to subsection 50(3) is replaced by the heading “Principal Northern Territory offshore area”.

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10 Offshore Petroleum Amendment (Greater Sunrise) Act 2007 No. 49, 2007
32 After subsection 50(3)

Insert:

(3A) The Designated Authority for the Principal Northern Territory offshore area is taken to be the Designated Authority for the Northern Territory.

Eastern Greater Sunrise offshore area

(3B) The responsible Commonwealth Minister is the Designated Authority for the Eastern Greater Sunrise offshore area.

(3C) The Designated Authority for the Eastern Greater Sunrise offshore area is taken not to be the Designated Authority for the Northern Territory.

33 At the end of section 50

Add:

(5) The Designated Authority for the offshore area of an external Territory is taken to be the Designated Authority for the external Territory.

34 Subsection 51(2)

Repeal the subsection, substitute:

Principal Northern Territory offshore area

(2) The Designated Authority for the Principal Northern Territory offshore area has, in relation to that offshore area, the functions and powers that this Act confers on a Designated Authority.

Eastern Greater Sunrise offshore area

(2A) The Designated Authority for the Eastern Greater Sunrise offshore area has, in relation to that offshore area, the functions and powers that this Act confers on a Designated Authority.

35 Subsection 52(1)

Repeal the subsection, substitute:

(1) A Designated Authority may, by written instrument, delegate to:
Schedule 1
Part 1 General

(a) an APS employee who is an SES employee or acting SES employee; or
(b) an employee of a State or the Northern Territory;
any or all of the powers or functions of the Designated Authority
under this Act or the regulations.

Note 1: The expressions APS employee, SES employee and acting SES employee are defined in section 17AA of the Acts Interpretation Act 1901.

Note 2: See also sections 34AA and 34AB of the Acts Interpretation Act 1901.

36 Subsection 52(5)
Repeal the subsection.

37 After section 52
Insert:

38 At the end of subsection 55(1)
Add:
Note: The offshore area of a State or Territory is defined by section 7.

39 Subsection 59(1) (note)
After “Note”, insert “1”.

40 At the end of subsection 59(1)
Add:
Note 2: The offshore area of a State or Territory is defined by section 7.

41 Section 61
After “the offshore area” (wherever occurring), insert “of the State or the Northern Territory”.

12 Offshore Petroleum Amendment (Greater Sunrise) Act 2007 No. 49, 2007
42 At the end of subsections 68(1), (3), (4) and (6)
Add:

Note: The offshore area of a State or Territory is defined by section 7.

43 At the end of subsection 71(1)
Add:

Note: The offshore area of a State is defined by section 7.

44 At the end of subsection 72(1)
Add:

Note: The offshore area of a Territory is defined by section 7.

45 After subsection 142(6) (before the notes)
Insert:

Greater Sunrise unit reservoir production licence

(7) An application under this section for the grant of a Greater Sunrise unit reservoir production licence must also:

(a) nominate a person to be the unit operator, as defined in the Greater Sunrise unitisation agreement; and

(b) be accompanied by each Joint Venturers’ Agreement, as defined in the Greater Sunrise unitisation agreement; and

(c) be accompanied by a copy of the proposed Development Plan, as defined in the Greater Sunrise unitisation agreement.

46 After subsection 144(3) (before the notes)
Insert:

Greater Sunrise unit reservoir production licence

(4) An application under this section for the grant of a Greater Sunrise unit reservoir production licence must also:

(a) nominate a person to be the unit operator, as defined in the Greater Sunrise unitisation agreement; and

(b) be accompanied by each Joint Venturers’ Agreement, as defined in the Greater Sunrise unitisation agreement; and

(c) be accompanied by a copy of the proposed Development Plan, as defined in the Greater Sunrise unitisation agreement.
47 **At the end of paragraph 145(b)**
Add “and”.

48 **After paragraph 145(b)**
Insert:

(c) in the case of an application for a Greater Sunrise unit reservoir production licence—section 145A has been complied with;

49 **After section 145**
Insert:

145A **Consultation—Greater Sunrise unit reservoir production licence**

Before the Greater Sunrise Offshore Petroleum Joint Authority gives an offer document to an applicant for the grant of a Greater Sunrise unit reservoir production licence, the Joint Authority must:

(a) give to the Timor Sea Treaty Designated Authority a written notice that:

(i) states that the Joint Authority is considering granting the licence to the applicant and naming the person whom the applicant has nominated to be the unit operator; and

(ii) is accompanied by a copy of each Joint Venturers’ Agreement that accompanied the application; and

(iii) is accompanied by a copy of the proposed Development Plan that accompanied the application; and

(b) approve:

(i) a unit operator for the development of the Greater Sunrise unit reservoirs in the blocks to which the licence relates; and

(ii) each Joint Venturers’ Agreement for the development; and

(iii) the Development Plan for the development; and

(c) be satisfied that the Timor Sea Treaty Designated Authority has approved the same unit operator, Joint Venturers’ Agreements and Development Plan for the development.

50 **After subsection 146(4)**
Amendments

Schedule 1

General

Part 1

Insert:

Application for Greater Sunrise unit reservoir production licence—no approval by Timor Sea Treaty Designated Authority

(4A) If:

(a) the application is for a Greater Sunrise unit reservoir production licence; and

(b) the Joint Authority is not satisfied that the Timor Sea Treaty Designated Authority has given the approvals mentioned in paragraph 145A(c);

the Joint Authority must, by written notice given to the applicant, refuse to grant the licence to the applicant.

51 Paragraph 163(1)(a)

After “petroleum pool”, insert “(other than either of the Greater Sunrise unit reservoirs)”.

52 At the end of subsection 163(11)

Add:

Note: The offshore area of a State or Territory is defined by section 7.

53 At the end of section 191

Add:

Principal Northern Territory offshore area and Eastern Greater Sunrise offshore area

(9) For the purposes of paragraph (6)(d):

(a) the Principal Northern Territory offshore area; and

(b) the Eastern Greater Sunrise offshore area;

are taken to relate to the Northern Territory.

54 At the end of subsections 246(1) and (3)

Add:

Note: The offshore area of a State or Territory is defined by section 7.

55 Subsection 246(6) (at the end of the definition of State/Territory title)

Add:
Note: The offshore area of a State or Territory is defined by section 7.

56 **Subsection 248(1)**

Repeal the subsection, substitute:

*Scope*

(1) This section applies if petroleum (other than petroleum from the Greater Sunrise unit reservoirs) is recovered:
   (a) by an exploration permittee in the permit area; or
   (b) by a retention lessee in the lease area; or
   (c) by a production licensee in the licence area.

Note: The heading to section 248 is altered by adding at the end "not recovered from a Greater Sunrise unit reservoir".

57 **After section 248**

Insert:

**248A Property in petroleum recovered from a Greater Sunrise unit reservoir**

*Scope*

(1) This section applies if an amount of petroleum is recovered at a particular time from a Greater Sunrise unit reservoir:
   (a) by an exploration permittee in the permit area; or
   (b) by a retention lessee in the lease area; or
   (c) by a production licensee in the licence area.

*Property*

(2) The following provisions have effect:
   (a) the current apportionment percentage of the amount of petroleum becomes the property of the permittee, lessee or licensee;
   (b) property in the remainder of the amount of petroleum is determined under the Timor Sea Treaty;
   (c) the amount of petroleum is not subject to any rights of other persons (other than a person to whom the permittee, lessee or licensee transfers, assigns or otherwise disposes of the petroleum or an interest in the petroleum).
(3) Subsection (2) has effect subject to this Act.

Definition

(4) In this section:

*current apportionment percentage*, in relation to an amount of petroleum recovered at a particular time, means:

(a) 79.9%; or

(b) if, before that time, the Apportionment Ratio set out in article 7 of the Greater Sunrise unitisation agreement has changed, at least once, because it has been:

(i) redetermined due to a technical redetermination undertaken in accordance with paragraph 8(1) of the agreement; or

(ii) altered due to an agreement in accordance with paragraph 8(2) of the Greater Sunrise unitisation agreement;

the percentage of the production of petroleum from the Greater Sunrise unit reservoirs that is apportioned to Australia under the Greater Sunrise unitisation agreement immediately after the most recent change to the Apportionment Ratio.

58 At the end of section 287

Add:

*Principal Northern Territory offshore area and Eastern Greater Sunrise offshore area*

(7) For the purposes of paragraph (1)(f):

(a) the Principal Northern Territory offshore area; and

(b) the Eastern Greater Sunrise offshore area;

are taken to relate to the Northern Territory.

59 At the end of section 298

Add:
Principal Northern Territory offshore area and Eastern Greater Sunrise offshore area

(6) For the purposes of paragraph (3)(b):
(a) the Principal Northern Territory offshore area; and
(b) the Eastern Greater Sunrise offshore area;
are taken to relate to the Northern Territory.

60 Subsection 308(2)
Omit “by the Joint Authority”, substitute “by a Joint Authority that consists of 2 members”.

61 After subsection 318(2)
Insert:

(2A) The Designated Authority for the Eastern Greater Sunrise offshore area may specify, in an identity card issued to a project inspector under subsection (2), that the project inspector is a Greater Sunrise visiting inspector.

62 Subsections 319(1) and (2)
After “a project inspector”, insert “(other than a Greater Sunrise visiting inspector)”.

63 After subsection 319(2)
Insert:

(2A) For the purposes of subparagraph (2)(d)(ii):
(a) the Principal Northern Territory offshore area; and
(b) the Eastern Greater Sunrise offshore area;
are taken to relate to the Northern Territory.

64 After subsection 319(6)
Insert:

Powers of Greater Sunrise visiting inspectors

(6A) For the purposes of this Act and the regulations, a Greater Sunrise visiting inspector who produces, at a reasonable time, the inspector’s identity card:
(a) is to be given access to the regions in:
(i) the Eastern Greater Sunrise offshore area; or
(ii) the Principal Northern Territory offshore area;
specified in the identity card; and
(b) is to be given access to any structure, vessel, aircraft or
building in that region that, in that inspector’s opinion,
contains any equipment used to measure amounts of
petroleum recovered from one or more of the Greater Sunrise
unit reservoirs; and
(c) may inspect and test any equipment that, in that inspector’s
opinion, is being used in that region to measure amounts of
petroleum recovered from one or more of the Greater Sunrise
unit reservoirs.

65 After subsection 319(7)
Insert:

(7A) A person who is:

(a) the occupier or person in charge of any building or structure
referred to in subsection (6A); or

(b) the person in charge of any vessel, aircraft or equipment
referred to in subsection (6A);

must provide a Greater Sunrise visiting inspector with all
reasonable facilities and assistance for the effective exercise of the
inspector’s powers under subsection (6A).

66 Paragraph 319(8)(a)
After “(7)”, insert “or (7A)”.

67 Subsection 350(1) (note)
After “Note”, insert “1”.

68 At the end of subsection 350(1)
Add:

Note 2: The offshore area of a State or Territory is defined by section 7.

69 Section 353 (at the end of the definition of Commonwealth waters)
Add:

Note: The offshore area of a State or Territory is defined by section 7.
70 **Paragraph 442(1)(b)**

After “State or”, insert “external”.

Note: The heading to section 442 is altered by adding at the end “—State or external Territory”.

71 **At the end of subsection 442(1)**

Add:

Note: The offshore area of a State or Territory is defined by section 7.

72 **At the end of Part 6.5**

Add:

442A **Publication in Gazette—Northern Territory**

*Scope*

(1) This section applies if:

(a) an instrument or notice is required by this Act or the regulations to be published in the Gazette; and

(b) the instrument or notice has effect in relation to:

(i) the Principal Northern Territory offshore area; or

(ii) the Eastern Greater Sunrise offshore area.

*Publication in Government Gazette of the Northern Territory*

(2) The instrument or notice may be published in the Government Gazette of the Northern Territory and, in that event, is taken to have been published in the Gazette.

73 **Section 447**

After “rights”, insert “, and compliance with Australia’s obligations,”.

74 **At the end of section 447**

Add “(whether in an offshore area or not)”.

75 **Paragraph 7(1)(e) of Schedule 6**

After “offshore area”, insert “of a State or Territory”.

76 **After paragraph 7(1)(e) of Schedule 6**
Amendments Schedule 1
General Part 1

Insert:

(ea) that the document has effect, after the commencement of this clause, as if a specified reference, or each reference other than a specified reference, in the document to the Eastern Greater Sunrise area within the meaning of the Petroleum (Submerged Lands) Act 1967 were a reference to the Eastern Greater Sunrise offshore area within the meaning of this Act;

(eb) that the document has effect, after the commencement of this clause, as if a specified reference, or each reference other than a specified reference, in the document to the Principal Northern Territory PSL area within the meaning of the Petroleum (Submerged Lands) Act 1967 were a reference to the Principal Northern Territory offshore area within the meaning of this Act;

77 Subclause 9(1) of Schedule 6

After “this Act”, insert “(other than the Joint Authority for the Principal Northern Territory offshore area or the Joint Authority for the Eastern Greater Sunrise offshore area)”.

78 After subclause 9(1) of Schedule 6

Insert:

(1A) The Joint Authority for the Principal Northern Territory offshore area under this Act is, for all purposes, a continuation of the Joint Authority in respect of the Principal Northern Territory PSL area under the Petroleum (Submerged Lands) Act 1967.

(1B) The Joint Authority for the Eastern Greater Sunrise offshore area under this Act is, for all purposes, a continuation of the Joint Authority in respect of the Eastern Greater Sunrise area under the Petroleum (Submerged Lands) Act 1967.

79 Clause 11 of Schedule 6

Before “A Designated Authority”, insert “(1)”.

80 Clause 11 of Schedule 6

After “this Act”, insert “(other than the Designated Authority for the Principal Northern Territory offshore area or the Designated Authority for the Eastern Greater Sunrise offshore area)”.

Offshore Petroleum Amendment (Greater Sunrise) Act 2007 No. 49, 2007 21
81 At the end of clause 11 of Schedule 6

Add:

(2) The Designated Authority for the Principal Northern Territory offshore area under this Act is, for all purposes, a continuation of the Designated Authority in respect of the Principal Northern Territory PSL area under the Petroleum (Submerged Lands) Act 1967.

(3) The Designated Authority for the Eastern Greater Sunrise offshore area under this Act is, for all purposes, a continuation of the Designated Authority in respect of the Eastern Greater Sunrise area under the Petroleum (Submerged Lands) Act 1967.

82 Subclause 13(1) of Schedule 6

After “adjacent area”, insert “or a part of an adjacent area”.

83 At the end of clause 13 of Schedule 6

Add:

(3) For the purposes of subclause (2):

(a) the Principal Northern Territory offshore area under this Act is taken to correspond to the Principal Northern Territory PSL area under the Petroleum (Submerged Lands) Act 1967; and

(b) the Eastern Greater Sunrise offshore area under this Act is taken to correspond to the Eastern Greater Sunrise area under the Petroleum (Submerged Lands) Act 1967.

84 At the end of clause 14 of Schedule 6

Add:

Note: The offshore area of a State or Territory is defined by section 7.

85 Subclause 15(1) of Schedule 6

After “this Act”, insert “(other than the Register for the Principal Northern Territory offshore area or the Register for the Eastern Greater Sunrise offshore area)”.

86 After subclause 15(1) of Schedule 6

Insert:
(1A) The Register for the Principal Northern Territory offshore area under this Act is, for all purposes, a continuation of the Register for the Principal Northern Territory PSL area under the Petroleum (Submerged Lands) Act 1967.

(1B) The Register for the Eastern Greater Sunrise offshore area under this Act is, for all purposes, a continuation of the Register for the Eastern Greater Sunrise area under the Petroleum (Submerged Lands) Act 1967.

87 At the end of the Act

Add:

Schedule 7—Greater Sunrise areas

Note: See section 6 (for datum, see section 22).

1 Greater Sunrise unit area

The Greater Sunrise unit area is the area the boundary of which commences at the point of Latitude 9° 49’ 54.88” South, Longitude 127° 55’ 04.35” East and runs:

(a) thence easterly along the loxodrome to the point of Latitude 9° 49’ 54.88” South, Longitude 128° 20’ 04.34” East; and

(b) thence northerly along the loxodrome to the point of Latitude 9° 39’ 54.88” South, Longitude 128° 20’ 04.34” East; and

(c) thence easterly along the loxodrome to the point of Latitude 9° 39’ 54.88” South, Longitude 128° 25’ 04.34” East; and

(d) thence northerly along the loxodrome to the point of Latitude 9° 29’ 54.88” South, Longitude 128° 25’ 04.34” East; and

(e) thence westerly along the loxodrome to the point of Latitude 9° 29’ 54.88” South, Longitude 128° 20’ 04.34” East; and
(f) thence northerly along the loxodrome to the point of
Latitude 9º 24’ 54.88” South, Longitude 128º 20’ 04.34”
East; and
(g) thence westerly along the loxodrome to the point of
Latitude 9º 24’ 54.88” South, Longitude 128º 00’ 04.34”
East; and
(h) thence south-westerly along the loxodrome to the point of
Latitude 9º 29’ 54.88” South, Longitude 127º 53’ 24.35”
East; and
(i) thence westerly along the loxodrome to the point of
Latitude 9º 29’ 54.88” South, Longitude 127º 52’ 34.35”
East; and
(j) thence southerly along the loxodrome to the point of
Latitude 9º 34’ 54.88” South, Longitude 127º 52’ 34.35”
East; and
(k) thence westerly along the loxodrome to the point of
Latitude 9º 34’ 54.88” South, Longitude 127º 50’ 04.35”
East; and
(l) thence southerly along the loxodrome to the point of
Latitude 9º 37’ 24.88” South, Longitude 127º 50’ 04.35”
East; and
(m) thence westerly along the loxodrome to the point of
Latitude 9º 37’ 24.89” South, Longitude 127º 45’ 04.35”
East; and
(n) thence southerly along the loxodrome to the point of
Latitude 9º 44’ 54.88” South, Longitude 127º 45’ 04.35”
East; and
(o) thence easterly along the loxodrome to the point of
Latitude 9º 44’ 54.88” South, Longitude 127º 50’ 04.35”
East; and
(p) thence southerly along the loxodrome to the point of
Latitude 9º 47’ 24.88” South, Longitude 127º 50’ 04.35”
East; and
(q) thence easterly along the loxodrome to the point of
Latitude 9º 47’ 24.88” South, Longitude 127º 55’ 04.35”
East; and
(r) thence southerly along the loxodrome to the point of
commencement.
2 Eastern Greater Sunrise offshore area

The Eastern Greater Sunrise offshore area is so much of the offshore area of the Northern Territory as consists of the area the boundary of which commences at the point of Latitude 9° 49’ 54.88” South, Longitude 128° 03’ 26.86” East and runs:

(a) thence easterly along the loxodrome to the point of Latitude 9° 49’ 54.88” South, Longitude 128° 20’ 04.34” East; and

(b) thence northerly along the loxodrome to the point of Latitude 9° 39’ 54.88” South, Longitude 128° 20’ 04.34” East; and

(c) thence easterly along the loxodrome to the point of Latitude 9° 39’ 54.88” South, Longitude 128° 25’ 04.34” East; and

(d) thence northerly along the loxodrome to the point of Latitude 9° 29’ 54.88” South, Longitude 128° 25’ 04.34” East; and

(e) thence westerly along the loxodrome to the point of Latitude 9° 29’ 54.88” South, Longitude 128° 20’ 04.34” East; and

(f) thence northerly along the loxodrome to the point of Latitude 9° 24’ 54.88” South, Longitude 128° 20’ 04.34” East; and

(g) thence westerly along the loxodrome to the point of Latitude 9° 24’ 54.88” South, Longitude 128° 00’ 04.34” East; and

(h) thence south-westerly along the loxodrome to the point of Latitude 9° 27’ 54.88” South, Longitude 127° 56’ 04.35” East; and

(i) thence south-easterly along the geodesic to the point of Latitude 9° 29’ 51.88” South, Longitude 127° 58’ 51.35” East; and

(j) thence south-easterly along the geodesic to the point of commencement.

3 Western Greater Sunrise area

The Western Greater Sunrise area is the area the boundary of which commences at the point of Latitude 9° 27’ 54.88” South, Longitude 127° 56’ 04.35” East and runs:
(a) thence south-westerly along the loxodrome to the point of Latitude 9° 29’ 54.88” South, Longitude 127° 53’ 24.35” East; and
(b) thence westerly along the loxodrome to the point of Latitude 9° 29’ 54.88” South, Longitude 127° 52’ 34.35” East; and
(c) thence southerly along the loxodrome to the point of Latitude 9° 34’ 54.88” South, Longitude 127° 52’ 34.35” East; and
(d) thence westerly along the loxodrome to the point of Latitude 9° 34’ 54.88” South, Longitude 127° 50’ 04.35” East; and
(e) thence southerly along the loxodrome to the point of Latitude 9° 37’ 24.88” South, Longitude 127° 50’ 04.35” East; and
(f) thence westerly along the loxodrome to the point of Latitude 9° 37’ 24.89” South, Longitude 127° 45’ 04.35” East; and
(g) thence southerly along the loxodrome to the point of Latitude 9° 44’ 54.88” South, Longitude 127° 45’ 04.35” East; and
(h) thence easterly along the loxodrome to the point of Latitude 9° 44’ 54.88” South, Longitude 127° 50’ 04.35” East; and
(i) thence southerly along the loxodrome to the point of Latitude 9° 47’ 24.88” South, Longitude 127° 50’ 04.35” East; and
(j) thence easterly along the loxodrome to the point of Latitude 9° 47’ 24.88” South, Longitude 127° 55’ 04.35” East; and
(k) thence southerly along the loxodrome to the point of Latitude 9° 49’ 54.88” South, Longitude 127° 55’ 04.35” East; and
(l) thence easterly along the loxodrome to the point of Latitude 9° 49’ 54.88” South, Longitude 128° 03’ 26.86” East; and
(m) thence north-westerly along the geodesic to the point of Latitude 9° 29’ 51.88” South, Longitude 127° 58’ 51.35” East; and
(n) thence north-westerly along the geodesic to the point of commencement.

**Petroleum Resource Rent Tax Assessment Act 1987**

88 Section 2 (definition of Greater Sunrise unit area)


89 Section 2 (definition of Greater Sunrise unit reservoirs)


90 Section 2 (definition of production licence)

Repeal the definition, substitute:

*production licence* means:

(a) a production licence within the meaning of the *Offshore Petroleum Act 2006*; or

(b) a lawful authority or right (however described) to undertake activities in the Western Greater Sunrise area for the recovery of petroleum from one or more of the Greater Sunrise unit reservoirs.

91 Section 2 (definition of production licence area)

Repeal the definition, substitute:

*production licence area* means a production licence area within the meaning of the *Offshore Petroleum Act 2006* and, in relation to a Greater Sunrise project, includes the Western Greater Sunrise area.

92 Section 2 (definition of Western Greater Sunrise area)


93 Subsection 2C(1)

Omit “subsection 127(3) of the *Petroleum (Submerged Lands) Act 1967*”, substitute “subsection 248A(4) of the *Offshore Petroleum Act 2006*”.

Offshore Petroleum Amendment (Greater Sunrise) Act 2007 No. 49, 2007 27
94 Subsection 23(4)


Radiocommunications Act 1992

95 Subsection 17A(3) (definition of Greater Sunrise unit reservoirs)


96 Subsection 17A(3) (definition of Western Greater Sunrise area)


28 Offshore Petroleum Amendment (Greater Sunrise) Act 2007 No. 49, 2007
Part 2—Regulations

97 Regulations

(1) The Governor-General may make regulations in relation to transitional matters arising out of the amendments made by this Act.

(2) The Governor-General may make regulations making provision (including provision by way of modification or adaptation of any Act) for or in relation to matters consequential on amendments made by this Act.

(3) The Governor-General may make regulations that:
   (a) in the Minister’s opinion, are necessary or convenient for giving effect to any provision of the Greater Sunrise unitisation agreement; and
   (b) are not inconsistent with any amendment made by this Act.

(4) In this item:
   Greater Sunrise unitisation agreement has the same meaning as in the Offshore Petroleum Act 2006.