Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Act 2010

No. 119, 2010

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

Note: An electronic version of this Act is available in ComLaw (http://www.comlaw.gov.au/)
Contents

1 Short title .................................................................................................................1
2 Commencement ........................................................................................................2
3 Schedule(s) .............................................................................................................2

Schedule 1—Amendments


i  Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Act 2010
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An Act to amend the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003, and for related purposes

[Assented to 16 November 2010]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Act 2010.
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.

<table>
<thead>
<tr>
<th>Provision(s)</th>
<th>Commencement</th>
<th>Date/Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table</td>
<td>The day this Act receives the Royal Assent.</td>
<td>16 November 2010</td>
</tr>
<tr>
<td>2. Schedule 1</td>
<td>1 January 2010.</td>
<td>1 January 2010</td>
</tr>
</tbody>
</table>

Note: This table relates only to the provisions of this Act as originally enacted.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 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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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


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

Omit “the Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 1996”, substitute “the Offshore Petroleum (Safety) Regulations 2009”.

2 After subsection 8(7)

Insert:

Transitional

(7A) If, at a particular time during the period:
(a) beginning at the start of 1 January 2010; and
(b) ending at the end of 31 December 2012;
a pipeline safety management plan is in force in relation to a pipeline that is a facility, this section has effect as if, at that time, a safety case was in force in relation to the facility.

(7B) For the purposes of the application of this section in relation to a facility located, or proposed to be located, in the designated coastal waters of a State or the Northern Territory, if, at a particular time during the period:
(a) beginning at the start of 1 January 2010; and
(b) ending at the end of 31 December 2012;
a safety case is in force in relation to the facility (within the meaning of regulations of that State or Territory that substantially correspond to the Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 1996, as those last-mentioned regulations were in force immediately before the end of 31 December 2009), this section has effect as if, at that time, a safety case was in force in relation to the facility.

3 Subsection 8(8)
Insert:

*pipeline safety management plan in force in relation to a pipeline*

has the same meaning as in regulations of that State or Territory that substantially correspond to the *Petroleum (Submerged Lands) (Pipelines) Regulations 2001*, as those last-mentioned regulations were in force immediately before the end of 31 December 2009.

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

Omit “the *Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 1996*”, substitute “the *Offshore Petroleum (Safety) Regulations 2009*”.

5 **Application of amendment—subsection 7(8) of the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003**

(1) The amendment made by item 1 applies in relation to a safety case in force at the start of a year if that year starts on or after 1 January 2010.

(2) The amendment made by item 1 applies in relation to a safety case in force during a part of a year (but not in force at the start of that year) if that part of the year starts on or after 1 January 2010.

6 **Application of amendment—subsection 8(8) of the Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003**

(1) The amendment made by item 4 applies in relation to a safety case in force at the start of a year if that year starts on or after 1 January 2010.

(2) The amendment made by item 4 applies in relation to a safety case in force during a part of a year (but not in force at the start of that year) if that part of the year starts on or after 1 January 2010.
[Minister's second reading speech made in—
House of Representatives on 29 September 2010
Senate on 25 October 2010]