Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Designated Coastal Waters) Act 2015

No. 16, 2015

An Act to amend the Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003, and for related purposes
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No. 16, 2015

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

[Assented to 19 March 2015]

The Parliament of Australia enacts:
1 Short title

This Act may be cited as the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Designated Coastal Waters) Act 2015*.

2 Commencement

This Act commences on the day after it receives the Royal Assent.

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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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


1 Section 3 (definition of coastal waters)
Repeal the definition.

2 Section 3 (definition of designated coastal waters)
Omit “same meaning as in Part 6.9 of the Offshore Petroleum and Greenhouse Gas Storage Act 2006”, substitute “meaning given by section 3A”.

3 Section 3
Insert:

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

4 After section 3
Insert:

3A Designated coastal waters

(1) For the purposes of this Act, designated coastal waters, in relation to a State or the Northern Territory, means:

(a) so much of the scheduled area for that State or Territory as consists of the territorial sea; and

(b) any area that:

(i) is within the scheduled area for that State or Territory; and

(ii) is on the landward side of the territorial sea; and

(iii) was, immediately before the commencement of the relevant State PSLA or Territory PSLA, the subject of a petroleum exploration permit under the repealed Petroleum (Submerged Lands) Act 1967.
(2) For the purposes of subsection (1), assume that the breadth of the territorial sea of Australia had never been determined or declared to be greater than 3 nautical miles, but had continued to be 3 nautical miles.

(3) Paragraph (1)(b) has effect subject to subsection (4).

(4) For the purposes of this Act, if (whether before or after the commencement of this subsection) an area that is within the designated coastal waters of a State or Territory because it is described in subparagraphs (1)(b)(i), (ii) and (iii) became or becomes an area that is:
   (a) not the subject of a petroleum exploration permit under the relevant State PSLA or Territory PSLA; and
   (b) not the subject of a petroleum retention lease under the relevant State PSLA or Territory PSLA; and
   (c) not the subject of a petroleum production licence under the relevant State PSLA or Territory PSLA; and
   (d) not the subject of an application for a petroleum retention lease or petroleum production licence under the relevant State PSLA or Territory PSLA;
the area is taken to have ceased to be part of the designated coastal waters of that State or Territory.

5 Subsection 10(5) (definition of State/Territory petroleum title)
Before “coastal waters”, insert “designated”.

6 Subsection 10B(8) (definition of State/Territory petroleum title)
Before “coastal waters”, insert “designated”.

7 Subsection 10D(6) (definition of State/Territory petroleum title)
Before “coastal waters”, insert “designated”.

8 Subsection 10G(7) (definition of State/Territory title)
Before “coastal waters”, insert “designated”.

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4 Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Designated Coastal Waters) Act 2015

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ComLaw Authoritative Act C2015A00016
Minister’s second reading speech made in—
House of Representatives on 3 December 2014
Senate on 4 March 2015