



Petroleum (Timor Sea Treaty) Act 2003

No. 9, 2003

Compilation No. 2

Compilation date:	30 August 2019
Includes amendments up to:	Act No. 59, 2019
Registered:	20 September 2019

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Petroleum (Timor Sea Treaty) Act 2003* that shows the text of the law as amended and in force on 30 August 2019 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Part 1—Preliminary	1
1 Short title	1
2 Commencement	1
5 Definitions	2
Part 4—Transitional provisions	3
21 Definitions	3
22 Retrospective effect of authorities and production sharing contracts	3
23 Interim Petroleum Mining Code	3
24 Actions taken under former Petroleum Mining Code	4
Part 5—Regulations	5
25 Regulations	5
Endnotes	6
Endnote 1—About the endnotes	6
Endnote 2—Abbreviation key	8
Endnote 3—Legislation history	9
Endnote 4—Amendment history	10

An Act to give effect to the Timor Sea Treaty, and for related purposes

Part 1—Preliminary

1 Short title

This Act may be cited as the *Petroleum (Timor Sea Treaty) Act 2003*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, on the day or at the time specified in column 2 of the table.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 and 2 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent	2 April 2003
2. Sections 3 to 5	20 May 2002	20 May 2002
3. Sections 6 and 7	The day on which this Act receives the Royal Assent	2 April 2003
4. Subsection 8(1)	20 May 2002	20 May 2002
5. Subsection 8(2)	The day on which this Act receives the Royal Assent	2 April 2003
6. Sections 9 to 25	20 May 2002	20 May 2002
7. Schedule 1	20 May 2002	20 May 2002

Petroleum (Timor Sea Treaty) Act 2003

1

Compilation No. 2

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Section 5

Note: This table relates only to the provisions of this Act as originally passed by 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 is for additional information that is not part of this Act. This information may be included in any published version of this Act.

5 Definitions

- (1) In this Act, unless the contrary intention appears:

JPDA means the Joint Petroleum Development Area established in Article 3 of the Treaty.

Treaty means the Timor Sea Treaty between Australia and East Timor done at Dili on 20 May 2002, as in force immediately before the commencement of Schedule 1 to the *Timor Sea Maritime Boundaries Treaty Consequential Amendments Act 2019*.

Note: The Timor Sea Treaty is in Australian Treaty Series 2003 No. 13 ([2003] ATS 13) and could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

- (2) Unless the contrary intention appears, a word or an expression that is defined in the Treaty has, when used in this Act, the same meaning as in the Treaty.

Part 4—Transitional provisions

21 Definitions

In this Part:

former Petroleum Mining Code has the same meaning as Petroleum Mining Code had in the *Petroleum (Timor Gap Zone of Cooperation) Act 1990* immediately before 20 May 2002.

Joint Authority has the same meaning as it had in the *Petroleum (Timor Gap Zone of Cooperation) Act 1990* immediately before 20 May 2002.

new Petroleum Mining Code means the Petroleum Mining Code referred to in Article 7 of the Treaty (including the interim code referred to in paragraph 7(b) of the Treaty).

22 Retrospective effect of authorities and production sharing contracts

If the Designated Authority determines that:

- (a) an approval the Designated Authority grants to a person to prospect for petroleum, or to undertake petroleum activities, in the JPDA; or
- (b) a production sharing contract the Designated Authority enters into with a person;

is to be taken to have had effect on and from 20 May 2002, the approval or contract is taken, for the purposes of this Act, to have had effect on and from that day.

23 Interim Petroleum Mining Code

If the Joint Commission:

- (a) adopts an interim code under paragraph 7(b) of the Treaty; and

(b) determines that the interim code is to be taken to have had effect on and from 20 May 2002;
the interim code is taken, for the purposes of this Act, to have had effect on and from that day.

24 Actions taken under former Petroleum Mining Code

- (1) Anything that the Joint Authority purported to do on or after 20 May 2002 for the purposes of the former Petroleum Mining Code is taken, for the purposes of this Act, to have been done by the Designated Authority for the purposes of the new Petroleum Mining Code.
- (2) Without limiting subsection (1), any regulations or directions the Joint Authority purported to issue on or after 20 May 2002 under the former Petroleum Mining Code are taken, for the purposes of this Act, to have been issued by the Designated Authority under the new Petroleum Mining Code.
- (3) Anything that an inspector appointed under the former Petroleum Mining Code purported to do on or after 20 May 2002 for the purposes of the former Petroleum Mining Code is taken, for the purposes of this Act, to have been done by an inspector appointed under the new Petroleum Mining Code for the purposes of the new Petroleum Mining Code.

Part 5—Regulations

25 Regulations

- (1) The Governor-General may make regulations prescribing all matters necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) The regulations may prescribe penalties not exceeding a fine of 10 penalty units for offences against regulations made for the purposes of Part 3.

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can

Endnote 1—About the endnotes

be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnotes

Endnote 2—Abbreviation key

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ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Petroleum (Timor Sea Treaty) Act 2003	9, 2003	2 Apr 2003	s 3–5, 8(1), 9–25 and Sch 1: 20 May 2002 (s 2(1) items 2, 4, 6, 7) Remainder: 2 Apr 2003 (s 2(1) items 1, 3, 5)	
Statute Update Act 2016	61, 2016	23 Sept 2016	Sch 2 (items 74–76): 21 Oct 2016 (s 2(1) item 1)	—
Timor Sea Maritime Boundaries Treaty Consequential Amendments Act 2019	57, 2019	7 Aug 2019	Sch 1 (items 139–143): 30 Aug 2019 (s 2(1) item 2)	Sch 1 (item 143)
Treasury Laws Amendment (Timor Sea Maritime Boundaries Treaty) Act 2019	59, 2019	7 Aug 2019	Sch 2 (item 21): 30 Aug 2019 (s 2(1) item 2)	—

Petroleum (Timor Sea Treaty) Act 2003

9

Compilation No. 2

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Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
s 3	rep No 57, 2019
s 4	rep No 57, 2019
s 5	am No 57, 2019
Part 2	rep No 57, 2019
s 6	am No 61, 2016
	rep No 57, 2019
s 7	am No 61, 2016
	rep No 57, 2019
s 8	am No 61, 2016
	rep No 57, 2019
s 9	rep No 57, 2019
s 10	rep No 57, 2019
Part 3	rep No 59, 2019
s 11	rep No 59, 2019
s 12	rep No 59, 2019
s 13	rep No 59, 2019
s 14	rep No 59, 2019
s 15	rep No 59, 2019
s 16	rep No 59, 2019
s 17	rep No 59, 2019
s 18	rep No 59, 2019
s 19	rep No 59, 2019
s 20	rep No 59, 2019
