



Timor Sea Legislation Amendment (Maritime Boundaries Treaty) Regulations 2019

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 08 August 2019

David Hurley
Governor-General

By His Excellency's Command

Matthew Canavan
Minister for Resources and Northern Australia

Contents

| | | |
|---|--------------------|---|
| 1 | Name..... | 1 |
| 2 | Commencement | 1 |
| 3 | Authority..... | 1 |
| 4 | Schedules | 1 |

Schedule 1—Amendments and repeals 2

Part 1—Amendments 2

Export Charges (Imposition—Customs) Regulation 2015 2

Export Charges (Imposition—General) Regulation 2015 2

Maritime Powers Regulation 2014 3

Radiocommunications Regulations 1993 3

Telecommunications Regulations 2001 3

Transport Safety Investigation Regulations 2003 4

Part 2—Repeals 5

*International Organisations (Privileges and Immunities—Timor Sea Proceedings)
Regulations 2017* 5

*Timor Sea Treaty Designated Authority (Privileges and Immunities)
Regulations 2003* 5

1 Name

This instrument is the *Timor Sea Legislation Amendment (Maritime Boundaries Treaty) Regulations 2019*.

2 Commencement

- (1) Each provision of this instrument 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. The whole of this instrument | At the same time as Schedule 1 to the <i>Timor Sea Maritime Boundaries Treaty Consequential Amendments Act 2019</i> commences. However, the provisions do not commence at all if that Schedule does not commence. | 30 August 2019 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the following:

- (a) the *Export Charges (Imposition—Customs) Act 2015*;
- (b) the *Export Charges (Imposition—General) Act 2015*;
- (c) the *International Organisations (Privileges and Immunities) Act 1963*;
- (d) the *Maritime Powers Act 2013*;
- (e) the *Radiocommunications Act 1992*;
- (f) the *Telecommunications Act 1997*;
- (g) the *Transport Safety Investigation Act 2003*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments and repeals

Part 1—Amendments

Export Charges (Imposition—Customs) Regulation 2015

1 Section 5

Insert:

Timor Sea Maritime Boundaries Treaty means the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018, as in force at the commencement of this definition.

Note: The Timor Sea Maritime Boundaries Treaty could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

2 Paragraph 25(1)(i)

Repeal the paragraph, substitute:

- (i) goods that are consigned to either a resources industry fixed structure, or a resources industry mobile unit, within the meaning of the *Sea Installations Act 1987*, that is installed in any of the following areas, for consumption on the structure or mobile unit:
 - (i) the Greater Sunrise special regime area within the meaning of the *Seas and Submerged Lands Act 1973*;
 - (ii) the Greater Sunrise pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;
 - (iii) the area in or above the Bayu-Undan Gas Field within the meaning of the Timor Sea Maritime Boundaries Treaty;
 - (iv) the Bayu-Undan pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;
 - (v) the area in or above the Kitan Oil Field within the meaning of the Timor Sea Maritime Boundaries Treaty; or

Export Charges (Imposition—General) Regulation 2015

3 Section 5

Insert:

Timor Sea Maritime Boundaries Treaty means the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018, as in force at the commencement of this definition.

Note: The Timor Sea Maritime Boundaries Treaty could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

4 Paragraph 25(1)(i)

Repeal the paragraph, substitute:

- (i) goods that are consigned to either a resources industry fixed structure, or a resources industry mobile unit, within the meaning of the *Sea Installations Act 1987*, that is installed in any of the following areas, for consumption on the structure or mobile unit:
 - (i) the Greater Sunrise special regime area within the meaning of the *Seas and Submerged Lands Act 1973*;
 - (ii) the Greater Sunrise pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;
 - (iii) the area in or above the Bayu-Undan Gas Field within the meaning of the Timor Sea Maritime Boundaries Treaty;
 - (iv) the Bayu-Undan pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;
 - (v) the area in or above the Kitan Oil Field within the meaning of the Timor Sea Maritime Boundaries Treaty; or

Maritime Powers Regulation 2014

5 After paragraph 7(1)(d)

Insert:

- (da) the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018;

Note: The Treaty could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

Radiocommunications Regulations 1993

6 Regulation 38

Repeal the regulation, substitute:

38 Instrument to be regarded in exercising power under Act

The Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018, as altered from time to time, is prescribed for the purposes of section 299 of the Act.

Note: The treaty could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

Telecommunications Regulations 2001

7 Schedule 1 (table item 18)

Repeal the item, substitute:

| | | | |
|----|---|----------|--------------|
| 18 | Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea | New York | 6 March 2018 |
|----|---|----------|--------------|

Transport Safety Investigation Regulations 2003

8 Paragraph 5.3(1)(d)

Repeal the paragraph, substitute:

- (d) the Treaty between Australia and the Democratic Republic of Timor-Leste
Establishing their Maritime Boundaries in the Timor Sea, done at New
York on 6 March 2018;

Part 2—Repeals

International Organisations (Privileges and Immunities—Timor Sea Proceedings) Regulations 2017

9 The whole of the instrument

Repeal the instrument.

Timor Sea Treaty Designated Authority (Privileges and Immunities) Regulations 2003

10 The whole of the instrument

Repeal the instrument.