

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

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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 *Timor Sea Maritime Boundaries Treaty Consequential Amendments Act 2019* 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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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.