



Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Titles Administration) Regulations 2021

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 09 December 2021

David Hurley
Governor-General

By His Excellency's Command

Keith Pitt
Minister for Resources and Water

Contents

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

Schedule 1—Amendments	2
<i>Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies)</i> <i>Regulations 2004</i>	2

1 Name

This instrument is the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Titles Administration) Regulations 2021*.

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>Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Act 2021</i> commences.	2 March 2022

Note: This table relates only to the provisions of this instrument as originally made.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 *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Regulations 2004

1 Regulation 21

Omit “subsections 7(4) and (5)” (wherever occurring), substitute “subsection 7(4)”.

2 Subregulation 22(1)

Omit “subsections 7(4) and (5)”, substitute “subsection 7(4)”.

3 Subregulation 22(1)

Omit “or part of a year”.

4 Subregulation 22(2)

Omit “or part of a year” (wherever occurring).

5 Paragraph 25(1)(b)

Omit “, or a part of a year”.

6 Regulation 29

Omit “subsections 8(4) and (5)” (wherever occurring), substitute “subsection 8(4)”.

7 Subregulation 30(1)

Omit “subsections 8(4) and (5)”, substitute “subsection 8(4)”.

8 Subregulation 30(1)

Omit “or part of a year”.

9 Subregulation 30(2)

Omit “or part of a year” (wherever occurring).

10 Paragraph 33(1)(b)

Omit “, or a part of a year”.

11 Subregulation 59C(1) (at the end of the note)

Add “, or are carried out for the purposes of complying with a remedial direction”.

12 Subregulation 59G(1) (at the end of the note)

Add “, or are carried out for the purposes of complying with a State/Territory remedial direction”.

13 Regulation 64 (after table item 12)

Insert:

12A	Subparagraph 10F(1)(d)(i)	Regulation 9 of the <i>Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009</i>
12B	Subparagraph	Regulation 17, 18 or 19 of the <i>Offshore Petroleum and</i>

10F(1)(e)(i)

*Greenhouse Gas Storage (Environment) Regulations 2009***14 Regulation 64 (at the end of the table)**

Add:

16	Subparagraph 10G(1)(d)(i)	Regulation 9 of the <i>Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009</i>
17	Subparagraph 10G(1)(e)(i)	Regulation 17, 18 or 19 of the <i>Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009</i>

15 After Part 12A

Insert:

Part 12B—Application of these Regulations if a remedial direction is in force**64A Application of these Regulations if a remedial direction is in force**

- (1) This regulation applies if:
 - (a) a direction (a ***petroleum remedial direction***) is in force under section 586, 586A, 587 or 587A of the OPGGS Act; or
 - (b) a direction (a ***greenhouse gas remedial direction***) is in force under section 591B, 592, 594A or 595 of the OPGGS Act.
- (2) Regulation 4 applies only to a pipeline licensee.
- (3) Division 2 of Part 10, and regulations 59C and 62, apply as follows:
 - (a) as if a reference to a registered holder of an eligible title that is a petroleum title included a reference to a person who is subject to a petroleum remedial direction;
 - (b) as if a reference to a registered holder of an eligible title that is a greenhouse gas title included a reference to a person who is subject to a greenhouse gas remedial direction.
- (4) The following provisions apply as if a reference to a licensee or licensee of a pipeline licence included a reference to a person who is subject to a petroleum remedial direction or a greenhouse gas remedial direction:
 - (a) the definition of ***SMS amount*** in regulation 3;
 - (b) Divisions 2 and 3 of Part 4;
 - (c) regulation 62;
 - (d) Part 2 of Schedule 3.
- (5) Part 11B, other than regulation 59B, applies as if:
 - (a) a reference to an individual activity included a reference to an activity that is:
 - (i) of the same kind as a petroleum activity in the table in subregulation 59C(7); and
 - (ii) carried out for the purpose of complying with a petroleum remedial direction; and
 - (b) a reference to a licensed petroleum pipeline included a reference to a pipeline in relation to which a petroleum remedial direction applies.

64B Application of these Regulations if a State/Territory remedial direction is in force

- (1) This regulation applies if:
 - (a) a direction (a ***State/Territory petroleum remedial direction***) is in force under a provision of a State PSLA or Territory PSLA that substantially corresponds to section 586, 586A, 587 or 587A of the OPGGS Act; or
 - (b) a direction (a ***State/Territory greenhouse gas remedial direction***) is in force under a provision of a State PSLA or Territory PSLA that substantially corresponds to section 591B, 592, 594A or 595 of the OPGGS Act.
- (2) Regulation 4 applies only to a pipeline licensee.
- (3) Division 2 of Part 11, and regulations 59G and 62, apply as follows:
 - (a) as if a reference to a registered holder of a State/Territory title that is a State/Territory petroleum title included a reference to a person who is subject to a State/Territory petroleum remedial direction;
 - (b) as if a reference to a registered holder of a State/Territory title that is a State/Territory greenhouse gas title included a reference to a person who is subject to a State/Territory greenhouse gas remedial direction.
- (4) The following provisions apply as if a reference to a licensee or licensee of a pipeline licence included a reference to a person who is subject to a State/Territory petroleum remedial direction or a State/Territory greenhouse gas remedial direction:
 - (a) the definition of ***SMS amount*** in regulation 3;
 - (b) Divisions 2 and 3 of Part 5;
 - (c) regulation 62;
 - (d) Part 2 of Schedule 3.
- (5) Part 11C, other than regulation 59F, applies as if:
 - (a) a reference to an individual activity included a reference to an activity that is:
 - (i) of the same kind as a petroleum activity in the table in subregulation 59G(7); and
 - (ii) carried out for the purpose of complying with a State/Territory petroleum remedial direction; and
 - (b) a reference to a licensed petroleum pipeline included a reference to a pipeline in relation to which a State/Territory petroleum remedial direction applies.

16 Clause 4 of Schedule 2 (note)

Omit “, or a part of a year,”.