

Offshore Petroleum and Greenhouse Gas Storage Legislation (Repeal and Other Measures) Regulations 2022

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: 15 December 2022

David Hurley

Governor‑General

By His Excellency’s Command

Madeleine King

Minister for Resources

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1 Name

 This instrument is the *Offshore Petroleum and Greenhouse Gas Storage Legislation (Repeal and Other Measures) Regulations 2022*.

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. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table | The day after this instrument is registered. | 20 December 2022 |
| 2. Schedule 1 | 1 January 2023. | 1 January 2023 |
| 3. Schedule 2, Part 1 | The day after this instrument is registered. | 20 December 2022 |
| 4. Schedule 2, Part 2 | 1 January 2023. | 1 January 2023 |
| 5. Schedule 2, Part 3 | At the same time as Schedule 6 to the *Offshore Petroleum and Greenhouse Gas Storage Amendment (Titles Administration and Other Measures) Act 2021* commences. | 2 March 2023 |

Note: This table relates only to the provisions of this instrument as originally made.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 *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

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

1 The whole of the instrument

Repeal the instrument.

Schedule 2—Amendments

Part 1—Amendments commencing day after registration

Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011

1 Regulation 11A.03

Omit “given to a delegate of the responsible Commonwealth Minister”, substitute:

 given to:

 (a) the Titles Administrator; or

 (b) a delegate of the Titles Administrator.

Part 2—Amendments commencing 1 January 2023

Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009

2 Subregulation 11B(7)

Omit “*2004*”, substitute “*2022*”.

Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009

3 Subregulation 1.5(1)

Omit “(1)”.

4 Subregulation 1.5(1) (definition of *in force*)

Repeal the definition.

5 Subregulation 1.5(1)

Insert:

***safety case in force in relation to a facility***:

 (a) means:

 (i) a safety case for a facility that is accepted under regulation 2.26; or

 (ii) if the safety case is revised and the revised safety case is accepted under regulation 2.34—the revised safety case; and

 (b) does not include a safety case for a facility if the acceptance of the safety case is withdrawn under regulation 2.37.

6 Subregulation 1.5(2)

Repeal the subregulation.

7 Subregulation 2.41(2) (note)

Omit “subregulation 1.5(1)”, substitute “regulation 1.5”.

Part 3—Amendments commencing later

Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011

8 Regulation 11B.01 (after table item 20A)

Insert:

|  |  |  |
| --- | --- | --- |
| 20AA | Section 790C | *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* |
| 20AB | Subsection 790D(1) | *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* |
| 20AC | Subsection 790D(2) | *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* |
| 20AD | Subsection 790D(3) | *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* |