

2004-2005-2006-2007

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Offshore Petroleum Amendment
(Greater Sunrise) Bill 2007**

No. , 2007

(Industry, Tourism and Resources)

A Bill for an Act to amend the *Offshore Petroleum Act 2006*, and for other purposes

Contents

1	Short title.....	1
2	Commencement.....	1
3	Schedule(s).....	2
Schedule 1—Amendments		3
Part 1—General		3
<i>Offshore Petroleum Act 2006</i>		3
<i>Petroleum Resource Rent Tax Assessment Act 1987</i>		27
<i>Radiocommunications Act 1992</i>		28
Part 2—Regulations		29

1 **A Bill for an Act to amend the *Offshore Petroleum***
2 ***Act 2006, and for other purposes***

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act may be cited as the *Offshore Petroleum Amendment*
6 (*Greater Sunrise*) Act 2007.

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.
12

Commencement information

Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	
2. Schedule 1	Immediately after the commencement of section 3 of the <i>Offshore Petroleum Act 2006</i> .	

1 Note: This table relates only to the provisions of this Act as originally
2 passed by both Houses of the Parliament and assented to. It will not be
3 expanded to deal with provisions inserted in this Act after assent.

4 (2) Column 3 of the table contains additional information that is not
5 part of this Act. Information in this column may be added to or
6 edited in any published version of this Act.

7 **3 Schedule(s)**

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9 repealed as set out in the applicable items in the Schedule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

1
2 **Schedule 1—Amendments**

3 **Part 1—General**

4 *Offshore Petroleum Act 2006*

5 **1 Section 3**

6 Omit:

- 7
- 8 • Generally, the administration of this Act in relation to an
9 offshore area of a State or the Northern Territory is divided
10 between:
- 11 (a) the Joint Authority for the State or Territory (the
12 Joint Authority is constituted by the responsible
13 State/Territory Minister and the responsible
14 Commonwealth Minister); and
- 15 (b) the Designated Authority of the State or Territory
16 (the Designated Authority is the responsible
17 State/Territory Minister).

17 substitute:

- 18
- 19 • Generally, the administration of this Act in relation to an
20 offshore area of a State is divided between:
- 21 (a) the Joint Authority for the State (the Joint
22 Authority is constituted by the responsible State
23 Minister and the responsible Commonwealth
24 Minister); and
- 25 (b) the Designated Authority for the State (the
26 Designated Authority is the responsible State
27 Minister).
- 28 • Generally, the administration of this Act in relation to the
Principal Northern Territory offshore area is divided between:

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- (a) the Joint Authority for that area (the Joint Authority is constituted by the responsible Northern Territory Minister and the responsible Commonwealth Minister); and
- (b) the Designated Authority for that area (the Designated Authority is the responsible Northern Territory Minister).

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9

2 Section 6 (definition of *Designated Authority*)

Omit “of the State or Territory”, substitute “for the offshore area”.

10
11

3 Section 6

Insert:

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13

Eastern Greater Sunrise offshore area has the meaning given by Schedule 7.

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Note: The Eastern Greater Sunrise offshore area is a part of the offshore area of the Northern Territory.

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4 Section 6

Insert:

18

Greater Sunrise unit area has the meaning given by Schedule 7.

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5 Section 6

Insert:

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24

Greater Sunrise unitisation agreement means the Agreement between the Government of Australia and the Government of the Democratic Republic of Timor-Leste relating to the Unitisation of the Sunrise and Troubadour Fields, done at Dili on 6 March 2003.

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Note: In 2007, the text of international agreements was accessible through the Australian Treaties Library on the AustLII Internet site (www.austlii.edu.au).

28
29

6 Section 6

Insert:

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31

Greater Sunrise unit reservoir production licence means a production licence in respect of one or more blocks within the

1 Eastern Greater Sunrise offshore area that would allow the licensee
2 to recover petroleum from either or both of the Greater Sunrise unit
3 reservoirs.

4 **7 Section 6**

5 Insert:

6 *Greater Sunrise unit reservoirs* means the unit reservoirs within
7 the meaning of the Greater Sunrise unitisation agreement.

8 **8 Section 6**

9 Insert:

10 *Greater Sunrise visiting inspector* means a project inspector who
11 is specified in the identity card issued to that inspector under
12 subsection 318(2) as being a Greater Sunrise visiting inspector.

13 **9 Section 6 (definition of *Joint Authority*)**

14 Omit “of the State or Territory”, substitute “for the offshore area”.

15 **10 Section 6 (definition of *offshore area*)**

16 Repeal the definition, substitute:

17 *offshore area* means:

- 18 (a) the offshore area of New South Wales; or
19 (b) the offshore area of Victoria; or
20 (c) the offshore area of Queensland; or
21 (d) the offshore area of Western Australia; or
22 (e) the offshore area of South Australia; or
23 (f) the offshore area of Tasmania; or
24 (g) the Principal Northern Territory offshore area; or
25 (h) the Eastern Greater Sunrise offshore area; or
26 (i) the offshore area of Norfolk Island; or
27 (j) the offshore area of the Territory of Christmas Island; or
28 (k) the offshore area of the Territory of Cocos (Keeling) Islands;
29 or
30 (l) the offshore area of the Territory of Ashmore and Cartier
31 Islands; or
32 (m) the offshore area of the Territory of Heard Island and
33 McDonald Islands;

1 and, when used in the expression *the offshore area*, means
2 whichever of the areas referred to in paragraph (a), (b), (c), (d), (e),
3 (f), (g), (h), (i), (j), (k), (l) or (m) is applicable.

4 Note 1: The *offshore area* of a State or Territory is defined by section 7.

5 Note 2: The offshore area of a State or Territory corresponds to the term
6 *adjacent area* under the repealed *Petroleum (Submerged Lands) Act*
7 *1967*.

8 **11 Section 6**

9 Insert:

10 *Principal Northern Territory offshore area* means so much of the
11 offshore area of the Northern Territory as does not consist of the
12 Eastern Greater Sunrise offshore area.

13 Note: The *offshore area* of the Northern Territory is defined by section 7.

14 **12 Section 6**

15 Insert:

16 *Timor Sea Treaty* means the Timor Sea Treaty between Australia
17 and East Timor, done on 20 May 2002 [2003] ATS 13, as amended
18 from time to time.

19 Note: In 2007, the text of international agreements in the Australian Treaty
20 Series was accessible through the Australian Treaties Library on the
21 AustLII Internet site (www.austlii.edu.au).

22 **13 Section 6**

23 Insert:

24 *Timor Sea Treaty Designated Authority* means the Designated
25 Authority within the meaning of the *Petroleum (Timor Sea Treaty)*
26 *Act 2003*.

27 **14 Section 6**

28 Insert:

29 *Western Greater Sunrise area* has the meaning given by
30 Schedule 7.

31 Note: Activities occurring in the Western Greater Sunrise area in relation to
32 the exploration, development and exploitation of the Greater Sunrise
33 unit reservoirs are dealt with under the *Petroleum (Timor Sea Treaty)*
34 *Act 2003*.

1 **15 Subsection 7(1) (note)**

2 After “offshore area”, insert “of a State or Territory”.

3 Note: The heading to section 7 is altered by adding at the end “**of the States and**
4 **Territories**”.

5 **16 At the end of section 22**

6 Add:

7 (3) For the purposes of this Act, the position on the surface of the
8 Earth of an area described in Schedule 7 is to be determined by
9 reference to the Geocentric Datum of Australia.

10 Note: Schedule 7 describes the Greater Sunrise unit area, the Eastern Greater
11 Sunrise offshore area and the Western Greater Sunrise area.

12 (4) In subsection (3):

13 *Geocentric Datum of Australia* means the Geocentric Datum of
14 Australia as defined in *Gazette* No. 35 of 6 September 1995
15 (GDA94 geocentric data set).

16 **17 At the end of section 35**

17 Add:

18 Note: The *offshore area* of a State or Territory is defined by section 7.

19 **18 At the end of section 36**

20 Add:

21 Note: The *offshore area* of a State or Territory is defined by section 7.

22 **19 After subsection 38(2)**

23 Insert:

24 (2A) The Joint Authority for an offshore area of a State is taken to be the
25 Joint Authority for the State.

26 **20 Subsection 38(3)**

27 Repeal the subsection, substitute:

28 *Principal Northern Territory offshore area*

29 (3) The Joint Authority for the Principal Northern Territory offshore
30 area is constituted by:

1 (a) the responsible Northern Territory Minister; and
2 (b) the responsible Commonwealth Minister;
3 and is to be known as the Commonwealth-Northern Territory
4 Offshore Petroleum Joint Authority.

5 (3A) The Commonwealth-Northern Territory Offshore Petroleum Joint
6 Authority is taken to be the Joint Authority for the Northern
7 Territory.

8 *Eastern Greater Sunrise offshore area*

9 (3B) The responsible Commonwealth Minister is the Joint Authority for
10 the Eastern Greater Sunrise offshore area, and is to be known as
11 the Greater Sunrise Offshore Petroleum Joint Authority.

12 (3C) The Greater Sunrise Offshore Petroleum Joint Authority is taken
13 not to be the Joint Authority for the Northern Territory.

14 **21 At the end of section 38**

15 Add:

16 (5) The Joint Authority for the offshore area of an external Territory is
17 taken to be the Joint Authority for that Territory.

18 **22 Section 39**

19 Before “A Joint Authority for a”, insert “(1)”.

20 **23 Section 39**

21 After “Territory” (first occurring), insert “(other than the Northern
22 Territory)”.

23 **24 At the end of section 39**

24 Add:

25 (2) The Joint Authority for the Principal Northern Territory offshore
26 area has, in relation to that offshore area, the functions and powers
27 that this Act confers on a Joint Authority.

28 (3) The Joint Authority for the Eastern Greater Sunrise offshore area
29 has, in relation to that offshore area, the functions and powers that
30 this Act confers on a Joint Authority.

1 **25 After subsection 46(1)**

2 Insert:

3 *Joint Authority for the Eastern Greater Sunrise offshore area*

4 (1A) All courts must take judicial notice of:

5 (a) the signature of a person who is, or has been:

6 (i) the Joint Authority for the Eastern Greater Sunrise
7 offshore area; or

8 (ii) a delegate of the Joint Authority for the Eastern Greater
9 Sunrise offshore area; and

10 (b) the fact that the person is, or was at a particular time:

11 (i) the Joint Authority for that offshore area; or

12 (ii) a delegate of the Joint Authority for that offshore area.

13 **26 Subsection 48(1)**

14 Omit “to 2 persons together.”, substitute:

15 to 2 persons together, each of whom is one of the following:

16 (a) an APS employee who is an SES employee or acting SES
17 employee;

18 (b) an employee of a State or of the Northern Territory.

19 Note: The expressions *APS employee*, *SES employee* and *acting SES*
20 *employee* are defined in section 17AA of the *Acts Interpretation Act*
21 *1901*.

22 **27 Subsection 48(8)**

23 Repeal the subsection.

24 **28 After section 48**

25 Insert:

26 **48A Delegation by Greater Sunrise Offshore Petroleum Joint**
27 **Authority**

28 (1) The Greater Sunrise Offshore Petroleum Joint Authority may, by
29 written instrument, delegate to:

30 (a) an APS employee who is an SES employee or acting SES
31 employee; or

32 (b) an employee of the Northern Territory;

1 any or all of the functions or powers of the Joint Authority under
2 this Act or the regulations.

3 Note 1: The expressions *APS employee*, *SES employee* and *acting SES*
4 *employee* are defined in section 17AA of the *Acts Interpretation Act*
5 *1901*.

6 Note 2: See also sections 34AA and 34AB of the *Acts Interpretation Act 1901*.

- 7 (2) If the Joint Authority delegates a function or power under this
8 section, the delegation continues in force despite:
9 (a) a vacancy in the office of Joint Authority; or
10 (b) a change in the identity of the holder of the office of Joint
11 Authority.
- 12 (3) Despite subsection (2), a delegation under this section may be
13 revoked by the Joint Authority in accordance with subsection 33(3)
14 of the *Acts Interpretation Act 1901*.
- 15 (4) A copy of each instrument making, varying or revoking a
16 delegation under this section must be published in the *Gazette*.

17 **29 At the end of Division 1 of Part 1.3**

18 Add:

19 **49A Greater Sunrise Offshore Petroleum Joint Authority—** 20 **consultations**

21 The Greater Sunrise Offshore Petroleum Joint Authority may
22 consult with the Timor Sea Treaty Designated Authority before
23 exercising any power, or performing any function, that is conferred
24 on the Joint Authority under this Act or the regulations.

25 **30 After subsection 50(2)**

26 Insert:

- 27 (2A) The Designated Authority for the offshore area of a State is taken
28 to be the Designated Authority for the State.

29 **31 Subsection 50(3)**

30 Omit “the offshore area of the Northern Territory”, substitute “the
31 Principal Northern Territory offshore area”.

32 Note: The heading to subsection 50(3) is replaced by the heading “*Principal Northern*
33 *Territory offshore area*”.

1 **32 After subsection 50(3)**

2 Insert:

3 (3A) The Designated Authority for the Principal Northern Territory
4 offshore area is taken to be the Designated Authority for the
5 Northern Territory.

6 *Eastern Greater Sunrise offshore area*

7 (3B) The responsible Commonwealth Minister is the Designated
8 Authority for the Eastern Greater Sunrise offshore area.

9 (3C) The Designated Authority for the Eastern Greater Sunrise offshore
10 area is taken not to be the Designated Authority for the Northern
11 Territory.

12 **33 At the end of section 50**

13 Add:

14 (5) The Designated Authority for the offshore area of an external
15 Territory is taken to be the Designated Authority for the external
16 Territory.

17 **34 Subsection 51(2)**

18 Repeal the subsection, substitute:

19 *Principal Northern Territory offshore area*

20 (2) The Designated Authority for the Principal Northern Territory
21 offshore area has, in relation to that offshore area, the functions
22 and powers that this Act confers on a Designated Authority.

23 *Eastern Greater Sunrise offshore area*

24 (2A) The Designated Authority for the Eastern Greater Sunrise offshore
25 area has, in relation to that offshore area, the functions and powers
26 that this Act confers on a Designated Authority.

27 **35 Subsection 52(1)**

28 Repeal the subsection, substitute:

29 (1) A Designated Authority may, by written instrument, delegate to:

1 (a) an APS employee who is an SES employee or acting SES
2 employee; or

3 (b) an employee of a State or the Northern Territory;
4 any or all of the powers or functions of the Designated Authority
5 under this Act or the regulations.

6 Note 1: The expressions *APS employee*, *SES employee* and *acting SES*
7 *employee* are defined in section 17AA of the *Acts Interpretation Act*
8 *1901*.

9 Note 2: See also sections 34AA and 34AB of the *Acts Interpretation Act 1901*.

10 **36 Subsection 52(5)**

11 Repeal the subsection.

12 **37 After section 52**

13 Insert:

14 **52A Eastern Greater Sunrise Designated Authority—consultations**

15 The Designated Authority for the Eastern Greater Sunrise offshore
16 area may consult with the Timor Sea Treaty Designated Authority
17 before exercising any power, or performing any function, that is
18 conferred on the Designated Authority for that offshore area under
19 this Act or the regulations.

20 **38 At the end of subsection 55(1)**

21 Add:

22 Note: The *offshore area* of a State or Territory is defined by section 7.

23 **39 Subsection 59(1) (note)**

24 After “Note”, insert “1”.

25 **40 At the end of subsection 59(1)**

26 Add:

27 Note 2: The *offshore area* of a State or Territory is defined by section 7.

28 **41 Section 61**

29 After “the offshore area” (wherever occurring), insert “of the State or
30 the Northern Territory”.

1 **42 At the end of subsections 68(1), (3), (4) and (6)**

2 Add:

3 Note: The *offshore area* of a State or Territory is defined by section 7.

4 **43 At the end of subsection 71(1)**

5 Add:

6 Note: The *offshore area* of a State is defined by section 7.

7 **44 At the end of subsection 72(1)**

8 Add:

9 Note: The *offshore area* of a Territory is defined by section 7.

10 **45 After subsection 142(6) (before the notes)**

11 Insert:

12 *Greater Sunrise unit reservoir production licence*

13 (7) An application under this section for the grant of a Greater Sunrise
14 unit reservoir production licence must also:

- 15 (a) nominate a person to be the unit operator, as defined in the
16 Greater Sunrise unitisation agreement; and
17 (b) be accompanied by each Joint Venturers' Agreement, as
18 defined in the Greater Sunrise unitisation agreement; and
19 (c) be accompanied by a copy of the proposed Development
20 Plan, as defined in the Greater Sunrise unitisation agreement.

21 **46 After subsection 144(3) (before the notes)**

22 Insert:

23 *Greater Sunrise unit reservoir production licence*

24 (4) An application under this section for the grant of a Greater Sunrise
25 unit reservoir production licence must also:

- 26 (a) nominate a person to be the unit operator, as defined in the
27 Greater Sunrise unitisation agreement; and
28 (b) be accompanied by each Joint Venturers' Agreement, as
29 defined in the Greater Sunrise unitisation agreement; and
30 (c) be accompanied by a copy of the proposed Development
31 Plan, as defined in the Greater Sunrise unitisation agreement.

1 **47 At the end of paragraph 145(b)**

2 Add “and”.

3 **48 After paragraph 145(b)**

4 Insert:

- 5 (c) in the case of an application for a Greater Sunrise unit
6 reservoir production licence—section 145A has been
7 complied with;

8 **49 After section 145**

9 Insert:

10 **145A Consultation—Greater Sunrise unit reservoir production**
11 **licence**

12 Before the Greater Sunrise Offshore Petroleum Joint Authority
13 gives an offer document to an applicant for the grant of a Greater
14 Sunrise unit reservoir production licence, the Joint Authority must:

- 15 (a) give to the Timor Sea Treaty Designated Authority a written
16 notice that:
- 17 (i) states that the Joint Authority is considering granting the
18 licence to the applicant and naming the person whom
19 the applicant has nominated to be the unit operator; and
 - 20 (ii) is accompanied by a copy of each Joint Venturers’
21 Agreement that accompanied the application; and
 - 22 (iii) is accompanied by a copy of the proposed Development
23 Plan that accompanied the application; and
- 24 (b) approve:
- 25 (i) a unit operator for the development of the Greater
26 Sunrise unit reservoirs in the blocks to which the licence
27 relates; and
 - 28 (ii) each Joint Venturers’ Agreement for the development;
29 and
 - 30 (iii) the Development Plan for the development; and
- 31 (c) be satisfied that the Timor Sea Treaty Designated Authority
32 has approved the same unit operator, Joint Venturers’
33 Agreements and Development Plan for the development.

34 **50 After subsection 146(4)**

1 Insert:

2 *Application for Greater Sunrise unit reservoir production*
3 *licence—no approval by Timor Sea Treaty Designated Authority*

4 (4A) If:

5 (a) the application is for a Greater Sunrise unit reservoir
6 production licence; and

7 (b) the Joint Authority is not satisfied that the Timor Sea Treaty
8 Designated Authority has given the approvals mentioned in
9 paragraph 145A(c);

10 the Joint Authority must, by written notice given to the applicant,
11 refuse to grant the licence to the applicant.

12 **51 Paragraph 163(1)(a)**

13 After “petroleum pool”, insert “(other than either of the Greater Sunrise
14 unit reservoirs)”.

15 **52 At the end of subsection 163(11)**

16 Add:

17 Note: The *offshore area* of a State or Territory is defined by section 7.

18 **53 At the end of section 191**

19 Add:

20 *Principal Northern Territory offshore area and Eastern Greater*
21 *Sunrise offshore area*

22 (9) For the purposes of paragraph (6)(d):

23 (a) the Principal Northern Territory offshore area; and

24 (b) the Eastern Greater Sunrise offshore area;

25 are taken to relate to the Northern Territory.

26 **54 At the end of subsections 246(1) and (3)**

27 Add:

28 Note: The *offshore area* of a State or Territory is defined by section 7.

29 **55 Subsection 246(6) (at the end of the definition of**
30 ***State/Territory title*)**

31 Add:

1 Note: The *offshore area* of a State or Territory is defined by section 7.

2 **56 Subsection 248(1)**

3 Repeal the subsection, substitute:

4 *Scope*

5 (1) This section applies if petroleum (other than petroleum from the
6 Greater Sunrise unit reservoirs) is recovered:

- 7 (a) by an exploration permittee in the permit area; or
8 (b) by a retention lessee in the lease area; or
9 (c) by a production licensee in the licence area.

10 Note: The heading to section 248 is altered by adding at the end “**not recovered from a**
11 **Greater Sunrise unit reservoir**”.

12 **57 After section 248**

13 Insert:

14 **248A Property in petroleum recovered from a Greater Sunrise unit**
15 **reservoir**

16 *Scope*

17 (1) This section applies if an amount of petroleum is recovered at a
18 particular time from a Greater Sunrise unit reservoir:

- 19 (a) by an exploration permittee in the permit area; or
20 (b) by a retention lessee in the lease area; or
21 (c) by a production licensee in the licence area.

22 *Property*

23 (2) The following provisions have effect:

- 24 (a) the current apportionment percentage of the amount of
25 petroleum becomes the property of the permittee, lessee or
26 licensee;
27 (b) property in the remainder of the amount of petroleum is
28 determined under the Timor Sea Treaty;
29 (c) the amount of petroleum is not subject to any rights of other
30 persons (other than a person to whom the permittee, lessee or
31 licensee transfers, assigns or otherwise disposes of the
32 petroleum or an interest in the petroleum).

1 (3) Subsection (2) has effect subject to this Act.

2 *Definition*

3 (4) In this section:

4 ***current apportionment percentage***, in relation to an amount of
5 petroleum recovered at a particular time, means:

6 (a) 79.9%; or

7 (b) if, before that time, the Apportionment Ratio set out in article
8 7 of the Greater Sunrise unitisation agreement has changed,
9 at least once, because it has been:

10 (i) redetermined due to a technical redetermination
11 undertaken in accordance with paragraph 8(1) of the
12 agreement; or

13 (ii) altered due to an agreement in accordance with
14 paragraph 8(2) of the Greater Sunrise unitisation
15 agreement;

16 the percentage of the production of petroleum from the
17 Greater Sunrise unit reservoirs that is apportioned to
18 Australia under the Greater Sunrise unitisation agreement
19 immediately after the most recent change to the
20 Apportionment Ratio.

21 **58 At the end of section 287**

22 Add:

23 *Principal Northern Territory offshore area and Eastern Greater*
24 *Sunrise offshore area*

25 (7) For the purposes of paragraph (1)(f):

26 (a) the Principal Northern Territory offshore area; and

27 (b) the Eastern Greater Sunrise offshore area;

28 are taken to relate to the Northern Territory.

29 **59 At the end of section 298**

30 Add:

1 *Principal Northern Territory offshore area and Eastern Greater*
2 *Sunrise offshore area*

- 3 (6) For the purposes of paragraph (3)(b):
4 (a) the Principal Northern Territory offshore area; and
5 (b) the Eastern Greater Sunrise offshore area;
6 are taken to relate to the Northern Territory.

7 **60 Subsection 308(2)**

8 Omit “by the Joint Authority”, substitute “by a Joint Authority that
9 consists of 2 members”.

10 **61 After subsection 318(2)**

11 Insert:

12 (2A) The Designated Authority for the Eastern Greater Sunrise offshore
13 area may specify, in an identity card issued to a project inspector
14 under subsection (2), that the project inspector is a Greater Sunrise
15 visiting inspector.

16 **62 Subsections 319(1) and (2)**

17 After “a project inspector”, insert “(other than a Greater Sunrise visiting
18 inspector)”.

19 **63 After subsection 319(2)**

20 Insert:

21 (2A) For the purposes of subparagraph (2)(d)(ii):
22 (a) the Principal Northern Territory offshore area; and
23 (b) the Eastern Greater Sunrise offshore area;
24 are taken to relate to the Northern Territory.

25 **64 After subsection 319(6)**

26 Insert:

27 *Powers of Greater Sunrise visiting inspectors*

28 (6A) For the purposes of this Act and the regulations, a Greater Sunrise
29 visiting inspector who produces, at a reasonable time, the
30 inspector’s identity card:
31 (a) is to be given access to the regions in:

- 1 (i) the Eastern Greater Sunrise offshore area; or
2 (ii) the Principal Northern Territory offshore area;
3 specified in the identity card; and
4 (b) is to be given access to any structure, vessel, aircraft or
5 building in that region that, in that inspector's opinion,
6 contains any equipment used to measure amounts of
7 petroleum recovered from one or more of the Greater Sunrise
8 unit reservoirs; and
9 (c) may inspect and test any equipment that, in that inspector's
10 opinion, is being used in that region to measure amounts of
11 petroleum recovered from one or more of the Greater Sunrise
12 unit reservoirs.

13 **65 After subsection 319(7)**

14 Insert:

15 (7A) A person who is:

- 16 (a) the occupier or person in charge of any building or structure
17 referred to in subsection (6A); or
18 (b) the person in charge of any vessel, aircraft or equipment
19 referred to in subsection (6A);

20 must provide a Greater Sunrise visiting inspector with all
21 reasonable facilities and assistance for the effective exercise of the
22 inspector's powers under subsection (6A).

23 **66 Paragraph 319(8)(a)**

24 After "(7)", insert "or (7A)".

25 **67 Subsection 350(1) (note)**

26 After "Note", insert "1".

27 **68 At the end of subsection 350(1)**

28 Add:

29 Note 2: The *offshore area* of a State or Territory is defined by section 7.

30 **69 Section 353 (at the end of the definition of *Commonwealth***
31 ***waters*)**

32 Add:

33 Note: The *offshore area* of a State or Territory is defined by section 7.

1 **70 Paragraph 442(1)(b)**

2 After “State or”, insert “external”.

3 Note: The heading to section 442 is altered by adding at the end “—**State or external**
4 **Territory**”.

5 **71 At the end of subsection 442(1)**

6 Add:

7 Note: The *offshore area* of a State or Territory is defined by section 7.

8 **72 At the end of Part 6.5**

9 Add:

10 **442A Publication in *Gazette*—Northern Territory**

11 *Scope*

12 (1) This section applies if:

- 13 (a) an instrument or notice is required by this Act or the
14 regulations to be published in the *Gazette*; and
15 (b) the instrument or notice has effect in relation to:
16 (i) the Principal Northern Territory offshore area; or
17 (ii) the Eastern Greater Sunrise offshore area.

18 *Publication in Government Gazette of the Northern Territory*

19 (2) The instrument or notice may be published in the Government
20 Gazette of the Northern Territory and, in that event, is taken to
21 have been published in the *Gazette*.

22 **73 Section 447**

23 After “rights”, insert “, and compliance with Australia’s obligations,”.

24 **74 At the end of section 447**

25 Add “(whether in an offshore area or not)”.

26 **75 Paragraph 7(1)(e) of Schedule 6**

27 After “offshore area”, insert “of a State or Territory”.

28 **76 After paragraph 7(1)(e) of Schedule 6**

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Insert:

- (ea) that the document has effect, after the commencement of this clause, as if a specified reference, or each reference other than a specified reference, in the document to the Eastern Greater Sunrise area within the meaning of the *Petroleum (Submerged Lands) Act 1967* were a reference to the Eastern Greater Sunrise offshore area within the meaning of this Act;
- (eb) that the document has effect, after the commencement of this clause, as if a specified reference, or each reference other than a specified reference, in the document to the Principal Northern Territory PSL area within the meaning of the *Petroleum (Submerged Lands) Act 1967* were a reference to the Principal Northern Territory offshore area within the meaning of this Act;

77 Subclause 9(1) of Schedule 6

After “this Act”, insert “(other than the Joint Authority for the Principal Northern Territory offshore area or the Joint Authority for the Eastern Greater Sunrise offshore area)”.

78 After subclause 9(1) of Schedule 6

Insert:

- (1A) The Joint Authority for the Principal Northern Territory offshore area under this Act is, for all purposes, a continuation of the Joint Authority in respect of the Principal Northern Territory PSL area under the *Petroleum (Submerged Lands) Act 1967*.
- (1B) The Joint Authority for the Eastern Greater Sunrise offshore area under this Act is, for all purposes, a continuation of the Joint Authority in respect of the Eastern Greater Sunrise area under the *Petroleum (Submerged Lands) Act 1967*.

79 Clause 11 of Schedule 6

Before “A Designated Authority”, insert “(1)”.

80 Clause 11 of Schedule 6

After “this Act”, insert “(other than the Designated Authority for the Principal Northern Territory offshore area or the Designated Authority for the Eastern Greater Sunrise offshore area)”.

1 **81 At the end of clause 11 of Schedule 6**

2 Add:

3 (2) The Designated Authority for the Principal Northern Territory
4 offshore area under this Act is, for all purposes, a continuation of
5 the Designated Authority in respect of the Principal Northern
6 Territory PSL area under the *Petroleum (Submerged Lands) Act*
7 *1967*.

8 (3) The Designated Authority for the Eastern Greater Sunrise offshore
9 area under this Act is, for all purposes, a continuation of the
10 Designated Authority in respect of the Eastern Greater Sunrise area
11 under the *Petroleum (Submerged Lands) Act 1967*.

12 **82 Subclause 13(1) of Schedule 6**

13 After “adjacent area”, insert “or a part of an adjacent area”.

14 **83 At the end of clause 13 of Schedule 6**

15 Add:

- 16 (3) For the purposes of subclause (2):
- 17 (a) the Principal Northern Territory offshore area under this Act
18 is taken to correspond to the Principal Northern Territory
19 PSL area under the *Petroleum (Submerged Lands) Act 1967*;
20 and
- 21 (b) the Eastern Greater Sunrise offshore area under this Act is
22 taken to correspond to the Eastern Greater Sunrise area under
23 the *Petroleum (Submerged Lands) Act 1967*.

24 **84 At the end of clause 14 of Schedule 6**

25 Add:

26 Note: The *offshore area* of a State or Territory is defined by section 7.

27 **85 Subclause 15(1) of Schedule 6**

28 After “this Act”, insert “(other than the Register for the Principal
29 Northern Territory offshore area or the Register for the Eastern Greater
30 Sunrise offshore area)”.

31 **86 After subclause 15(1) of Schedule 6**

32 Insert:

1 (1A) The Register for the Principal Northern Territory offshore area
2 under this Act is, for all purposes, a continuation of the Register for
3 the Principal Northern Territory PSL area under the *Petroleum*
4 (*Submerged Lands*) Act 1967.

5 (1B) The Register for the Eastern Greater Sunrise offshore area under
6 this Act is, for all purposes, a continuation of the Register for the
7 Eastern Greater Sunrise area under the *Petroleum (Submerged*
8 *Lands*) Act 1967.

9 **87 At the end of the Act**

10 Add:

11 **Schedule 7—Greater Sunrise areas**

12 Note: See section 6 (for datum, see section 22).
13
14

15 **1 Greater Sunrise unit area**

16 The *Greater Sunrise unit area* is the area the boundary of which
17 commences at the point of Latitude 9° 49' 54.88" South, Longitude
18 127° 55' 04.35" East and runs:

- 19 (a) thence easterly along the loxodrome to the point of
20 Latitude 9° 49' 54.88" South, Longitude 128° 20' 04.34"
21 East; and
22 (b) thence northerly along the loxodrome to the point of
23 Latitude 9° 39' 54.88" South, Longitude 128° 20' 04.34"
24 East; and
25 (c) thence easterly along the loxodrome to the point of
26 Latitude 9° 39' 54.88" South, Longitude 128° 25' 04.34"
27 East; and
28 (d) thence northerly along the loxodrome to the point of
29 Latitude 9° 29' 54.88" South, Longitude 128° 25' 04.34"
30 East; and
31 (e) thence westerly along the loxodrome to the point of
32 Latitude 9° 29' 54.88" South, Longitude 128° 20' 04.34"
33 East; and

Schedule 1 Amendments
Part 1 General

- 1 (f) thence northerly along the loxodrome to the point of
2 Latitude 9° 24' 54.88" South, Longitude 128° 20' 04.34"
3 East; and
4 (g) thence westerly along the loxodrome to the point of
5 Latitude 9° 24' 54.88" South, Longitude 128° 00' 04.34"
6 East; and
7 (h) thence south-westerly along the loxodrome to the point of
8 Latitude 9° 29' 54.88" South, Longitude 127° 53' 24.35"
9 East; and
10 (i) thence westerly along the loxodrome to the point of
11 Latitude 9° 29' 54.88" South, Longitude 127° 52' 34.35"
12 East; and
13 (j) thence southerly along the loxodrome to the point of
14 Latitude 9° 34' 54.88" South, Longitude 127° 52' 34.35"
15 East; and
16 (k) thence westerly along the loxodrome to the point of
17 Latitude 9° 34' 54.88" South, Longitude 127° 50' 04.35"
18 East; and
19 (l) thence southerly along the loxodrome to the point of
20 Latitude 9° 37' 24.88" South, Longitude 127° 50' 04.35"
21 East; and
22 (m) thence westerly along the loxodrome to the point of
23 Latitude 9° 37' 24.89" South, Longitude 127° 45' 04.35"
24 East; and
25 (n) thence southerly along the loxodrome to the point of
26 Latitude 9° 44' 54.88" South, Longitude 127° 45' 04.35"
27 East; and
28 (o) thence easterly along the loxodrome to the point of
29 Latitude 9° 44' 54.88" South, Longitude 127° 50' 04.35"
30 East; and
31 (p) thence southerly along the loxodrome to the point of
32 Latitude 9° 47' 24.88" South, Longitude 127° 50' 04.35"
33 East; and
34 (q) thence easterly along the loxodrome to the point of
35 Latitude 9° 47' 24.88" South, Longitude 127° 55' 04.35"
36 East; and
37 (r) thence southerly along the loxodrome to the point of
38 commencement.

1 **2 Eastern Greater Sunrise offshore area**

2 The *Eastern Greater Sunrise offshore area* is so much of the
3 offshore area of the Northern Territory as consists of the area the
4 boundary of which commences at the point of Latitude 9° 49'
5 54.88" South, Longitude 128° 03' 26.86" East and runs:

- 6 (a) thence easterly along the loxodrome to the point of
7 Latitude 9° 49' 54.88" South, Longitude 128° 20' 04.34"
8 East; and
9 (b) thence northerly along the loxodrome to the point of
10 Latitude 9° 39' 54.88" South, Longitude 128° 20' 04.34"
11 East; and
12 (c) thence easterly along the loxodrome to the point of
13 Latitude 9° 39' 54.88" South, Longitude 128° 25' 04.34"
14 East; and
15 (d) thence northerly along the loxodrome to the point of
16 Latitude 9° 29' 54.88" South, Longitude 128° 25' 04.34"
17 East; and
18 (e) thence westerly along the loxodrome to the point of
19 Latitude 9° 29' 54.88" South, Longitude 128° 20' 04.34"
20 East; and
21 (f) thence northerly along the loxodrome to the point of
22 Latitude 9° 24' 54.88" South, Longitude 128° 20' 04.34"
23 East; and
24 (g) thence westerly along the loxodrome to the point of
25 Latitude 9° 24' 54.88" South, Longitude 128° 00' 04.34"
26 East; and
27 (h) thence south-westerly along the loxodrome to the point of
28 Latitude 9° 27' 54.88" South, Longitude 127° 56' 04.35"
29 East; and
30 (i) thence south-easterly along the geodesic to the point of
31 Latitude 9° 29' 51.88" South, Longitude 127° 58' 51.35"
32 East; and
33 (j) thence south-easterly along the geodesic to the point of
34 commencement.

35 **3 Western Greater Sunrise area**

36 The *Western Greater Sunrise area* is the area the boundary of
37 which commences at the point of Latitude 9° 27' 54.88" South,
38 Longitude 127° 56' 04.35" East and runs:

Schedule 1 Amendments
Part 1 General

- 1 (a) thence south-westerly along the loxodrome to the point of
2 Latitude 9° 29' 54.88" South, Longitude 127° 53' 24.35"
3 East; and
4 (b) thence westerly along the loxodrome to the point of
5 Latitude 9° 29' 54.88" South, Longitude 127° 52' 34.35"
6 East; and
7 (c) thence southerly along the loxodrome to the point of
8 Latitude 9° 34' 54.88" South, Longitude 127° 52' 34.35"
9 East; and
10 (d) thence westerly along the loxodrome to the point of
11 Latitude 9° 34' 54.88" South, Longitude 127° 50' 04.35"
12 East; and
13 (e) thence southerly along the loxodrome to the point of
14 Latitude 9° 37' 24.88" South, Longitude 127° 50' 04.35"
15 East; and
16 (f) thence westerly along the loxodrome to the point of
17 Latitude 9° 37' 24.89" South, Longitude 127° 45' 04.35"
18 East; and
19 (g) thence southerly along the loxodrome to the point of
20 Latitude 9° 44' 54.88" South, Longitude 127° 45' 04.35"
21 East; and
22 (h) thence easterly along the loxodrome to the point of
23 Latitude 9° 44' 54.88" South, Longitude 127° 50' 04.35"
24 East; and
25 (i) thence southerly along the loxodrome to the point of
26 Latitude 9° 47' 24.88" South, Longitude 127° 50' 04.35"
27 East; and
28 (j) thence easterly along the loxodrome to the point of
29 Latitude 9° 47' 24.88" South, Longitude 127° 55' 04.35"
30 East; and
31 (k) thence southerly along the loxodrome to the point of
32 Latitude 9° 49' 54.88" South, Longitude 127° 55' 04.35"
33 East; and
34 (l) thence easterly along the loxodrome to the point of
35 Latitude 9° 49' 54.88" South, Longitude 128° 03' 26.86"
36 East; and
37 (m) thence north-westerly along the geodesic to the point of
38 Latitude 9° 29' 51.88" South, Longitude 127° 58' 51.35"
39 East; and
-

1 (n) thence north-westerly along the geodesic to the point of
2 commencement.

3 ***Petroleum Resource Rent Tax Assessment Act 1987***

4 **88 Section 2 (definition of Greater Sunrise unit area)**

5 Omit “*Petroleum (Submerged Lands) Act 1967*”, substitute “*Offshore*
6 *Petroleum Act 2006*”.

7 **89 Section 2 (definition of Greater Sunrise unit reservoirs)**

8 Omit “*Petroleum (Submerged Lands) Act 1967*”, substitute “*Offshore*
9 *Petroleum Act 2006*”.

10 **90 Section 2 (definition of production licence)**

11 Repeal the definition, substitute:

12 ***production licence*** means:

- 13 (a) a production licence within the meaning of the *Offshore*
14 *Petroleum Act 2006*; or
15 (b) a lawful authority or right (however described) to undertake
16 activities in the Western Greater Sunrise area for the recovery
17 of petroleum from one or more of the Greater Sunrise unit
18 reservoirs.

19 **91 Section 2 (definition of production licence area)**

20 Repeal the definition, substitute:

21 ***production licence area*** means a production licence area within
22 the meaning of the *Offshore Petroleum Act 2006* and, in relation to
23 a Greater Sunrise project, includes the Western Greater Sunrise
24 area.

25 **92 Section 2 (definition of Western Greater Sunrise area)**

26 Omit “*Petroleum (Submerged Lands) Act 1967*”, substitute “*Offshore*
27 *Petroleum Act 2006*”.

28 **93 Subsection 2C(1)**

29 Omit “subsection 127(3) of the *Petroleum (Submerged Lands) Act*
30 *1967*”, substitute “subsection 248A(4) of the *Offshore Petroleum Act*
31 *2006*”.

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94 Subsection 23(4)

Omit “subsection 127(2) of the *Petroleum (Submerged Lands) Act 1967*”, substitute “subsection 248A(2) of the *Offshore Petroleum Act 2006*”.

Radiocommunications Act 1992

95 Subsection 17A(3) (definition of *Greater Sunrise unit reservoirs*)

Omit “*Petroleum (Submerged Lands) Act 1967*”, substitute “*Offshore Petroleum Act 2006*”.

96 Subsection 17A(3) (definition of *Western Greater Sunrise area*)

Omit “*Petroleum (Submerged Lands) Act 1967*”, substitute “*Offshore Petroleum Act 2006*”.

1

2 **Part 2—Regulations**

3 **97 Regulations**

4 (1) The Governor-General may make regulations in relation to transitional
5 matters arising out of the amendments made by this Act.

6 (2) The Governor-General may make regulations making provision
7 (including provision by way of modification or adaptation of any Act)
8 for or in relation to matters consequential on amendments made by this
9 Act.

10 (3) The Governor-General may make regulations that:
11 (a) in the Minister's opinion, are necessary or convenient for
12 giving effect to any provision of the Greater Sunrise
13 unitisation agreement; and
14 (b) are not inconsistent with any amendment made by this Act.

15 (4) In this item:
16 ***Greater Sunrise unitisation agreement*** has the same meaning as in the
17 ***Offshore Petroleum Act 2006***.