

Petroleum Titles (Browse Basin) Bill 2014

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Western Australia

LEGISLATIVE ASSEMBLY

Petroleum Titles (Browse Basin) Bill 2014

A Bill for

An Act to make provision about certain petroleum titles in the Browse Basin as a consequence of changes to maritime boundaries and for related purposes.

The Parliament of Western Australia enacts as follows:

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Part 1 — Preliminary

1. Short title

This is the *Petroleum Titles (Browse Basin) Act 2014*.

2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

3. Terms used

In this Act —

adjacent area has the meaning given in the *Petroleum (Submerged Lands) Act 1982* section 5;

adjacent area block means —

- (a) a WA-30-R adjacent area block; or
- (b) a WA-315-P adjacent area block; or
- (c) the WA-398-P adjacent area block;

commencement day means the day on which this Act comes into operation;

Commonwealth Act means the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Commonwealth);

Commonwealth register means a register kept under the Commonwealth Act section 469;

inshore block means —

- (a) a TR/5 inshore block; or
- (b) a WA-30-R inshore block; or
- (c) a WA-315-P inshore block;

lease TR/5 means the retention lease of that designation in force under the *Petroleum (Submerged Lands) Act 1982* Part III;

lease R2 means the petroleum retention lease of that designation in force under the *Petroleum and Geothermal Energy Resources Act 1967* Part III;

- 1 **lease WA-30-R** means the petroleum retention lease of that
2 designation in force under the Commonwealth Act Part 2.3;
- 3 **permit WA-315-P** means the petroleum exploration permit of
4 that designation in force under the Commonwealth Act Part 2.2;
- 5 **permit WA-398-P** means the petroleum exploration permit of
6 that designation in force under the Commonwealth Act Part 2.2;
- 7 **PGERA Minister** means the Minister responsible for the
8 administration of the *Petroleum and Geothermal Energy*
9 *Resources Act 1967*;
- 10 **PGERA register** means the register kept under the *Petroleum*
11 *and Geothermal Energy Resources Act 1967* section 70;
- 12 **PSLA Minister** means the Minister responsible for the
13 administration of the *Petroleum (Submerged Lands) Act 1982*;
- 14 **PSLA register** means the register kept under the *Petroleum*
15 *(Submerged Lands) Act 1982* section 75;
- 16 **relevant renewal day** means —
- 17 (a) in relation to an adjacent area block —
- 18 (i) if the block is a WA-30-R adjacent area block —
19 WA-30-R renewal day; or
- 20 (ii) if the block is a WA-315-P adjacent area
21 block — WA-315-P renewal day; or
- 22 (iii) if the block is the WA-398-P adjacent area
23 block — WA-398-P renewal day;
- 24 or
- 25 (b) in relation to an inshore block —
- 26 (i) if the block is a TR/5 inshore block —
27 TR/5 renewal day; or
- 28 (ii) if the block is a WA-30-R inshore block —
29 WA-30-R renewal day; or
- 30 (iii) if the block is a WA-315-P inshore block —
31 WA-315-P renewal day;

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1 **TR/5 inshore block** means a block as defined in the *Petroleum*
2 *and Geothermal Energy Resources Act 1967* section 5(1) that,
3 immediately before TR/5 renewal day, is purportedly the subject
4 of lease TR/5;

5 **TR/5 renewal day** means the day on which lease TR/5 is first
6 renewed under the *Petroleum (Submerged Lands) Act 1982* after
7 commencement day;

8 **WA-30-R adjacent area block** means a block as defined in the
9 *Petroleum (Submerged Lands) Act 1982* section 4 that,
10 immediately before WA-30-R renewal day, is the subject of
11 lease WA-30-R;

12 **WA-30-R inshore block** means a block as defined in the
13 *Petroleum and Geothermal Energy Resources Act 1967*
14 section 5(1) that, immediately before WA-30-R renewal day, is
15 purportedly the subject of lease WA-30-R;

16 **WA-30-R renewal day** means the day on which lease WA-30-R
17 is first renewed under the Commonwealth Act after
18 commencement day;

19 **WA-315-P adjacent area block** means a block as defined in the
20 *Petroleum (Submerged Lands) Act 1982* section 4 that,
21 immediately before WA-315-P renewal day, is the subject of
22 permit WA-315-P;

23 **WA-315-P inshore block** means a block as defined in the
24 *Petroleum and Geothermal Energy Resources Act 1967*
25 section 5(1) that, immediately before WA-315-P renewal day, is
26 purportedly the subject of lease WA-315-P;

27 **WA-315-P renewal day** means the day on which permit
28 WA-315-P is first renewed under the Commonwealth Act after
29 commencement day;

30 **WA-398-P adjacent area block** means the block as defined in
31 the *Petroleum (Submerged Lands) Act 1982* section 4 that,
32 immediately before WA-398-P renewal day, is the subject of
33 permit WA-398-P;

1 ***WA-398-P renewal day*** means the day on which permit
2 WA-398-P is first renewed under the Commonwealth Act after
3 commencement day.

1 **Part 2 — Petroleum titles in Scott Reef area**

2 **4. Expansion of lease R2**

3 (1) On WA-30-R renewal day each WA-30-R inshore block
4 becomes the subject of lease R2 and part of its lease area for the
5 purposes of the *Petroleum and Geothermal Energy Resources*
6 *Act 1967*.

7 (2) On TR/5 renewal day each TR/5 inshore block becomes the
8 subject of lease R2 and part of its lease area for the purposes of
9 the *Petroleum and Geothermal Energy Resources Act 1967*.

10 **5. Expansion of lease TR/5**

11 On WA-30-R renewal day each WA-30-R adjacent area block
12 becomes the subject of lease TR/5 and part of its lease area for
13 the purposes of the *Petroleum (Submerged Lands) Act 1982*.

14 **6. New exploration permit under *Petroleum (Submerged***
15 ***Lands) Act 1982***

16 (1) On WA-315-P renewal day the PSLA Minister is to grant an
17 exploration permit for petroleum to the holder of permit
18 WA-315-P in respect of the WA-315-P adjacent area block in
19 the vicinity of North Scott Reef.

20 (2) The permit can be granted subject to such conditions as the
21 PSLA Minister thinks fit and specifies in the permit, including
22 conditions of the kind described in the *Petroleum (Submerged*
23 *Lands) Act 1982* section 33(2).

24 (3) For the purposes of the *Petroleum (Submerged Lands) Act 1982*
25 and any other written law, the permit granted under
26 subsection (1) is to be taken to be an exploration permit for
27 petroleum granted under Part III of that Act.

1 **Part 3 — Petroleum titles in Seringapatam Reef area**

2 **7. New exploration permit under *Petroleum and Geothermal***
3 ***Energy Resources Act 1967***

4 (1) On WA-315-P renewal day the PGERA Minister is to grant a
5 petroleum exploration permit to the holder of permit WA-315-P
6 in respect of the WA-315-P inshore blocks in the vicinity of
7 Seringapatam Reef.

8 (2) The permit can be granted subject to such conditions as the
9 PGERA Minister thinks fit and specifies in the permit, including
10 conditions of the kind described in the *Petroleum and*
11 *Geothermal Energy Resources Act 1967* section 43(2).

12 (3) For the purposes of the *Petroleum and Geothermal Energy*
13 *Resources Act 1967* and any other written law, the permit
14 granted under subsection (1) is to be taken to be a petroleum
15 exploration permit granted under Part III of that Act.

16 **8. New exploration permit under *Petroleum (Submerged***
17 ***Lands) Act 1982* and subsequent expansion**

18 (1) On WA-315-P renewal day the PSLA Minister is to grant an
19 exploration permit for petroleum to the holder of permit
20 WA-315-P in respect of the WA-315-P adjacent area blocks in
21 the vicinity of Seringapatam Reef.

22 (2) The permit can be granted subject to such conditions as the
23 PSLA Minister thinks fit and specifies in the permit, including
24 conditions of the kind described in the *Petroleum (Submerged*
25 *Lands) Act 1982* section 33(2).

26 (3) For the purposes of the *Petroleum (Submerged Lands) Act 1982*
27 and any other written law, the permit granted under
28 subsection (1) is to be taken to be an exploration permit for
29 petroleum granted under Part III of that Act.

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Part 3 Petroleum titles in Seringapatam Reef area

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- 1 (4) On WA-398-P renewal day the WA-398-P adjacent area block
2 becomes the subject of the permit granted under subsection (1)
3 and part of its permit area for the purposes of the *Petroleum*
4 (*Submerged Lands*) Act 1982.

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Part 4 — Transitional matters

9. Locations

- (1) An inshore block that immediately before the relevant renewal day is, or forms part of, a location declared under the Commonwealth Act section 131 or the *Petroleum (Submerged Lands) Act 1982* section 37 is, on and after the relevant renewal day, to be taken to be a location declared under the *Petroleum and Geothermal Energy Resources Act 1967* section 47.
- (2) An adjacent area block that immediately before the relevant renewal day is, or forms part of, a location declared under the Commonwealth Act section 131 is, on and after the relevant renewal day, to be taken to be a location declared under the *Petroleum (Submerged Lands) Act 1982* section 37.

10. Registers

- (1) The PGERA Minister is to —
 - (a) make any entry or endorsement in the PGERA register that the Minister considers necessary to ensure that the PGERA register accurately records the effect of this Act; and
 - (b) record in the PGERA register any information relating to an inshore block that immediately before the relevant renewal day is recorded in a Commonwealth register or the PSLA register.
- (2) The PSLA Minister is to —
 - (a) make any entry or endorsement in the PSLA register that the PSLA Minister considers necessary to ensure that the PSLA register accurately records the effect of this Act; and

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- 1 (b) record in the PSLA register any information relating to
2 an adjacent area block that immediately before the
3 relevant renewal day is recorded in a Commonwealth
4 register.

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Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
adjacent area	3
adjacent area block.....	3
commencement day	3
Commonwealth Act	3
Commonwealth register	3
inshore block.....	3
lease R2.....	3
lease TR/5	3
lease WA-30-R	3
permit WA-315-P	3
permit WA-398-P	3
PGERA Minister.....	3
PGERA register	3
PSLA Minister	3
PSLA register.....	3
relevant renewal day	3
TR/5 inshore block.....	3
TR/5 renewal day.....	3
WA-30-R adjacent area block.....	3
WA-30-R inshore block.....	3
WA-30-R renewal day	3
WA-315-P adjacent area block	3
WA-315-P inshore block	3
WA-315-P renewal day.....	3
WA-398-P adjacent area block	3
WA-398-P renewal day.....	3