



# **Petroleum (Submerged Lands) Legislation Amendment Act 1994**

**No. 93 of 1994**

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**An Act to amend the *Petroleum (Submerged Lands) Act 1967*  
and to repeal certain Acts consequential upon the  
enactment of the *Petroleum (Submerged Lands) Fees Act*  
*1994*, and for related purposes**

[Assented to 29 June 1994 ]

The Parliament of Australia enacts:

## **PART 1—PRELIMINARY**

### **Short title**

**1.** This Act may be cited as the *Petroleum (Submerged Lands) Legislation Amendment Act 1994*.

### **Commencement**

**2.(1)** Subject to subsection (2), this Act commences on the day on which it receives the Royal Assent.

*Petroleum (Submerged Lands)*  
*Legislation Amendment No. 93, 1994*

(2) Part 4 commences on 1 July 1994.

**PART 2—AMENDMENTS OF THE PETROLEUM (SUBMERGED  
LANDS) ACT 1967**

**Principal Act**

3. In this Part, “**Principal Act**” means the *Petroleum (Submerged Lands) Act 1967*<sup>1</sup>.

**Adjacent areas**

4. Section 5A of the Principal Act is amended by omitting from subsection (2) “subsection (1) continues” and substituting “subsections (1) and (1A) continue”.

**Delegation**

5. Section 8H of the Principal Act is amended:

- (a) by omitting from paragraph (2)(a) “name” and substituting “specify”;
- (b) by omitting from paragraph (2)(b) “name” and substituting “specify”;
- (c) by inserting after subsection (2) the following subsection:

“(2A) Without limiting subsection (2), the delegation may be made to any person from time to time holding, occupying or performing the duties of a specified office or position.”.

**Access authorities**

6. Section 112 of the Principal Act is amended:

- (a) by omitting from subsection (4) “The” and substituting “Subject to subsection (4AA), the”;
- (b) by inserting after subsection (4) the following subsection:

“(4AA) Subsection (4) does not apply if the holder of the permit, lease, licence or special prospecting authority has consented in writing to the grant of the access authority.”.

**Insertion of new section**

7. After section 140 of the Principal Act, the following section is inserted in Division 6 of Part III:

**Liability for approvals given under this Act etc.**

“140AA.(1) This section applies to the following bodies and people:

- (a) the Joint Authority;

*Petroleum (Submerged Lands)*  
*Legislation Amendment No. 93, 1994*

- (b) a member of the Joint Authority;
- (c) the Designated Authority;
- (d) an inspector;
- (e) a person acting under the direction or authority of the Joint Authority or Designated Authority.

“(2) A body or person to whom this section applies is not liable to an action, suit or proceeding for or in respect of an approval given in good faith under:

- (a) this Act; or
- (b) the regulations; or
- (c) a direction under this Act.

“(3) This section does not apply to a person or body merely because the person or body is acting in accordance with a proposal or plan (however described) that has been approved by or on behalf of the Joint Authority or the Designated Authority.”.

**PART 3—AMENDMENT OF THE OFFSHORE MINERALS  
ACT 1994**

**Principal Act**

8. In this Part, “**Principal Act**” means the *Offshore Minerals Act 1994*<sup>2</sup>.

**PART 4—REPEAL OF ACTS**

**Repeals**

9. The following Acts are repealed:

*Petroleum (Submerged Lands) (Exploration Permit Fees) Act 1967*

*Petroleum (Submerged Lands) (Retention Lease Fees) Act 1985*

*Petroleum (Submerged Lands) (Production Licence Fees) Act 1967*

*Petroleum (Submerged Lands) (Pipeline Licence Fees) Act 1967.*

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**NOTES**

1. No. 118, 1967, as amended. For previous amendments, see No. 1, 1968; Nos. 36 and 216, 1973; No. 57, 1974; No. 80, 1980; Nos. 79 and 176, 1981; No. 80, 1982; Nos. 22 and 166, 1984; Nos. 80 and 135, 1985; Nos. 106 and 145, 1987; No. 127, 1988; Nos. 15 and 37, 1990; No. 75, 1991; Nos. 17, 104 and 217, 1992; No. 110, 1993; and No. 20, 1994.
2. No. 28, 1994.

*Petroleum (Submerged Lands)*  
*Legislation Amendment No. 93, 1994*

[*Minister's second reading speech made in—*  
*House of Representatives on 11 May 1994*  
*Senate on 12 May 1994*]