

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

**No. 93 of 1994**

**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.

**(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*1.

**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;

(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*2.

**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.*

**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.

[*Minister’s second reading speech made in*—

*House of Representatives on 11 May 1994*

*Senate on 12 May 1994*]