



Offshore Petroleum (Annual Fees) Act 2006

No. 15, 2006

**An Act to provide for the payment of annual fees
for certain permits, leases and licences under the
Offshore Petroleum Act 2006, and for related
purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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purposes**

[Assented to 29 March 2006]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Offshore Petroleum (Annual Fees) Act 2006*.

2 Commencement

- (1) Each provision of this Act 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
Provision(s)	Commencement	Date/Details
1. Sections 1 and 2 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	29 March 2006
2. Sections 3 to 6	At the same time as Chapter 2 of the <i>Offshore Petroleum Act 2006</i> commences.	1 July 2008
3. Schedule 1	At the same time as Chapter 2 of the <i>Offshore Petroleum Act 2006</i> commences.	1 July 2008

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

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

3 Application of Chapter 1 of the *Offshore Petroleum Act 2006*

Chapter 1 of the *Offshore Petroleum Act 2006* applies to this Act in a corresponding way to the way in which it applies to the *Offshore Petroleum Act 2006*.

Note: This means, for example, that the definitions in section 6 of the *Offshore Petroleum Act 2006* apply to this Act.

4 Fees

Scope

- (1) This section applies to the following:
 - (a) a work-bid exploration permit;
 - (b) a special exploration permit;
 - (c) a retention lease;
 - (d) a production licence;
 - (e) an infrastructure licence;
 - (f) a pipeline licence.

Liability to pay fee

- (2) The registered holder of the permit, lease or licence is liable to pay a fee for each year of the term of the permit, lease or licence, if that year begins at or after the commencement of this section.

Amount of fee

- (3) The amount of a fee is to be specified in, or calculated in accordance with, the regulations.
- (4) Different amounts may be prescribed in relation to different permits, leases or licences mentioned in subsection (1).

Note: For collection of fees, see Part 4.6 of the *Offshore Petroleum Act 2006*.

5 Regulations

The Governor-General may make regulations for the purposes of section 4.

6 Transitional provisions

Schedule 1 has effect.

Schedule 1—Transitional provisions

Note: See section 6.

1 Pre-commencement years

- (1) Despite the repeal of the *Petroleum (Submerged Lands) Fees Act 1994*, that Act continues to apply, in relation to a fee in respect of a pre-commencement year of the term of an exploration permit, retention lease, production licence, infrastructure licence or pipeline licence, as if that repeal had not happened.
- (2) For the purposes of this clause, a year of the term of an exploration permit, retention lease, production licence, infrastructure licence or pipeline licence is a **pre-commencement year** if the year began before the commencement of this clause.

2 Transitional—regulations

- (1) This clause applies to regulations if:
 - (a) the regulations were in force immediately before the commencement of this clause; and
 - (b) the regulations were made for the purposes of a particular provision of the *Petroleum (Submerged Lands) Fees Act 1994*.
- (2) The regulations have effect, after the commencement of this clause, as if:
 - (a) they had been made for the purposes of the corresponding provision of this Act; and
 - (b) any requirement imposed by this Act or the *Legislative Instruments Act 2003* in relation to the making of the regulations (including a requirement about the form of words) had been satisfied.
- (3) Subclause (2) does not prevent the regulations continuing to have effect for the purposes of a particular provision of the *Petroleum (Submerged Lands) Fees Act 1994* as that Act continues to apply after its repeal because of clause 1 of this Schedule.

- (4) For the purposes of this clause, in determining whether a provision is a corresponding provision:
- (a) regard must be had to the substance of the provision; and
 - (b) if the provision appears to have expressed the same idea in a different form of words for the purpose of using a clearer style—disregard the difference.

3 Re-enactment of the *Petroleum (Submerged Lands) Fees Act 1994*

This Act re-enacts the *Petroleum (Submerged Lands) Fees Act 1994* with certain modifications.

Note: Section 15AC of the *Acts Interpretation Act 1901* provides that if an Act has expressed an idea in a particular form of words, and a later Act appears to have expressed the same idea in a different form of words for the purpose of using a clearer style, the ideas shall not be taken to be different merely because different forms of words were used.

*[Minister's second reading speech made in—
House of Representatives on 23 June 2005
Senate on 5 September 2005]*

(115/05)