



Offshore Petroleum (Safety Levies) Amendment Act 2006

No. 19, 2006

An Act to amend the *Offshore Petroleum (Safety Levies) Act 2003*, and for related purposes

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

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Offshore Petroleum (Safety Levies) Amendment Act 2006

No. 19, 2006

An Act to amend the *Offshore Petroleum (Safety Levies) Act 2003*, and for related purposes

[Assented to 29 March 2006]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Offshore Petroleum (Safety Levies) Amendment 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 to 3 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. Schedule 1	At the same time as Part 4.8 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 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Part 1—Amendments

Offshore Petroleum (Safety Levies) Act 2003

1 Section 3 (definition of *Commonwealth waters*)

Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”, substitute “Part 4.8 of the *Offshore Petroleum Act 2006*”.

2 Section 3 (definition of *designated coastal waters*)

Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”, substitute “Part 4.8 of the *Offshore Petroleum Act 2006*”.

3 Section 3 (definition of *OHS inspector*)

Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”, substitute “Part 4.8 of the *Offshore Petroleum Act 2006*”.

4 Section 3 (definition of *Safety Authority*)

Omit “established by Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”, substitute “continued in existence by Part 4.8 of the *Offshore Petroleum Act 2006*”.

5 Section 3 (definition of *State PSLA*)

Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”, substitute “Part 4.8 of the *Offshore Petroleum Act 2006*”.

6 Section 3 (definition of *State safety law*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

7 Section 3 (definition of *Territory PSLA*)

Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”, substitute “Part 4.8 of the *Offshore Petroleum Act 2006*”.

8 Section 3 (definition of *Territory safety law*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

9 Section 4

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

10 Section 4 (note)

Omit “section 7 of the *Petroleum (Submerged Lands) Act 1967*”, substitute “section 17 of the *Offshore Petroleum Act 2006*”.

11 Subsection 5(4) (note)

Omit “section 150YR of the *Petroleum (Submerged Lands) Act 1967*”, substitute “section 396 of the *Offshore Petroleum Act 2006*”.

12 Subsection 5(8) (definition of *accident*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

13 Subsection 5(8) (definition of *dangerous occurrence*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

14 Subsection 5(8) (definition of *facility*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

15 Subsection 5(8) (definition of *inspection*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

16 Subsection 5(8) (paragraph (b) of the definition of *notifiable accident or occurrence*)

Omit “clause 41 of Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “clause 82 of Schedule 3 to the *Offshore Petroleum Act 2006*”.

17 Subsection 5(8) (definition of *operator*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

18 Subsection 6(4) (note)

Omit “section 150YR of the *Petroleum (Submerged Lands) Act 1967*”, substitute “section 396 of the *Offshore Petroleum Act 2006*”.

19 Subsection 6(8) (paragraph (b) of the definition of *notifiable accident or occurrence*)

Omit “clause 41 of Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “clause 82 of Schedule 3 to the *Offshore Petroleum Act 2006*”.

20 Subsection 7(3) (note)

Omit “section 150YS of the *Petroleum (Submerged Lands) Act 1967*”, substitute “section 397 of the *Offshore Petroleum Act 2006*”.

21 Subsection 7(8) (definition of *facility*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

22 Subsection 7(8) (definition of *operator*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

23 Subsection 7(8) (definition of *proposed facility*)

Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”, substitute “Schedule 3 to the *Offshore Petroleum Act 2006*”.

24 At the end of section 7

Add:

- (9) If the regulations referred to in the definition of *safety case in force in relation to a facility* in subsection (8) are renamed, that definition is amended by omitting the old name and substituting the new name.

25 Subsection 8(3) (note)

Omit “section 150YS of the *Petroleum (Submerged Lands) Act 1967*”, substitute “section 397 of the *Offshore Petroleum Act 2006*”.

26 At the end of section 8

Add:

- (9) If the regulations referred to in the definition of *safety case in force in relation to a facility* in subsection (8) are renamed, that definition is amended by omitting the old name and substituting the new name.

27 Subsection 9(3) (note)

Omit “section 150YT of the *Petroleum (Submerged Lands) Act 1967*”, substitute “section 398 of the *Offshore Petroleum Act 2006*”.

28 Subsection 9(8) (definition of *pipeline*)

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

29 Subsection 9(8) (definition of *pipeline licence*)

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

30 At the end of section 9

Add:

- (9) If the regulations referred to in the definition of *pipeline safety management plan in force in relation to a pipeline* in subsection (8) are renamed, that definition is amended by omitting the old name and substituting the new name.

31 Subsection 10(3) (note)

Omit “section 150YT of the *Petroleum (Submerged Lands) Act 1967*”, substitute “section 398 of the *Offshore Petroleum Act 2006*”.

32 At the end of section 10

Add:

- (9) If the regulations referred to in the definition of *pipeline safety management plan in force in relation to a pipeline* in subsection (8) are renamed, that definition is amended by omitting the old name and substituting the new name.

Part 2—Application and transitional provisions

33 Application—safety investigation levy

The following amendments made by this Schedule:

- (a) the amendments of sections 5 and 6 of the *Offshore Petroleum (Safety Levies) Act 2003*;
- (b) the amendments of sections 3 and 4 of that Act, to the extent to which they relate to section 5 or 6 of that Act;

apply in relation to a notifiable accident or occurrence that happens after the commencement of this item.

34 Application—safety case levy

(1) The following amendments made by this Schedule:

- (a) the amendments of sections 7 and 8 of the *Offshore Petroleum (Safety Levies) Act 2003*;
- (b) the amendments of sections 3 and 4 of that Act, to the extent to which they relate to section 7 or 8 of that Act;

apply in relation to a safety case in force at the start of a year if that year starts after the commencement of this item.

(2) The following amendments made by this Schedule:

- (a) the amendments of sections 7 and 8 of the *Offshore Petroleum (Safety Levies) Act 2003*;
- (b) the amendments of sections 3 and 4 of that Act, to the extent to which they relate to section 7 or 8 of that Act;

apply in relation to a safety case in force during a part of a year (but not in force at the start of that year) if that part of that year starts after the commencement of this item.

35 Application—pipeline safety management plan levy

(1) The following amendments made by this Schedule:

- (a) the amendments of sections 9 and 10 of the *Offshore Petroleum (Safety Levies) Act 2003*;
- (b) the amendments of sections 3 and 4 of that Act, to the extent to which they relate to section 9 or 10 of that Act;

Schedule 1 Amendments

Part 2 Application and transitional provisions

apply in relation to a pipeline safety management plan in force at the start of a year if that year starts after the commencement of this item.

(2) The following amendments made by this Schedule:

(a) the amendments of sections 9 and 10 of the *Offshore Petroleum (Safety Levies) Act 2003*;

(b) the amendments of sections 3 and 4 of that Act, to the extent to which they relate to section 9 or 10 of that Act;

apply in relation to a pipeline safety management plan in force during a part of a year (but not in force at the start of that year) if that part of that year starts after the commencement of this item.

36 Transitional—regulations

To avoid doubt, the amendments made by this Schedule do not affect the continuity of regulations made for the purposes of section 5, 6, 7, 8, 9 or 10 of the *Offshore Petroleum (Safety Levies) Act 2003* before the commencement of this item.

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

(113/05)
