



Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Act 2009

No. 103, 2009

***An Act to amend the *Offshore Petroleum and
Greenhouse Gas Storage (Safety Levies) Act 2003,*
and for other purposes***

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

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No. 103, 2009

An Act to amend the *Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003*, and for other purposes

[Assented to 8 October 2009]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Amendment Act 2009*.

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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.	8 October 2009
2. Schedule 1, Parts 1 and 2	1 January 2010.	1 January 2010
3. Schedule 1, Part 3	The day after this Act receives the Royal Assent.	9 October 2009

Note: This table relates only to the provisions of this Act as originally passed by both Houses of 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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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—Safety case levy

Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003

1 Subsection 7(3)

Repeal the subsection, substitute:

- (3) Safety case levy imposed by subsection (1) is payable by:
- (a) if the facility is a pipeline subject to a pipeline licence—the licensee of the pipeline licence; or
 - (b) otherwise—the operator of the facility.

Note: For collection of safety case levy, see section 687 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

2 Subsection 7(8)

Insert:

pipeline has the same meaning as in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, and includes a pipeline that is:

- (a) proposed to be constructed or operated; or
- (b) being constructed.

3 Subsection 7(8)

Insert:

pipeline licence has the same meaning as in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

4 Subsection 8(3)

Repeal the subsection, substitute:

- (3) Safety case levy imposed by subsection (1) is payable by:
- (a) if the facility is a pipeline subject to a pipeline licence—the licensee of the pipeline licence; or
 - (b) otherwise—the operator of the facility.

Schedule 1 Amendments

Part 1 Safety case levy

Note: For collection of safety case levy, see section 687 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

5 Subsection 8(8)

Insert:

pipeline has the same meaning as in the applicable State or Territory safety law, and includes a pipeline that is:

- (a) proposed to be constructed or operated; or
- (b) being constructed.

6 Subsection 8(8)

Insert:

pipeline licence has the same meaning as in the applicable State or Territory safety law.

7 Application of amendments

The amendments made by this Part apply in relation to a safety case to the extent to which the safety case is in force at or after the commencement of this item.

Part 2—Pipeline safety management plan levy

Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003

8 Title

Omit “, safety case levy, and pipeline safety management plan levy”, substitute “and safety case levy”.

9 Section 3 (definition of *pipeline safety management plan levy*)

Repeal the definition.

10 Part 4

Repeal the Part.

11 Section 11

Omit “, 8, 9 and 10”, substitute “and 8”.

12 Application of amendments

The amendments made by this Part apply in relation to a pipeline safety management plan to the extent to which the plan is in force at or after the commencement of this item.

Part 3—Transitional

13 Transitional—references to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*

- (1) During the period:
- (a) beginning at the start of 1 July 2008; and
 - (b) ending at the end of 21 November 2008;
- the *Offshore Petroleum and Greenhouse Gas Storage (Safety Levies) Act 2003* is taken to have had effect as if each reference in that Act to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* were a reference to the *Offshore Petroleum Act 2006*.
- (2) Subitem (1) is enacted for the avoidance of doubt.

[*Minister's second reading speech made in—
House of Representatives on 19 March 2009
Senate on 10 September 2009*]

(33/09)
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