



# **Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Act 2014**

**No. 79, 2014**

***An Act to amend the *Offshore Petroleum and  
Greenhouse Gas Storage (Regulatory 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 and Greenhouse Gas Storage (Regulatory Levies) Amendment Act 2014**

**No. 79, 2014**

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

*[Assented to 17 July 2014]*

The Parliament of Australia enacts:

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*No. 79, 2014      Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies)      1*  
*Amendment Act 2014*

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## 1 Short title

This Act may be cited as the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment Act 2014*.

## 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.

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<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	17 July 2014
2. Schedule 1, items 1 and 2	A single day to be fixed by Proclamation. However, if the provision(s) do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	17 January 2015
3. Schedule 1, items 3 to 21	The day after this Act receives the Royal Assent.	18 July 2014

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be 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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule

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concerned, and any other item in a Schedule to this Act has effect according to its terms.

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*Amendment Act 2014*

## Schedule 1—Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003

### Part 1—Amendments

#### 1 Subsection 10E(1)

Repeal the subsection, substitute:

(1) Levy is imposed on an eligible title:

(a) for the year beginning on the day the title comes into force; and

(b) for each subsequent year beginning on the anniversary of that day, if the title is in force at the start of the anniversary.

Levy is imposed whether or not the eligible title is in force for the whole of the year.

Note: See section 695M of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* for the remittal or refund of levy imposed for a year by this subsection if the title ceases to be in force before the end of the year.

#### 2 Subsection 10E(8)

Repeal the subsection.

#### 3 At the end of subparagraph 10F(1)(b)(ii)

Add “or”.

#### 4 After paragraph 10F(1)(b)

Insert:

(c) both:

(i) an environment plan is submitted to NOPSEMA under regulation 9 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*; and

(ii) the plan is submitted by an applicant for a Commonwealth title mentioned in paragraph (e), (f), (g), (k) or (l) of the definition of **Commonwealth title** in subsection (7);

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**5 Paragraph 10F(3)(a)**

Omit “registered holder of the Commonwealth title”, substitute “titleholder”.

**6 Paragraph 10F(3)(b)**

Omit “registered holders of the Commonwealth titles”, substitute “titleholders”.

**7 Paragraph 10F(3)(c)**

Omit “registered holder of the Commonwealth title”, substitute “titleholder”.

**8 Paragraph 10F(3)(d)**

Omit “registered holders of the Commonwealth titles”, substitute “titleholders”.

**9 At the end of subsection 10F(3)**

Add:

; or (e) if paragraph (1)(c) applies—by the applicant for the Commonwealth title.

**10 Subsection 10F(7) (after paragraph (g) of the definition of *Commonwealth title*)**

Insert:

(ga) a petroleum scientific investigation consent; or

**11 Subsection 10F(7) (at the end of the definition of *Commonwealth title*)**

Add:

; or (m) a greenhouse gas research consent.

**12 Subsection 10F(7)**

Insert:

*greenhouse gas research consent* has the same meaning as in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

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*petroleum scientific investigation consent* has the same meaning as in the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

*titleholder* means:

- (a) for a title mentioned in any of paragraphs (a) to (g) or (h) to (l) of the definition of *Commonwealth title* in this subsection—the registered holder of the title; or
- (b) for a consent mentioned in paragraph (ga) or (m) of the definition of *Commonwealth title* in this subsection—the holder of the consent (within the meaning of section 254 or 425 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*).

**13 At the end of subparagraph 10G(1)(b)(ii)**

Add “or”.

**14 After paragraph 10G(1)(b)**

Insert:

- (c) both:
  - (i) an environment plan is submitted to NOPSEMA under a regulation of a State or Territory that substantially corresponds to regulation 9 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*; and
  - (ii) the plan is submitted by an applicant for a State/Territory title that substantially corresponds to a Commonwealth title mentioned in paragraph (e), (f), (g), (k) or (l) of the definition of *Commonwealth title* in subsection 10F(7).

**15 Paragraph 10G(3)(a)**

Omit “registered holder of the State/Territory title”, substitute “titleholder”.

**16 Paragraph 10G(3)(b)**

Omit “registered holders of the State/Territory titles”, substitute “titleholders”.

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**17 Paragraph 10G(3)(c)**

Omit “registered holder of the State/Territory title”, substitute “titleholder”.

**18 Paragraph 10G(3)(d)**

Omit “registered holders of the State/Territory titles”, substitute “titleholders”.

**19 At the end of subsection 10G(3)**

Add:

; or (e) if paragraph (1)(c) applies—by the applicant for the State/Territory title.

**20 Subsection 10G(7)**

Insert:

*titleholder* means:

- (a) for a State/Territory title that substantially corresponds to a Commonwealth title mentioned in any of paragraphs (a) to (g) or (h) to (l) of the definition of *Commonwealth title* in subsection 10F(7)—the registered holder of the title; or
- (b) for a State/Territory title that substantially corresponds to a consent mentioned in paragraph (ga) or (m) of the definition of *Commonwealth title* in subsection 10F(7)—the holder of the consent under the relevant State PSLA or Territory PSLA.

## Part 2—Application of amendments

### 21 Application of amendments

- (1) The amendments of section 10E of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by Part 1 of this Schedule apply in relation to the imposition of annual titles administration levy by that Act on an eligible title for a year that begins on or after the commencement of those amendments.
- (2) The amendments of sections 10F and 10G of the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003* made by Part 1 of this Schedule apply in relation to the imposition of environment plan levy by that Act on the submission of an environment plan for which levy is imposed by section 10F or 10G of that Act if the plan is submitted on or after the commencement of those amendments.

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[Minister's second reading speech made in—  
House of Representatives on 29 May 2014  
Senate on 19 June 2014]

(112/14)

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