



# **Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Designated Coastal Waters) Act 2015**

**No. 16, 2015**

***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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**No. 16, 2015**

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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 19 March 2015]*

The Parliament of Australia enacts:

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*No. 16, 2015      Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies)      1*  
*Amendment (Designated Coastal Waters) Act 2015*

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## **1 Short title**

This Act may be cited as the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Designated Coastal Waters) Act 2015*.

## **2 Commencement**

This Act commences on the day after it receives the Royal Assent.

## **3 Schedules**

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## Schedule 1—Amendments

### *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003*

#### **1 Section 3 (definition of *coastal waters*)**

Repeal the definition.

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

Omit “same meaning as in Part 6.9 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*”, substitute “meaning given by section 3A”.

#### **3 Section 3**

Insert:

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

#### **4 After section 3**

Insert:

#### **3A Designated coastal waters**

- (1) For the purposes of this Act, *designated coastal waters*, in relation to a State or the Northern Territory, means:
- (a) so much of the scheduled area for that State or Territory as consists of the territorial sea; and
  - (b) any area that:
    - (i) is within the scheduled area for that State or Territory; and
    - (ii) is on the landward side of the territorial sea; and
    - (iii) was, immediately before the commencement of the relevant State PSLA or Territory PSLA, the subject of a petroleum exploration permit under the repealed *Petroleum (Submerged Lands) Act 1967*.

- (2) For the purposes of subsection (1), assume that the breadth of the territorial sea of Australia had never been determined or declared to be greater than 3 nautical miles, but had continued to be 3 nautical miles.
- (3) Paragraph (1)(b) has effect subject to subsection (4).
- (4) For the purposes of this Act, if (whether before or after the commencement of this subsection) an area that is within the designated coastal waters of a State or Territory because it is described in subparagraphs (1)(b)(i), (ii) and (iii) became or becomes an area that is:
- (a) not the subject of a petroleum exploration permit under the relevant State PSLA or Territory PSLA; and
  - (b) not the subject of a petroleum retention lease under the relevant State PSLA or Territory PSLA; and
  - (c) not the subject of a petroleum production licence under the relevant State PSLA or Territory PSLA; and
  - (d) not the subject of an application for a petroleum retention lease or petroleum production licence under the relevant State PSLA or Territory PSLA;
- the area is taken to have ceased to be part of the designated coastal waters of that State or Territory.

**5 Subsection 10(5) (definition of *State/Territory petroleum title*)**

Before “coastal waters”, insert “designated”.

**6 Subsection 10B(8) (definition of *State/Territory petroleum title*)**

Before “coastal waters”, insert “designated”.

**7 Subsection 10D(6) (definition of *State/Territory petroleum title*)**

Before “coastal waters”, insert “designated”.

**8 Subsection 10G(7) (definition of *State/Territory title*)**

Before “coastal waters”, insert “designated”.



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*[Minister's second reading speech made in—  
House of Representatives on 3 December 2014  
Senate on 4 March 2015]*

(265/14)

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