



Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Titles Administration) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 09 December 2021

David Hurley
Governor-General

By His Excellency's Command

Keith Pitt
Minister for Resources and Water

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1 Name

This instrument is the *Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Titles Administration) Regulations 2021*.

2 Commencement

- (1) Each provision of this instrument 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
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	10 December 2021
2. Schedule 1	At the same time as Schedule 1 to the <i>Offshore Petroleum and Greenhouse Gas Storage Amendment (Titles Administration and Other Measures) Act 2021</i> commences.	2 March 2022
3. Schedule 2	At the same time as Schedule 2 to the <i>Offshore Petroleum and Greenhouse Gas Storage Amendment (Titles Administration and Other Measures) Act 2021</i> commences.	2 March 2022

Note: This table relates only to the provisions of this instrument as originally made.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

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Application fee for change in control of registered titleholder

Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011

1 After subregulation 11.01(1A)

Insert:

(1AA) For the purposes of subsection 566M(1) of the Act, the prescribed fee for an application is the fee specified in Division 2A of Part 1 of Schedule 6 for that application.

2 After Division 2 of Part 1 of Schedule 6

Insert:

Division 2A—Fees payable under section 566M of the Act

2A Application fees payable under section 566M of the Act

The following table sets out the application fees payable under section 566M of the Act.

Fees payable under section 566M of the Act		
Item	Type of application	Fee (\$)
116AA	Application for approval of change in control of a registered holder of a title	8 250

Schedule 2—Trailing liability

Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009

1 At the end of Part 4

Add:

Division 4.3—Application of these Regulations if a remedial direction is in force

34 Application of these Regulations if a remedial direction is in force

- (1) This regulation applies if:
 - (a) a direction (a *petroleum remedial direction*) is in force under section 586, 586A, 587 or 587A of the Act; or
 - (b) a direction (a *greenhouse gas remedial direction*) is in force under section 591B, 592, 594A or 595 of the Act.
- (2) These Regulations apply as follows:
 - (a) as if a reference to a petroleum titleholder included a reference to a person who is subject to a petroleum remedial direction;
 - (b) as if a reference to a titleholder included a reference to a person who is subject to a petroleum remedial direction or a greenhouse gas remedial direction;
 - (c) as if a reference to a petroleum activity included a reference to an activity carried out for the purpose of complying with a petroleum remedial direction;
 - (d) as if a reference to an activity included a reference to an activity carried out for the purpose of complying with a petroleum remedial direction or a greenhouse gas remedial direction.
- (3) Despite subregulations (1) and (2), this regulation does not apply to the following definitions in regulation 4 of these Regulations:
 - (a) *activity*;
 - (b) *petroleum activity*;
 - (c) *petroleum titleholder*;
 - (d) *titleholder*.

Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011

2 After Division 9 of Part 5

Insert:

Division 9A—Application of this Part if a remedial direction is in force

5.29A Application of this Part if a remedial direction is in force

- (1) This regulation applies if:
 - (a) a direction (a *petroleum remedial direction*) is in force under section 586, 586A, 587 or 587A of the Act; or
 - (b) a direction (a *greenhouse gas remedial direction*) is in force under section 591B, 592, 594A or 595 of the Act.
- (2) This Part applies as follows:
 - (a) as if a reference to a titleholder included a reference to a person who is subject to a petroleum remedial direction or a greenhouse gas remedial direction;
 - (b) as if a reference to a well activity included a reference to an activity relating to a well carried out for the purpose of complying with a petroleum remedial direction or a greenhouse gas remedial direction;
 - (c) if a title has ceased to be in force—as if a reference to a title area included a reference to the area in which activities are being carried out for the purposes of complying with a petroleum remedial direction or a greenhouse gas remedial direction.
- (3) Despite subregulations (1) and (2), this regulation does not apply to the following provisions:
 - (a) subregulation 5.01(1);
 - (b) the definition of *well activity* in regulation 5.02;
 - (c) regulation 5.03A.

Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009

3 At the end of Part 6 of Chapter 2

Add:

Part 7—Application of these Regulations if a remedial direction is in force

2.51 Application of these Regulations if a remedial direction is in force

- (1) This regulation applies if:
 - (a) a direction (a *petroleum remedial direction*) is in force under section 586, 586A, 587 or 587A of the Act; or
 - (b) a direction (a *greenhouse gas remedial direction*) is in force under section 591B, 592, 594A or 595 of the Act.

- (2) These Regulations (other than the definition of *titleholder* in regulation 1.5) apply as if a reference to a titleholder included a reference to a person who is subject to a petroleum remedial direction or a greenhouse gas remedial direction.