

2004-2005

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Offshore Petroleum (Safety Levies)
Amendment Bill 2005**

No. , 2005

(Industry, Tourism and Resources)

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

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1 **A Bill for an Act to amend the *Offshore Petroleum***
2 ***(Safety Levies) Act 2003, and for related purposes***

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act may be cited as the *Offshore Petroleum (Safety Levies)*
6 *Amendment Act 2005*.

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.
12

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.	
2. Schedule 1	At the same time as Part 4.8 of the <i>Offshore Petroleum Act 2005</i> commences.	

1 Note: This table relates only to the provisions of this Act as originally
2 passed by the Parliament and assented to. It will not be expanded to
3 deal with provisions inserted in this Act after assent.

4 (2) Column 3 of the table contains additional information that is not
5 part of this Act. Information in this column may be added to or
6 edited in any published version of this Act.

7 **3 Schedule(s)**

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9 repealed as set out in the applicable items in the Schedule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

1
2 **Schedule 1—Amendments**

3 **Part 1—Amendments**

4 *Offshore Petroleum (Safety Levies) Act 2003*

5 **1 Section 3 (definition of *Commonwealth waters*)**

6 Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”,
7 substitute “Part 4.8 of the *Offshore Petroleum Act 2005*”.

8 **2 Section 3 (definition of *designated coastal waters*)**

9 Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”,
10 substitute “Part 4.8 of the *Offshore Petroleum Act 2005*”.

11 **3 Section 3 (definition of *OHS inspector*)**

12 Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”,
13 substitute “Part 4.8 of the *Offshore Petroleum Act 2005*”.

14 **4 Section 3 (definition of *Safety Authority*)**

15 Omit “established by Part IIIC of the *Petroleum (Submerged Lands) Act*
16 *1967*”, substitute “continued in existence by Part 4.8 of the *Offshore*
17 *Petroleum Act 2005*”.

18 **5 Section 3 (definition of *State PSLA*)**

19 Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”,
20 substitute “Part 4.8 of the *Offshore Petroleum Act 2005*”.

21 **6 Section 3 (definition of *State safety law*)**

22 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
23 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

24 **7 Section 3 (definition of *Territory PSLA*)**

25 Omit “Part IIIC of the *Petroleum (Submerged Lands) Act 1967*”,
26 substitute “Part 4.8 of the *Offshore Petroleum Act 2005*”.

27 **8 Section 3 (definition of *Territory safety law*)**

28 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
29 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

1 **9 Section 4**

2 Omit “*Petroleum (Submerged Lands) Act 1967* extends”, substitute
3 “*Offshore Petroleum Act 2005* extends”.

4 **10 Section 4 (note)**

5 Omit “section 7 of the *Petroleum (Submerged Lands) Act 1967*”,
6 substitute “section 17 of the *Offshore Petroleum Act 2005*”.

7 **11 Subsection 5(4) (note)**

8 Omit “section 150YR of the *Petroleum (Submerged Lands) Act 1967*”,
9 substitute “section 396 of the *Offshore Petroleum Act 2005*”.

10 **12 Subsection 5(8) (definition of *accident*)**

11 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
12 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

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

14 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
15 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

16 **14 Subsection 5(8) (definition of *facility*)**

17 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
18 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

19 **15 Subsection 5(8) (definition of *inspection*)**

20 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
21 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

22 **16 Subsection 5(8) (paragraph (b) of the definition of**
23 ***notifiable accident or occurrence*)**

24 Omit “clause 41 of Schedule 7 to the *Petroleum (Submerged Lands) Act*
25 *1967*”, substitute “clause 82 of Schedule 3 to the *Offshore Petroleum*
26 *Act 2005*”.

27 **17 Subsection 5(8) (definition of *operator*)**

28 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
29 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

30 **18 Subsection 6(4) (note)**

1 Omit “section 150YR of the *Petroleum (Submerged Lands) Act 1967*”,
2 substitute “section 396 of the *Offshore Petroleum Act 2005*”.

3 **19 Subsection 6(8) (paragraph (b) of the definition of**
4 ***notifiable accident or occurrence*)**

5 Omit “clause 41 of Schedule 7 to the *Petroleum (Submerged Lands) Act*
6 *1967*”, substitute “clause 82 of Schedule 3 to the *Offshore Petroleum*
7 *Act 2005*”.

8 **20 Subsection 7(3) (note)**

9 Omit “section 150YS of the *Petroleum (Submerged Lands) Act 1967*”,
10 substitute “section 397 of the *Offshore Petroleum Act 2005*”.

11 **21 Subsection 7(8) (definition of *facility*)**

12 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
13 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

14 **22 Subsection 7(8) (definition of *operator*)**

15 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
16 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

17 **23 Subsection 7(8) (definition of *proposed facility*)**

18 Omit “Schedule 7 to the *Petroleum (Submerged Lands) Act 1967*”,
19 substitute “Schedule 3 to the *Offshore Petroleum Act 2005*”.

20 **24 At the end of section 7**

21 Add:

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

26 **25 Subsection 8(3) (note)**

27 Omit “section 150YS of the *Petroleum (Submerged Lands) Act 1967*”,
28 substitute “section 397 of the *Offshore Petroleum Act 2005*”.

29 **26 At the end of section 8**

30 Add:

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

5 **27 Subsection 9(3) (note)**

6 Omit “section 150YT of the *Petroleum (Submerged Lands) Act 1967*”,
7 substitute “section 398 of the *Offshore Petroleum Act 2005*”.

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

9 Omit “*Petroleum (Submerged Lands) Act 1967*”, substitute “*Offshore*
10 *Petroleum Act 2005*”.

11 **29 Subsection 9(8) (definition of *pipeline licence*)**

12 Omit “*Petroleum (Submerged Lands) Act 1967*”, substitute “*Offshore*
13 *Petroleum Act 2005*”.

14 **30 At the end of section 9**

15 Add:

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

20 **31 Subsection 10(3) (note)**

21 Omit “section 150YT of the *Petroleum (Submerged Lands) Act 1967*”,
22 substitute “section 398 of the *Offshore Petroleum Act 2005*”.

23 **32 At the end of section 10**

24 Add:

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

1

2 **Part 2—Application and transitional provisions**

3 **33 Application—safety investigation levy**

4 The following amendments made by this Schedule:

5 (a) the amendments of sections 5 and 6 of the *Offshore*
6 *Petroleum (Safety Levies) Act 2003*;

7 (b) the amendments of sections 3 and 4 of that Act, to the extent
8 to which they relate to section 5 or 6 of that Act;

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

11 **34 Application—safety case levy**

12 (1) The following amendments made by this Schedule:

13 (a) the amendments of sections 7 and 8 of the *Offshore*
14 *Petroleum (Safety Levies) Act 2003*;

15 (b) the amendments of sections 3 and 4 of that Act, to the extent
16 to which they relate to section 7 or 8 of that Act;

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

19 (2) The following amendments made by this Schedule:

20 (a) the amendments of sections 7 and 8 of the *Offshore*
21 *Petroleum (Safety Levies) Act 2003*;

22 (b) the amendments of sections 3 and 4 of that Act, to the extent
23 to which they relate to section 7 or 8 of that Act;

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

27 **35 Application—pipeline safety management plan levy**

28 (1) The following amendments made by this Schedule:

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

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

Schedule 1 Amendments

Part 2 Application and transitional provisions

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

3 (2) The following amendments made by this Schedule:

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

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

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

11 **36 Transitional—regulations**

12 To avoid doubt, the amendments made by this Schedule do not affect
13 the continuity of regulations made for the purposes of section 5, 6, 7, 8,
14 9 or 10 of the *Offshore Petroleum (Safety Levies) Act 2003* before the
15 commencement of this item.