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The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Offshore Petroleum and Greenhouse Gas
Storage (Regulatory Levies) Amendment
(Designated Coastal Waters) Bill 2014**

No. , 2014

(Industry)

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

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

The Parliament of Australia enacts:

1 Short title

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

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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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the commencement of the relevant State PSLA or Territory PSLA, the subject of a petroleum exploration permit under the repealed *Petroleum (Submerged Lands) Act 1967*.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”.