

NORTHERN TERRITORY OF AUSTRALIA  
ENERGY PIPELINES AMENDMENT ACT 1990

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No. 23 of 1990

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TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Principal Act
4. Interpretation
5. Application, &c.
6. Grant of licence
7. New section:

"15A. LICENSING OF EXEMPT PIPELINES"

8. New section:

"63A. NO ACTION AGAINST INSPECTOR OR  
ASSISTANTS"





# NORTHERN TERRITORY OF AUSTRALIA

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## AN ACT

to amend the *Energy Pipelines Act*

[Assented to 7 June 1990]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

### 1. SHORT TITLE

This Act may be cited as the *Energy Pipelines Amendment Act 1990*.

### 2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

### 3. PRINCIPAL ACT

The *Energy Pipelines Act* is in this Act referred to as the Principal Act.

### 4. INTERPRETATION

Section 3(1) of the Principal Act is amended by omitting paragraph (d) from the definition of "pipeline".

### 5. APPLICATION, &c.

Section 4(1) of the Principal Act is amended by omitting paragraph (b) and substituting the following:

"(b) subject to section 15A(5), a pipeline constructed and in operation before 11 August 1982;"

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## *Energy Pipelines Amendment*

### 6. GRANT OF LICENCE

Section 15(1) of the Principal Act is amended by omitting "section 13(4) to be given was given" and substituting "section 13(5) to be published was published".

### 7. NEW SECTION

The Principal Act is amended by inserting after section 15 the following:

#### "15A. LICENSING OF EXEMPT PIPELINES

"(1) The Minister may, by notice in writing served on the owner or operator of a pipeline -

- (a) referred to in section 4(1)(b); or
- (b) specified in a notice under section 4(2),

direct the owner or operator to apply for the grant of a licence under this section in respect of the pipeline.

"(2) An application for the grant of a licence under this section shall be -

- (a) made in a form and manner approved by the Minister; and
- (b) accompanied by such particulars as the Minister may require.

"(3) The Minister shall, on receiving an application for the grant of a licence under this section -

- (a) grant the licence; or
- (b) require the applicant to provide such further particulars as the Minister may require and, on receiving such particulars, grant the licence.

"(4) Where the Minister grants a licence under subsection (3), the Minister shall cause to be published in the *Gazette* a notice that the licence has been granted.

"(5) Where under subsection (1) a notice is served on the owner or operator of a pipeline, section 4(1)(b) or the notice under section 4(2), as the case may be, shall cease to apply to and in relation to the pipeline at the expiration of 6 months, or such longer period as the Minister may approve, after the date of the service of the notice.

## *Energy Pipelines Amendment*

"(6) A pipeline referred to in subsection (5) shall not be operated after the expiration of the period referred to in that subsection unless -

- (a) a licence has been granted under this section in respect of that pipeline; and
- (b) the operation of the pipeline is in accordance with this Act.

Penalty: \$5,000.

"(7) Notwithstanding section 30, a licence fee is not payable under that section in respect of the first year of the term of a licence granted under this section.".

### 8. NEW SECTION

The Principal Act is amended by inserting after section 63 the following:

#### "63A. NO ACTION AGAINST INSPECTOR OR ASSISTANTS

"No action or proceedings, civil or criminal, shall lie against an inspector, or a person assisting an inspector, for or in relation to an act or thing done in good faith and in his or her capacity as an inspector or a person assisting an inspector, as the case may be.".

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