

Serial 121
Petroleum Amendment Bill 2002
Mr Henderson

**A BILL
for
AN ACT**

to amend the *Petroleum Act*

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NORTHERN TERRITORY OF AUSTRALIA

PETROLEUM AMENDMENT ACT 2002

No. of 2002

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NORTHERN TERRITORY OF AUSTRALIA

No. of 2002

AN ACT

to amend the *Petroleum Act*

[Assented to 2002]
[Second reading 2002]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Petroleum Amendment Act 2002*.

2. Commencement

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. Principal Act

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

4. Interpretation

Section 5 of the Principal Act is amended –

- (a) by omitting from the definition of "applicant" in subsection (1) "a permit" and "the permit" and substituting "an exploration permit" and "the exploration permit" respectively;
- (b) by omitting from the definition of "application area" in subsection (1) "a permit" and substituting "an exploration permit";

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- (c) by inserting after the definition of "by notice" in subsection (1) the following:

" 'datum' means a reference frame for defining geographic co-ordinates;"

- (d) by inserting in subsection (1) after the definition of "document" the following:

" 'exploration permit' means –

- (a) an exploration permit granted or renewed under Part II, Division 2; or
- (b) a permit granted or renewed under Part II, Division 2 of this Act as in force before the commencement of the *Petroleum Amendment Act 2002*;

'exploration permit area' means the area constituted by the blocks that are the subject of an exploration permit;"

- (e) by inserting in subsection (1) after the definition of "future act" the following:

" 'geographic co-ordinate' includes –

- (a) a meridian of longitude by itself; and
- (b) a parallel of latitude by itself;

Note: If the position on the surface of the Earth of a particular point is identified by a co-ordinate that is determined by reference to a particular datum, the use of a different datum will result in the same point being identified by a different co-ordinate."

- (f) by omitting from subsection (1) the definitions of "permit" and "permit area" and substituting the following:

" 'permit' means an exploration permit;

'permit area' means an exploration permit area;"

- (g) by omitting from the definitions of "permittee" and "petroleum interest" in subsection (1) "a permit" and substituting "an exploration permit";

- (h) by omitting from subsection (1) the definition of "Secretary";

- (i) by omitting from subsection (2) "term of a permit" and "expiration of a permit" and substituting "term of an exploration permit" and "expiration of an exploration permit" respectively; and

- (j) by omitting from subsections (3), (4), (6) and (7) "a permit" and substituting "an exploration permit".

5. Application for exploration permit

Section 16 of the Principal Act is amended –

- (a) by omitting from subsection (1) "a permit" and substituting "an exploration permit";
- (b) by omitting from subsection (1)(a) "and an address for service within the Territory";
- (c) by omitting from subsection (1)(c) and (d) "permit" and substituting "exploration permit";
- (d) by omitting from subsection (1)(g) "his technical capacity" and substituting "the technical capacity of the operator";
- (e) by omitting subsection (1)(h), (ha) and (hb);
- (f) by omitting from subsection (1)(k) "his application" and substituting "the application";
- (g) by omitting from subsection (2) "a permit, he" and substituting "an exploration permit, the Minister";
- (h) by omitting from subsection (2) "his application" and substituting "the application";
- (i) by omitting from subsection (3) "a permit" and "another permit" and substituting "an exploration permit" and "another exploration permit" respectively; and
- (j) by omitting from subsection (4) "permits" and substituting "exploration permits".

6. Notice of application for exploration permit

Section 18 of the Principal Act is amended –

- (a) by omitting from subsection (1) all the words before paragraph (c) and substituting the following:

"(1) As soon as practicable after an application for an exploration permit has been lodged with the Minister, the Minister must cause to be published, at the expense of the applicant, in a newspaper circulating in the part of the Territory in which the application area is situated, or in any other publication that the Minister thinks fit, a notice containing –";

- (b) by omitting from subsection (1)(e) "after the date specified in the notice (being at least 21 days after the application was lodged), lodge in writing at the office of" and substituting "after the notice is published in the newspaper or other publication, lodge in writing with"; and
- (c) by omitting from subsection (3) "a permit" and substituting "an exploration permit".

7. Term of exploration permit

Section 22 of the Principal Act is amended –

- (a) by omitting from subsection (1) "a permit" and substituting "an exploration permit";
- (b) by omitting from subsection (1) "the period specified in the application, being a period of not less than 2 years or more than 5 years," and substituting "5 years"; and
- (c) by omitting from subsection (2) "a permit" and substituting "an exploration permit".

8. Application for renewal of exploration permit

Section 23 of the Principal Act is amended –

- (a) by omitting from subsection (1) "his permit" and substituting "the permittee's exploration permit";
- (b) by omitting from subsection (2) "a permit" and substituting "an exploration permit";
- (c) by omitting from subsection (2)(b) "and";
- (d) by omitting from subsection (2)(c) "fee." and substituting "fee; and";
- (e) by inserting after subsection (2)(c) the following:
 - "(d) accompanied by a report of the action taken by the permittee to restore and rehabilitate the land comprising the blocks that are part of the permittee's exploration permit area, but are not specified in the application, and the areas adjacent to that land which are or may be affected by the permittee's operations on those blocks.";
- (f) by omitting from subsection (3) "a permit" and substituting "an exploration permit"; and
- (g) by omitting from subsection (3)(a), (b) and (c) "the permit" and substituting "the exploration permit".

9. Grant or refusal of renewal of exploration permit

Section 25 of the Principal Act is amended –

- (a) by omitting from subsection (1) "his permit" and substituting "the permittee's exploration permit";
- (b) by omitting from subsection (1)(a) "permit" and substituting "exploration permit";
- (c) by omitting from subsection (1)(a) "him" and substituting "the permittee";
- (d) by omitting from subsection (1)(b) "permit" and substituting "exploration permit";
- (e) by omitting from subsection (1)(c) "he" and substituting "the Minister";
- (f) by omitting from subsection (1)(c) "permit on" and substituting "exploration permit on";
- (g) by omitting from subsection (1)(c) "him" and substituting "the permittee";
- (h) by omitting from subsection (2) "his permit" and substituting "the permittee's exploration permit";
- (i) by omitting from subsection (2) "him" and substituting "the permittee";
- (j) by omitting from subsection (3) "a permit unless he" and substituting "an exploration permit unless the Minister";
- (k) by omitting from subsection (3)(a) "his" and substituting "the Minister's";
- (l) by omitting from subsection (3)(a) "permit" and substituting "exploration permit";
- (m) by omitting from subsection (3)(b)(ii) "he" and substituting "the permittee";
- (n) by omitting from subsection (3)(c) "him" and substituting "the Minister";
- (o) by omitting from subsection (4)(a) "permit" and substituting "exploration permit";
- (p) by omitting subsection (5) and substituting the following:

"(5) A permittee who has been served with a notice under subsection (1) may, within 28 days after the date of service of that notice on the permittee or any other longer period agreed to by the Minister –

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- (a) by notice served on the Minister, request the Minister to renew the exploration permit; and
- (b) lodge with the Minister the security referred to in the notice served under subsection (1).";
- (q) by omitting from subsection (6)(a) "(5)(a)" and substituting "(5)";
- (r) by omitting from subsection (6) "permit" and substituting "exploration permit";
- (s) by omitting subsections (7), (8), (9);
- (t) by omitting subsection (10) and substituting the following:

"(10) Where a permittee has been served with a notice under subsection (1) and has not, within the period referred to in subsection (5), made the request and lodged with the Minister the security referred to in that subsection, the application lapses on the expiration of that period.";

- (u) by omitting from subsection (11)(a) "a permit" and substituting "an exploration permit"; and
- (v) by omitting from subsection (11)(b) "permit expires" and substituting "exploration permit expires".

10. Annual fee

Section 26 of the Principal Act is amended –

- (a) by omitting subsection (1) and substituting the following:

"(1) The annual fee payable in relation to an exploration permit is –

- (a) the prescribed amount per block per annum; or
- (b) the prescribed annual amount,

whichever is greater.";

- (b) by omitting from subsection (2) all the words before paragraph (a) and substituting "Subject to section 63, the annual fee for an exploration permit –"; and
- (c) by omitting from subsection (2) "his permit" and substituting "the permittee's exploration permit".

11. Conditions of exploration permit

Section 27 of the Principal Act is amended –

- (a) by omitting "(1)";
- (b) by omitting from subsection (1) "a permit" and substituting "an exploration permit"; and
- (c) by omitting subsection (2).

12. Variation etc. of condition of exploration permit

Section 28 of the Principal Act is amended –

- (a) by omitting from subsection (1) "his permit" and substituting "the permittee's exploration permit";
- (b) by omitting from subsection (2) "permit" and substituting "exploration permit";
- (c) by omitting from subsection (3) "a permit" and substituting "an exploration permit";
- (d) by omitting from subsection (3) "or one year, whichever is the lesser"; and
- (e) by omitting from subsection (4) "a permit" and substituting "an exploration permit".

13. Application for retention licence

Section 32 of the Principal Act is amended –

- (a) by omitting from subsection (1)(a) "and an address for service within the Territory";
- (b) by omitting from subsection (1)(c) "permit area" and substituting "exploration permit area";
- (c) by omitting subsection (1)(h);
- (d) by omitting from subsection (1)(k)(i) "permit" and substituting "exploration permit";
- (e) by omitting from subsection (1)(m) "his application" and substituting "the application";
- (f) by omitting from subsection (2) "he" and substituting "the Minister"; and
- (g) by omitting from subsection (2) "his application" and substituting "the application".

14. Grant or refusal of renewal of retention licence

Section 38 of the Principal Act is amended –

- (a) by omitting from subsection (1) "his" and substituting "the licensee's";
- (b) by omitting from subsection (1)(a) "him" and substituting "the licensee";
- (c) by omitting from subsection (2) "his", "inform him" and "on him" and substituting "the licensee's", "inform the licensee" and "on the licensee" respectively;
- (d) by omitting from subsection (2) "he" and substituting "the Minister";
- (e) by omitting from subsection (3) "of his", "which his" and "him" and substituting "of the licensee's", "which the" and "the licensee" respectively;
- (f) by omitting from subsection (4) "his" and "him" and substituting "his or her" and "the Minister" respectively;
- (g) by omitting from subsection (5) "he" and substituting "the Minister";
- (h) by omitting from subsection (5)(a) and (b)(i) "his" and substituting "the Minister's";
- (i) by omitting from subsection (5)(b)(ii) "he" and substituting "the licensee";
- (j) by omitting from subsection (5)(c) "him" and substituting "the Minister";
- (k) by omitting subsection (7) and substituting the following:

"(7) A retention licensee who has been served with a notice under subsection (1) or (2) may, within 28 days after the date of service of that notice on the retention licensee or any other longer period agreed to by the Minister –

- (a) by notice served on the Minister, request the Minister to renew the retention licence; and
- (b) lodge with the Minister the security referred to in the notice served under subsection (1) or (2).";
- (l) by omitting from subsection (8) "made a request under subsection (7)(a), within the period referred to in subsection (7)," and substituting ", within the period referred to in subsection (7), made the request and lodged with the Minister the security referred to in that subsection,";
- (m) by omitting subsections (9), (10) and (11); and

- (n) by omitting from subsection (12) "a request under" and substituting "the request and lodged with the Minister the security referred to in".

15. Conditions of retention licence

Section 40 of the Principal Act is amended –

- (a) by omitting "(1)"; and
- (b) by omitting subsection (2).

16. Rights conferred by retention licence

Section 42 of the Principal Act is amended –

- (a) by omitting from subsection (2)(a) "his" and substituting "the retention licensee's";
- (b) by omitting from subsection (2)(a) "if any," and substituting "(if any)";
- (c) by omitting from subsection (2)(a) "Act; and" and substituting "Act;";
- (d) by omitting from subsection (2)(b) "his" and substituting "the licensee's";
- (e) by omitting from subsection (2)(b) "area," and substituting "area; and";
- (f) by inserting after subsection (2)(b) the following:
 - "(c) discovered a commercially exploitable accumulation of petroleum within the licensee's retention licence area, "; and
- (g) by omitting from subsection (2) "him" and substituting "the licensee".

17. Application for production licence

Section 45 of the Principal Act is amended –

- (a) by omitting from subsection (1)(a) "and an address for service within the Territory";
- (b) by omitting from subsection (1)(c) "permit" and substituting "exploration permit";
- (c) by omitting subsection (1)(h);
- (d) by omitting from subsection (1)(k) "his application" and substituting "the application";
- (e) by omitting from subsection (2) "he" and substituting "the Minister"; and

- (f) by omitting from subsection (2) "his application" and substituting "the application".

18. Grant of production licence

Section 47 of the Principal Act is amended –

- (a) by omitting from subsection (1)(c) "he" and substituting "he or she";
- (b) by omitting from subsection (2)(b) "his permit" and substituting "the applicant's exploration permit";
- (c) by omitting from subsection (2)(b) "him" and substituting "the applicant";
- (d) by omitting from subsection (3) "his power", "he" and "his opinion" and substituting "his or her power", "the Minister" and "his or her opinion" respectively;
- (e) by omitting from subsection (4) "he" and substituting "he or she";
- (f) by omitting from subsection (4)(a) "he" and substituting "he or she";
- (g) by omitting subsection (4)(b) and substituting the following:
 - "(b) the date, not being earlier than 28 days after the date of the notice, after which the application is to lapse unless the Minister has received from the applicant a written acceptance of the conditions specified in the notice."; and
- (h) by omitting subsections (5), (6), (7), (8), (9) and (10) and substituting the following:

"(5) If the Minister receives from an applicant within the time specified in subsection (4)(b) a written acceptance of the conditions specified in the notice referred to in subsection (4), the Minister must grant to the applicant the production licence subject to those conditions.

"(6) If the Minister does not receive a written acceptance of the conditions specified in the notice referred to in subsection (4) from an applicant within the time specified in subsection (4)(b) –

- (a) the Minister must not grant the applicant the production licence; and
- (b) the applicant's application lapses on the expiry of the time specified in subsection (4)(b)."

19. Conditions of production licence

Section 54 of the Principal Act is amended –

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- (a) by omitting from subsection (2)(c) "produced;" and substituting "produced; and"; and
- (b) by omitting subsection (2)(d) and (e).

20. Access authorities

Section 57A of the Principal Act is amended –

- (a) by omitting from subsection (6) "a permit" and substituting "an exploration permit";
- (b) by omitting from subsection (9) "permit" and substituting "exploration permit";
- (c) by omitting from subsection (11)(b) "permit area" and substituting "exploration permit area";
- (d) by omitting from subsection (13) "Penalty: \$10,000." and substituting the following:

"Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units.";

- (e) by omitting from subsection (14) "a permit area" and substituting "an exploration permit area"; and
- (f) by omitting from subsection (14) "Penalty: \$5,000." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.".

21. Annual reports

Section 59 of the Principal Act is amended –

- (a) by omitting from subsection (1) "his permit or licence" and substituting "the permittee's exploration permit or the licensee's licence (as the case requires)";
- (b) by omitting from subsection (1) "at the office of the Secretary or such other place as the Secretary directs" and substituting "with the Minister";
- (c) by omitting from subsection (1) "to the Secretary" and substituting "to the Minister";

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(d) by omitting from subsection (1) "permit" and substituting "exploration permit"; and

(e) by omitting "Penalty: \$5,000." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units."

22. Repeal and substitution

Section 63 of the Principal Act is repealed and the following substituted:

"63. Payment of first year's annual fee in respect of exploration permit or licence

"If –

(a) the Minister determines to grant or renew an exploration permit or a licence and gives notice to the applicant of the conditions on which the Minister is prepared to grant or renew the permit or licence; and

(b) the applicant gives to the Minister the applicant's written acceptance of the conditions specified in the notice within the time specified under this Act in respect of the exploration permit or licence concerned for accepting the conditions,

the applicant must, at the same time as accepting the conditions, pay to the Minister the annual fee for the first year for each block in respect of which the permit or licence is or will be granted or renewed."

23. Discovery of petroleum to be notified

Section 64 of the Principal Act is amended –

(a) by omitting from subsection (1) "a permit" and substituting "an exploration permit";

(b) by omitting from subsection (1)(a) "the Secretary" and substituting "the Minister";

(c) by omitting from subsection (1) "Penalty: \$10,000." and substituting the following:

"Penalty: If the offender is a natural person – 200 penalty units.

If the offender is a body corporate – 1 000 penalty units.";

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- (d) by omitting from subsection (2) "a permit" and substituting "an exploration permit"; and
- (e) by omitting from subsection (3) "Penalty: \$5,000." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units."

24. Access

Section 65 of the Principal Act is amended –

- (a) by omitting from subsection (1) "permit" and substituting "exploration permit";
- (b) by omitting from subsection (2) "a permit" and substituting "an exploration permit"; and
- (c) by omitting from subsection (3) "Penalty: \$10,000 or imprisonment for 5 years." and substituting the following:

"Penalty: If the offender is a natural person – 400 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 2 000 penalty units."

25. Directions by Minister

Section 71 of the Principal Act is amended by omitting from subsection (3) "Penalty: \$50,000." and substituting the following:

"Penalty: If the offender is a natural person – 200 penalty units.

If the offender is a body corporate – 1 000 penalty units."

26. Surrender

Section 73 of the Principal Act is amended –

- (a) by omitting subsection (1) and substituting the following:

"(1) A permittee may apply to the Minister to surrender all or part of the permittee's exploration permit area.

"(1A) A licensee may apply to the Minister to surrender all or part of the licensee's licence area.

"(1B) An application under subsection (1) or (1A) is to be accompanied by –

- (a) a report of the action that the permittee or licensee has taken, is taking and will take to restore and rehabilitate the land comprising the permit area or licence area he or she is surrendering and the areas adjacent to that land which are or may be affected by the permittee's or licensee's operations on that land; and
- (b) a written undertaking by the permittee or licensee that the permittee or licensee will complete the restoration and rehabilitation specified in the report within the time agreed to by the Minister.

"(1C) The Minister must not accept the application for surrender unless he or she is satisfied that the report referred to in subsection (1B)(a) specifies action that will restore and rehabilitate the land being surrendered and the adjacent areas affected by the permittee's or licensee's operations on that land.";

- (b) by omitting from subsection (2) "of receipt of an application" and substituting "the Minister accepts an application made";
- (c) by omitting from subsection (2)(a)(i) "permit" and substituting "exploration permit";
- (d) by omitting subsection (2)(a)(ii) and (iii) and substituting the following:
 - "(ii) the provisions of this Act;
 - (iii) the directions, if any, lawfully given by the Minister; and
 - (iv) the permittee's or licensee's undertaking referred to in subsection (1B)(b),";
- (e) by omitting from subsection (2)(a) "permit or" and substituting "exploration permit or";
- (f) by omitting from subsection (2)(b)(i) "permit" and substituting "exploration permit";
- (g) by omitting subsection (2)(b)(ii) and (iii) and substituting the following:
 - "(ii) the provisions of this Act;
 - (iii) the directions, if any, lawfully given by the Minister during the life of the permit or licence; and
 - (iv) the permittee's or licensee's undertaking referred to in subsection (1B)(b),";

- (h) by omitting from subsection (2)(b) "his obligations" and "his employees" and substituting "the permittee's or licensee's obligations" and "the permittee's or licensee's employees" respectively;
- (i) by omitting from subsection (3)(a) "he thinks" and "he will" and substituting "the Minister thinks" and "the Minister will" respectively;
- (j) by omitting from subsection (4) "the permit" and substituting "the exploration permit";
- (k) by omitting from subsection (4) "the rent" and substituting "the annual fee"; and
- (l) by omitting from subsection (4) "of rent" and substituting "of the whole or a portion of the annual fee".

27. Report on ceasing to hold exploration permit or licence area

Section 75 of the Principal Act is amended –

- (a) by omitting from subsection (1)(b)(i) and (ii) "his permit" and substituting "his or her exploration permit";
- (b) by omitting from subsection (1)(c), (d) and (e) "the permit" and substituting "the exploration permit";
- (c) by omitting from subsection (1) "at the office of the Secretary" and substituting "with the Minister";
- (d) by omitting from subsection (1)(f) "the permit" and "that permit" and substituting "the exploration permit" and "that exploration permit" respectively;
- (e) by omitting from subsection (1)(g) and (h) "the permit" and substituting "the exploration permit"; and
- (f) by omitting from subsection (1) "Penalty: \$25,000." and substituting the following:

"Penalty: If the offender is a natural person – 200 penalty units.

If the offender is a body corporate – 1 000 penalty units."

28. Removal of property on surrender, expiry or cancellation

Section 77 of the Principal Act is amended –

- (a) by omitting from subsection (1) "a permit" and substituting "an exploration permit";

- (b) by omitting from subsection (1)(a) "former permit" and "by the permit" and substituting "former exploration permit" and "by the exploration permit" respectively;
- (c) by omitting from subsection (1)(b) and (c) "former permit" and substituting "former exploration permit"; and
- (d) by omitting from subsection (2) "Penalty: \$10,000 or imprisonment for 5 years." and substituting the following:

"Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units."

29. Security for compliance with Act and conditions of petroleum interest

Section 79 of the Principal Act is amended by adding at the end the following:

"(3) If the Minister has, in respect of the grant, renewal or variation of a production licence, required the lodgement of a security under subsection (1), the Minister may, as often as the Minister considers appropriate during the term of the production licence –

- (a) vary the amount of the security; and
- (b) if in varying the amount of the security the Minister increases the amount – require payment of the additional amount of security from the person, and within the time, the Minister considers appropriate."

30. Compensation to owners

Section 81 of the Principal Act is amended –

- (a) by omitting from subsection (2)(a) "permit" and substituting "exploration permit";
- (b) by omitting from subsection (2) "Penalty: \$10,000 or imprisonment for 5 years." and substituting the following:

"Penalty: If the offender is a natural person – 400 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 2 000 penalty units."; and

- (c) by omitting from subsection (7) "a permit" and "all permits" and substituting "an exploration permit" and "all exploration permits" respectively.

31. Inspectors

Section 87 of the Principal Act is amended –

- (a) by omitting from subsection (2) "The Secretary" and substituting "The Minister";
- (b) by omitting from subsection (2) "he" and substituting "he or she";
- (c) by omitting from subsection (3) "the Secretary" and substituting "the Minister"; and
- (d) by omitting from subsection (3) "Penalty: \$500." and substituting the following:
"Penalty: 20 penalty units."

32. Powers of inspectors

Section 88 of the Principal Act is amended –

- (a) by omitting from subsection (1) "him" and substituting "him or her";
- (b) by omitting from subsection (1)(a) "a permit" and substituting "an exploration permit";
- (c) by omitting from subsection (1)(b) "his" and substituting "his or her";
- (d) by omitting from subsection (1)(c) "him" and "his" and substituting "him or her" and "the permittee's or licensee's" respectively;
- (e) by omitting from subsection (2) "his" and substituting "his or her";
- (f) by omitting from subsection (3) "he may" and "he thinks" and substituting "he or she may" and "he or she thinks" respectively;
- (g) by omitting from subsection (3) "a permit" and substituting "an exploration permit";
- (h) by omitting from subsection (3)(a) "he" and substituting "he or she";
- (i) by omitting from subsection (4) "he" and substituting "he or she";
- (j) by omitting from subsection (5) "his" and substituting "his or her"; and

- (k) by omitting from subsection (5) "Penalty: \$5,000." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units.
If the offender is a body corporate – 500 penalty units."

33. Duties of employers

Section 89B of the Principal Act is amended by omitting from subsection (1) all the words after paragraph (b) and substituting the following:

"Penalty: If the offender is a natural person – 1 000 penalty units or imprisonment for 4 years.
If the offender is a body corporate – 5 000 penalty units."

34. Duties of occupiers of workplaces

Section 89C of the Principal Act is amended by omitting all the words after "health." and substituting the following:

"Penalty: If the offender is a natural person – 400 penalty units or imprisonment for 2 years.
If the offender is a body corporate – 2 000 penalty units."

35. Duties of self-employed persons

Section 89D of the Principal Act is amended by omitting all the words after "engaged." and substituting the following:

"Penalty: 400 penalty units or imprisonment for 2 years."

36. Duties of manufacturers etc.

Section 89E of the Principal Act is amended by omitting all the words after "requested." and substituting the following:

"Penalty: If the offender is a natural person – 400 penalty units or imprisonment for 2 years.
If the offender is a body corporate – 2 000 penalty units."

37. Duties of owners

Section 89F of the Principal Act is amended by omitting all the words after "use." and substituting the following:

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"Penalty: If the offender is a natural person – 400 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 2 000 penalty units."

38. Duties of workers

Section 89G of the Principal Act is amended –

- (a) by inserting at the end of subsection (1) the following:

"Penalty: 100 penalty units.";

- (b) by inserting at the end of subsection (2) the following:

"Penalty: 100 penalty units."; and

- (c) by omitting from subsection (3) "Penalty: \$5,000." and substituting the following:

"Penalty: 100 penalty units or imprisonment for 6 months."

39. Offences in relation to investigations

Section 89P of the Principal Act is amended by omitting from subsection (1) all the words after "offence." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 6 months.

If the offender is a body corporate – 500 penalty units."

40. Minister may issue improvement notice

Section 89Q of the Principal Act is amended –

- (a) by omitting from subsection (3) all the words after "offence." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 6 months.

If the offender is a body corporate – 500 penalty units."; and

- (b) by omitting subsection (4)(a) and (b) and substituting the following:

"(a) if the offender is a natural person – 2 penalty units; or

(b) if the offender is a body corporate – 10 penalty units,".

41. Minister may issue prohibition notice

Section 89R of the Principal Act is amended –

- (a) by omitting from subsection (3) all the words after "offence." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 6 months.

If the offender is a body corporate – 500 penalty units.";

- (b) by omitting subsection (4)(a) and (b) and substituting the following:

"(a) if the offender is a natural person – 2 penalty units; or

(b) if the offender is a body corporate – 10 penalty units,";

- (c) by omitting from subsection (7) all the words after "offence." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 6 months.

If the offender is a body corporate – 500 penalty units.";

- (d) by omitting subsection (8)(a) and (b) and substituting the following:

"(a) if the offender is a natural person – 2 penalty units; or

(b) if the offender is a body corporate – 10 penalty units,".

42. Discrimination against workers etc.

- Section 89ZD of the Principal Act is amended by omitting from subsection (1) all the words after paragraph (e) and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 6 months.

If the offender is a body corporate – 500 penalty units.".

43. Notification of accidents

Section 89ZF of the Principal Act is amended by adding at the end the following:

"Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.".

44. Power of Minister to require information as to proposed dealings

Section 98 of the Principal Act is amended –

- (a) by omitting from subsection (1) "him" and substituting "the person"; and
- (b) by omitting from subsection (2) "Penalty: \$5,000." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 6 months.

If the offender is a body corporate – 500 penalty units."

45. Production and inspection of documents

Section 99 of the Principal Act is amended –

- (a) by omitting from subsection (1) "to him" and "by him" and substituting "to him or her" and "by him or her";
- (b) by omitting from subsection (2) "him" and substituting "him or her"; and
- (c) by omitting from subsection (2) "Penalty: \$5,000." and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units."

46. New Division heading

Part V of the Principal Act is amended by inserting after the heading the following:

"Division 1 – General".

47. Licences required to explore and recover petroleum

Section 105 of the Principal Act is amended –

- (a) by omitting "he" and substituting "the person";
- (b) by omitting "a permit" and substituting "an exploration permit"; and
- (c) by omitting all the words after "licence." and substituting the following:

"Penalty: If the offender is a natural person – 500 penalty units.

If the offender is a body corporate – 2 500 penalty units."

48. Offences generally

Section 106 of the Principal Act by omitting from subsection (2) "by a fine of \$5,000." and substituting "by a penalty of –

- (a) if the offender is a natural person – 100 penalty units; or
- (b) if the offender is a body corporate – 500 penalty units."

49. Continuing offences

Section 107 of the Principal Act is amended –

- (a) by omitting from subsection (1) "he" and substituting "the person"; and
- (b) by omitting from subsection (1) "by a penalty of \$2,000 for each day during which the offence continues." and substituting "by a penalty of –
 - (a) if the offender is a natural person – 10 penalty units for each day during which the offence continues; or
 - (b) if the offender is a body corporate – 50 penalty units for each day during which the offence continues."

50. False statements

Section 109 of the Principal Act is amended –

- (a) by omitting from paragraph (a) "a permit" and substituting "an exploration permit";
- (b) by omitting from paragraph (a) "or Secretary";
- (c) by omitting from paragraph (b) "or Secretary";
- (d) by omitting from paragraph (c) "himself" and substituting "himself or herself";
- (e) by omitting from paragraph (c) "a permit" and substituting "an exploration permit"; and
- (f) by omitting all the words after paragraph (c) and substituting the following:

"Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 6 months.

If the offender is a body corporate – 500 penalty units."

51. Offences in relation to Register

Section 110 of the Principal Act is amended by omitting "Penalty: \$10,000." and substituting the following:

"Penalty: If the offender is a natural person – 400 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 2 000 penalty units."

52. New Division

Part V of the Principal Act is amended by adding at the end the following:

"Division 2 – Environmental offences

"117AAA. Application

"This Division does not apply in relation to a substance that is prescribed under the *Waste Management and Pollution Control Act* to be an ozone-depleting substance.

"117AAB. Interpretation

"(1) In this Division, unless the contrary intention appears –

'contaminant' means a solid, liquid, gas or any combination of those substances and includes –

- (a) noise, smoke, dust, fumes, odour or heat;
- (b) a prescribed substance or prescribed class of substances; and
- (c) a substance having a prescribed property or prescribed class of properties;

'environment' means land, air, water, organisms and ecosystems and includes –

- (a) the well-being of humans;
- (b) structures made or modified by humans;
- (c) the amenity values of an area; and
- (d) economic, cultural and social conditions;

'environmental harm' means –

- (a) any harm to or adverse effect on the environment; or

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- (b) any potential harm (including the risk of harm and future harm) to or potential adverse effect on the environment,

of any degree or duration and includes environmental nuisance;

'environmental nuisance', in relation to land, means –

- (a) an adverse effect on the amenity of the land caused by noise, smoke, dust, fumes or odour; or
- (b) an unsightly or offensive condition on the land;

'land' includes water and air on, above or under land;

'material environmental harm' means environmental harm that –

- (a) is not trivial or negligible in nature;
- (b) consists of an environmental nuisance of a high impact or on a wide scale;
- (c) results, or is likely to result, in not more than \$50 000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or
- (d) results in actual or potential loss or damage to the value of not more than \$50 000 or the prescribed amount (whichever is greater);

'serious environmental harm' means environmental harm that is more serious than material environmental harm and includes environmental harm that –

- (a) is irreversible or otherwise of a high impact or on a wide scale;
- (b) damages an aspect of the environment that is of a high conservation value, high cultural value or high community value or is of special significance;
- (c) results or is likely to result in more than \$50 000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or
- (d) results in actual or potential loss or damage to the value of more than \$50 000 or the prescribed amount (whichever is greater);

'waste material' means –

- (a) a solid, liquid or gas; or
- (b) a mixture of those substances,

that is left over, surplus or is an unwanted by-product and includes a prescribed substance or class of substances.

"(2) For the purposes of this Division, loss, in relation to an act or failure to act, includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures –

- (a) to prevent or mitigate environmental harm caused by or resulting from the act or failure to act; and
- (b) to make good environmental harm resulting from the act or failure to act.

"(3) For the purposes of this Division, environmental harm may be caused by an act or failure to act whether the harm –

- (a) is caused directly or indirectly or is a direct or indirect result of the act or failure to act; or
- (b) results from, or is caused by, the act or failure to act alone or from the combined effects of the act or failure to act and other factors.

"117AAC. Environmental offences

"(1) A person must not, during the conduct of an operation authorised under this Act, intentionally do an act, or fail to do an act, that causes the release of a contaminant or waste material on, above or under land if –

- (a) he or she knows, or ought reasonably be expected to know, that serious environmental harm or material environmental harm will or might result from the release of the contaminant or waste material; and
- (b) the contaminant or waste material causes serious environmental harm to land all of which is within one kilometre of the site where the contaminant is released.

"(2) An offence against subsection (1) is an environmental offence level 1.

"(3) A person must not, during the conduct of an operation authorised under this Act, do an act, or fail to do an act, that causes the release of a contaminant or waste material on, above or under land if –

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- (a) he or she knows, or ought reasonably be expected to know, that serious environmental harm or material environmental harm will or might result from the release of the contaminant or waste material; and
- (b) the contaminant or waste material causes serious environmental harm to land all of which is within one kilometre of the site where the contaminant or waste material is released.

"(4) An offence against subsection (3) is an environmental offence level 2.

"(5) A person must not, during the conduct of an operation authorised under this Act, intentionally do an act, or fail to do an act, that causes the release of a contaminant or waste material on, above or under land if –

- (a) he or she knows, or ought reasonably be expected to know, that serious environmental harm or material environmental harm will or might result from the release of the contaminant or waste material; and
- (b) the contaminant or waste material causes material environmental harm to land all of which is within one kilometre of the site where the contaminant or waste material is released.

"(6) An offence against subsection (5) is an environmental offence level 2.

"(7) A person must not, during the conduct of an operation authorised under this Act, do an act, or fail to do an act, that causes the release of a contaminant or waste material on, above or under land if –

- (a) he or she knows, or ought reasonably be expected to know, that serious environmental harm or material environmental harm will or might result from the release of the contaminant or waste material; and
- (b) the contaminant or waste material causes material environmental harm to land all of which is within one kilometre of the site where the contaminant or waste material is released.

"(8) An offence against subsection (7) is an environmental offence level 3.

"(9) A person must not, during the conduct of an operation authorised under this Act, do an act, or fail to do an act, that causes the release of a contaminant or waste material on, above or under land, if the contaminant or

waste material causes an environmental nuisance to land all of which is within one kilometre of the site where the contaminant is released.

"(10) An offence against subsection (9) is an environmental offence level 4.

"117AAD. Defences to environmental offences

"(1) It is a defence to a prosecution for an offence against section 117AAC if it is proved that the act or failure to act was authorised under an Act.

"(2) It is a defence to a prosecution for an offence against section 117AAC if it is proved that the alleged offence did not result from a failure on the defendant's part to exercise reasonable diligence.

"(3) It is a defence to a prosecution for an offence against section 117AAC in relation to a particular contaminant or waste material if it is proved the defendant complied with –

- (a) a provision of an environment protection objective within the meaning of the *Waste Management and Pollution Control Act*; or
- (b) a condition of an approval, permit, lease, licence or other authorisation under an Act,

that fixed maximum allowable levels for the particular contaminant or waste material.

"117AAE. Alternative verdicts available

"In a proceeding for an offence against –

- (a) section 117AAC(1) – the person charged with the offence may be found guilty alternatively of an offence against section 117AAC(3), (5), (7) or (9);
- (b) section 117AAC(3) – the person charged with the offence may be found guilty alternatively of an offence against section 117AAC(5), (7) or (9);
- (c) section 117AAC(5) – the person charged with the offence may be found guilty alternatively of an offence against section 117AAC(7) or (9); or
- (d) section 117AAC(7) – the person charged with the offence may be found guilty alternatively of an offence against section 117AAC(9).

"Division 3 – Liabilities of employers and employees etc. under Division 2

"117AAF. Actions etc. of employee or agent of body corporate are those of body corporate

"(1) If in proceedings for an offence against Division 2 it is necessary to establish the state of mind of a body corporate in relation to particular conduct, it is sufficient to show –

- (a) that the conduct was engaged in by a director, manager, employee or agent of the body corporate within the scope of his or her actual or apparent authority; and
- (b) that the director, manager, employee or agent had the relevant state of mind.

"(2) For the purposes of a prosecution for an offence against Division 2, conduct engaged in on behalf of a body corporate by a director, manager, employee or agent of the body corporate within the scope of his or her actual or apparent authority is taken to have been engaged in also by the body corporate.

"(3) For the purposes of this section, a reference to engaging in conduct is read as including a reference to failing or refusing to engage in conduct.

"117AAG. Director may be liable for offence of body corporate

"(1) If a body corporate commits an offence against this Part, every person who is a director of or who is concerned in the management of the body corporate is taken to have committed the same offence.

"(2) It is a defence to a prosecution for an offence committed by virtue of subsection (1) if the defendant establishes that –

- (a) the body corporate had under this Part a defence to the offence that the defendant is, apart from this section, taken to have committed;
- (b) the act or omission that constituted the offence took place without the defendant's authority, permission or consent;
- (c) the defendant did not know, and ought not reasonably be expected to have known, that the offence was to be or was being committed and took all reasonable steps to prevent or stop the commission of the offence; or
- (d) the defendant could not by the exercise of reasonable diligence have prevented the commission of the offence by the body corporate.

"(3) A person may be proceeded against and found guilty under a provision in pursuance of subsection (1) whether or not the body corporate has been proceeded against or found guilty under the provision.

"(4) Despite anything in this Part or the *Environmental Offences and Penalties Act*, a person is not liable to be punished by imprisonment for an offence if the person would not have been found guilty of the offence except for subsection (1).

"117AAH. Liability for managers, employees and agents

"(1) For the purposes of a prosecution for an offence against this Part, conduct engaged in on behalf of a person other than a body corporate (in this section called the 'employer') by a manager, employee or agent of the person within the scope of his or her actual or apparent authority is taken to have been engaged in also by the employer.

"(2) An employer may be proceeded against and found guilty under a provision in pursuance of subsection (1), whether or not the manager, employee or agent has been proceeded against or found guilty of an offence against that provision.

"(3) It is a defence to a prosecution for an offence committed by virtue of subsection (1) if the defendant establishes that –

- (a) the person who committed the offence that the defendant is taken to have committed under subsection (1) had, under this Act, a defence to the offence that the defendant is, apart from this subsection, to be taken to have committed;
- (b) the act or omission that constituted the offence took place without the defendant's authority, permission or consent;
- (c) the defendant did not know, and ought not reasonably be expected to have known, the offence was to be or was being committed and took all reasonable steps to prevent or stop the commission of the offence or a similar offence; or
- (d) the defendant could not by the exercise of reasonable diligence have prevented the commission of the offence by the person who committed the offence.

"(4) Despite anything in this Act or the *Environmental Offences and Penalties Act*, a person is not liable to be punished by imprisonment for an offence if the person would not have been found guilty of the offence except for subsection (1).

"(5) For the purposes of this section, a reference to engaging in conduct is read as including a reference to failing or refusing to engage in conduct."

53. New Part

The Principal Act is amended by inserting after Part VA the following:

"PART VB – DATUMS

"117AD. Object of Part

"The main objects of this Part are –

- (a) to maintain the use of the Australian Geodetic Datum to determine the position of blocks and certain other areas; and
- (b) to enable the position of a point, line, block or other area to be described in a petroleum interest or other instrument under this Act, using another datum (but not so as to change the position of a point, line, block or area).

"117AE. Definitions

"In this Part –

'Australian Geodetic Datum' means the Australian Geodetic Datum as defined in the *Commonwealth Gazette* No. 84 of 6 October 1966;

'changeover time' means the time when a declaration under section 117AG takes effect;

'current datum' means the datum declared to be the current datum under section 117AG;

'instrument under this Act' –

- (a) includes a lease referred to in section 119(1); and
- (b) does not include the Regulations;

'previous datum' means –

- (a) if a datum is the first datum declared to be the current datum under section 117AG – the Australian Geodetic Datum; or
- (b) in any other case – the datum that was the current datum immediately before the changeover time;

'this Act' includes the Regulations.

"117AF. Australian Geodetic Datum

"(1) For the purposes of this Act, the position on the surface of the Earth of a graticular section or a block is to be determined by reference to the Australian Geodetic Datum.

"(2) Subject to subsection (3), subsection (1) does not apply for the purposes of describing, in a petroleum interest or other instrument under this Act, the position on the surface of the Earth of a point, line or area.

"(3) Until a declaration under section 117AG takes effect, the Australian Geodetic Datum applies for the purposes of describing, in a petroleum interest or other instrument under this Act, the position on the surface of the Earth of a point, line or area.

"117AG. Current datum and previous datum

"The Regulations may declare that, for the purposes of describing the position on the surface of the Earth of a point, line or area in a petroleum interest or other instrument under this Act, a specified datum –

- (a) is the current datum; and
- (b) replaces the previous datum.

"117AH. Use of current datum

"For the purposes of this Act, the position on the surface of the Earth of –

- (a) an exploration permit area the subject of an exploration permit granted or renewed after the changeover time;
- (b) the licence area the subject of a licence granted or renewed after the changeover time;
- (c) an access authority area the subject of an access authority granted or renewed after the changeover time; or
- (d) a point, line or area set out in any other instrument made, granted or renewed under this Act after the changeover time,

is to be described by reference to the current datum, and the exploration permit, licence, access authority or instrument may be annotated accordingly.

"117AI. Use of previous datum

"(1) This section applies subject to section 117AJ.

"(2) For the purposes of this Act, the position on the surface of the Earth of –

- (a) an exploration permit area the subject of an exploration permit in force immediately before the changeover time;
- (b) a licence area the subject of a licence in force immediately before the changeover time;
- (c) an access authority area the subject of an access authority in force immediately before the changeover time; or
- (d) a point, line or area set out in any other instrument in force under this Act immediately before the changeover time,

is to be described by reference to the previous datum.

"117AJ. Variation of petroleum interests etc.

"The Regulations may authorise the Minister to issue an instrument varying –

- (a) an exploration permit in force immediately before the changeover time for the sole purpose of relabelling the exploration permit area the subject of the exploration permit using geographic co-ordinates based on the current datum;
- (b) a licence in force immediately before the changeover time for the sole purpose of relabelling the licence area the subject of the licence using geographic co-ordinates based on the current datum;
- (c) an access authority in force immediately before the changeover time for the sole purpose of relabelling the access authority area the subject of the access authority using geographic co-ordinates based on the current datum;
- (d) any other instrument under this Act that –
 - (i) is in force immediately before the changeover time; and
 - (ii) sets out a point, line or area,
for the sole purpose of relabelling the point, line or area using geographic co-ordinates based on the current datum; or
- (e) any other instrument under this Act for the sole purpose of inserting an annotation about the applicable datum.

"117AK. Variation of applications for petroleum interests

"The Regulations may authorise the Minister to issue an instrument varying an application for a petroleum interest under this Act for the sole purpose

of relabelling a point, line or area by reference to geographic co-ordinates based on the current datum.

"117AL. No change to actual position of point, line or area

"This Part does not authorise any change to the position on the surface of the Earth of a point, line or area.

"117AM. Transitional Regulations

"The Regulations may make provision for matters of a transitional nature arising from the change from the previous datum to the current datum."

54. Regulations

Section 118 of the Principal Act is amended –

- (a) by omitting from subsection (2)(d), (g), (h)(i) and (ii) and (k) "a permit" and substituting "an exploration permit";
- (b) by omitting from subsection (2)(m) "from a permit" and "into a permit" and substituting "from an exploration permit" and "into an exploration permit" respectively;
- (c) by omitting from subsection (2)(p) "permit" and substituting "exploration permit"; and
- (d) by omitting subsection (2)(s) and substituting the following:
 - "(s) penalties for offences against the Regulations not exceeding –
 - (i) if the offender is a natural person – 500 penalty units; or
 - (ii) if the offender is a body corporate – 2 500 penalty units."

55. Application, savings and transitional

Section 119 of the Principal Act is amended –

- (a) by inserting after subsection (1) the following:

"(1A) Part VB applies to and in relation to a lease referred to in subsection (1).";
- (b) by inserting in subsection (2) "Part IIIA and to" after "subject to";
- (c) by omitting subsections (5) and (6) and substituting the following:

"(5) Before the expiration of 3 months after the date of receipt of an application under subsection (3), the Minister must give notice to the applicant of—

- (a) the conditions subject to which he or she is prepared to grant the application; and
- (b) the date, not being earlier than 28 days after the date of the notice, after which the application lapses unless the Minister has received from the applicant an acceptance of the conditions specified in the notice.

"(6) If the Minister receives from the applicant within the time specified in subsection (5)(b) a written acceptance of the conditions, the Minister must grant the permit or licence to the applicant subject to those conditions and cause the Registrar to register it."; and

- (d) by omitting from subsection (7) "(5)(a) or".

56. Further amendments

The Principal Act is amended as set out in the Schedule.

57. Transitional: grant or renewal of petroleum interest

If a person makes an application for the grant or renewal of a petroleum interest before the commencement of this Act, the *Petroleum Act* as in force before that commencement applies to and in relation to that application and that application is to be granted or refused, and (if the application is granted) the first payment of rent is to be made in respect of the petroleum interest, under and in accordance with that Act.

SCHEDULE

Section 56

Provision	Amendment	
	omit	substitute
Section 8(2)	Secretary	Minister
Section 9(1)	which a permit grant of a permit	which an exploration permit grant of an exploration permit
Section 9(2)	a permit	an exploration licence
Section 10(1)	a permit	an exploration licence
Section 10(2)(a) and (b)	a permit	an exploration permit
Section 10(3)	A permit	An exploration permit
Sections 11 and 12	a permit	an exploration permit
Section 13(1)	of a permit	of an exploration permit
Section 13(1)(a)	for a permit	for an exploration permit
Section 13(4)	a permit	an exploration permit
Section 14(1)	a permit	an exploration permit
Section 15(1)(a) and (2)	a permit	an exploration permit
Heading to Part II, Division 2	<i>Permits</i>	<i>Exploration Permits</i>
Sections 17 and 19(1)	a permit	an exploration permit
Section 20(1)	the permit	the exploration permit
Section 20(2) and (3)	a permit	an exploration permit
Section 20(4)	a permit	an exploration permit
	another permit	another exploration permit
Section 21	a permit	an exploration permit

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Section 24(1), (2), (3), (4) and (5)	a permit	an exploration permit
Section 29(1)	A permit	An exploration permit
	permit area	exploration permit area
Section 29(2)(a)	in the permit area	in the exploration permit area
Section 29(2)(b), (c) and (d)	permit area	exploration permit area
Section 29(3)(a)	his permit	the permittee's exploration permit
Section 29(3)(b)	his permit area	the permittee's exploration permit area
Section 30(1)	a permit area	an exploration permit area
	he may	the Minister may
	him	the permittee
	why he	why the permittee
Section 30(3) and (6)(a)	the permit	the exploration permit
Section 31(a), (b) and (c)	his permit area	the permittee's exploration permit area
Section 31	he	the permittee
Section 34(1)(c)	permit and	exploration permit and
	permit area	exploration permit area
Section 35	a permit	an exploration permit
Section 39(1)	rent	annual fee
Section 39(2)	rent	the annual fee
Section 44	his permit	his or her exploration permit
Section 49	a permit	an exploration permit
Section 53(1)	rent	annual fee

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Section 53(2)	rent	the annual fee
Section 57B(1)(a)	a permit	an exploration permit
Section 57S(1)(a)	a petroleum permit	an exploration permit
Section 57T(1)	Secretary	Minister
Section 57T(2)	by the Secretary	by the Minister
	provide the Secretary	provide the Minister
	Secretary requires	Minister requires
Section 57T(2A)	a permit	an exploration permit
Section 57T(3)(a), (b) and (c)	at the office of the Secretary	with the Minister
Section 57T(5)	permits	exploration permits
Section 57T(5A)	the permits	the exploration permits
Section 57T(6)(b)	permit	exploration permit
Section 57U	a permit	an exploration permit
Heading to Part III	PERMITS	EXPLORATION PERMITS
Section 58	A permit	An exploration permit
Section 58(a)	rent	annual fees
Section 58(b), (c) and (d)	permit	exploration permit
Section 58(e)	relation to the permit	relation to the exploration permit
Section 58(f) and (g)	permit	exploration permit
Section 58(h)	his permit	his or her exploration permit
Section 58(j)	permit	exploration permit
Section 60(1)	a permit	an exploration permit
Section 60(3)	Secretary	Minister

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Section 60(3)	permit	exploration permit
Section 61(1)(a) and (b)	or the Secretary	
Section 61(2)	a permit	an exploration permit
Section 61(3) and (4)	or the Secretary	
Section 61(5)(a)(i)	a permit	an exploration permit
Section 61(5)(a)(ii)	or the Secretary	
	the permit	the exploration permit
Section 61(5)(a)	or the Secretary	
Section 61(5)(b)(ii)	or the Secretary	
Section 61(5)(b)	or the Secretary	
Section 61(5)(c)	or the Secretary	
	a permit	an exploration permit
Section 61(5)(c)(i) and (ii)	the permit	the exploration permit
Section 61(5)(c)	the permit	the exploration permit
	another permit	another exploration permit
Section 61(5)(d)	or the Secretary during	during
	a permit	an exploration permit
	Minister or the Secretary, expires	Minister, expires
Section 61(6)(a)	or the Secretary	
Section 61(6)(a)(i) and (ii)	a permit	an exploration permit
Section 61(6)(b)	if the permit	if the exploration permit
Section 61(7)	was received by the Minister or the Secretary	was received by the Minister
	has been received by the Minister or the Secretary	has been received by the Minister

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Section 61(14)(b)	or the Secretary	
Section 61(16)(a) and (b)	or the Secretary	
Section 66(1)	a permit	an exploration permit
Section 66(2) and (3)	of the permit	of the exploration permit
Section 68	his permit	his or her exploration permit
Section 69(1)(b)	permit	exploration permit
Section 70(a), (b), (c), (d) and (e)	a permit	an exploration permit
Section 74(1) and (2)	a permit	an exploration permit
Section 74(3)(a) and (b) and (4)	the permit	the exploration permit
Section 74(5)	Where a permit	Where an exploration permit
	of a permit	of an exploration permit
	for a permit	for an exploration permit
Section 76(1)	at the office of the Secretary	with the Minister
Section 78(1)	permit	exploration permit
Section 82(1) and (2)	a permit	an exploration permit
Section 84(6)	rent	the annual fee
Section 86(1)	a rent	an annual fee
Section 86(2)	a rent	an annual fee
	the rent	the annual fee
Section 90(2)	permits	exploration permits
Section 91(1)	each permit	each exploration permit
Section 91(1)(b) and (c)	permit	exploration permit

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Section 91(1)(d)	a permit	an exploration permit
	previous permit	previous exploration permit
Section 91(1)(e) and (g)	permit	exploration permit
Section 91(2)(a)	a permit	an exploration permit
Section 91(3)	permit	exploration permit
Section 91(4)	A permit	An exploration permit
Section 91(5)	a permit	an exploration permit
	his permit	the person's permit
Section 91(6)	permit	exploration permit
Section 92(a), (b) and (c)	a permit	an exploration permit
Section 93(1)	a permit	an exploration permit
Section 93(2)(b)	permit	exploration permit
Section 93(5) and (8)	a permit	an exploration permit
Section 93(9)(c) and (11)	permit	exploration permit
Section 93A(2)	permit	exploration permit
Section 93A(4)	a permit	an exploration permit
Section 94(2)	permit	exploration permit
Section 95	permit	exploration permit
Section 96(1) and (2)	permit	exploration permit
Section 96(3)	a permit	an exploration permit
Section 96(7)	permit	exploration permit
Section 101	a permit	an exploration permit

ALTERATIONS TO SECTION HEADINGS

On the day on which the *Petroleum Act* is amended by this Act, in addition to any alteration to section headings indicated in the text of this Act, the headings to the sections specified in the table are altered as set out in the table.

Section	Alteration	
	omit	substitute
Sections 11, 14, 17, 20, 21, 24, 29	permit	exploration permit
Section 35	Permit	Exploration permit
Section 39	the whole heading	Annual fee
Section 49	Permit	Exploration permit
Section 53	the whole heading	Annual fee
Section 57T	permit	exploration permit
Section 66	Permit	Exploration permit
Section 86	, &c., of rent	etc. of annual fee
Section 92	permits, &c., cancelled, &c.	exploration permits etc. cancelled etc.

