

Serial 104  
Petroleum (Submerged Lands) Amendment Bill 2002  
Mr Henderson

**A BILL  
for  
AN ACT**

to amend the *Petroleum (Submerged Lands) Act*

C

C

C

C

NORTHERN TERRITORY OF AUSTRALIA  
PETROLEUM (SUBMERGED LANDS) AMENDMENT ACT 2002

---

No. of 2002

---

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Principal Act
4. Repeal
5. Interpretation
6. Repeal
7. Repeal and substitution
  10. Definitions
8. Exploration for petroleum
9. Discovery of petroleum to be notified
10. Directions by designated authority on discovery of petroleum
11. Discovery of petroleum to be notified
12. Directions by designated authority on discovery of petroleum
13. Recovery of petroleum in adjacent area
14. Unit development
15. Construction etc. of pipelines etc.
16. Application for pipeline licence
17. Grant or refusal of grant of pipeline licence
18. Term of pipeline licence
19. Repeal
20. Conditions of pipeline licence
21. Variation of pipeline licence by designated authority
22. Ceasing to operate pipeline
23. New section
  - 74AA. Termination of pipeline licence if no operations for 5 years
24. True consideration to be shown
25. Power of Minister to acquire information as to dealings
26. Production and inspection of documents
27. Offences
28. Notice of grants of permits etc. to be published
29. Commencement of works
30. Work practices
31. Maintenance etc. of property

32. Drilling near boundaries
33. Directions
34. Exemption
35. Removal of property etc. by permittee etc.
36. Removal of property etc. by Minister
37. Special prospecting authorities
38. Access authorities
39. Failing to furnish information etc.
40. Discovery of water
41. Survey of wells etc.
42. Records etc. to be kept
43. Interference with other rights
44. Inspectors
45. Powers of inspectors
46. Safety zones
47. Powers of authorized persons
48. Fees
49. Time for payment of fees
50. New Part

#### PART IIA – DATUMS

- 150A. Object of Part
  - 150B. Definitions
  - 150C. Australian Geodetic Datum
  - 150D. Current datum and previous datum
  - 150E. Use of current datum
  - 150F. Use of previous datum
  - 150G. Variation of titles etc.
  - 150H. Variation of applications for titles
  - 150I. No change to actual position of point, line or area
  - 150J. Transitional Regulations
51. Repeal
  52. Transitional: applications for pipeline licences



# NORTHERN TERRITORY OF AUSTRALIA

No. of 2002

## AN ACT

to amend the *Petroleum (Submerged Lands) 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 (Submerged Lands) 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 (Submerged Lands) Act* is in this Act referred to as the Principal Act.

**4. Repeal**

Sections 2 and 3 of the Principal Act are repealed.

**5. Interpretation**

Section 4 of the Principal Act is amended –

*Petroleum (Submerged Lands) Amendment Act 2002*

- (a) by omitting from subsection (1) the definition of "Commonwealth Act" and substituting the following:

" 'Commonwealth Act' means –

- (a) the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth, as amended from time to time; or
- (b) if the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth is repealed and re-enacted (with or without modification) – the Act of the Commonwealth that re-enacts it, as amended from time to time;"

- (b) by inserting in subsection (1) after the definition of "corresponding law" the following:

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

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.";

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

" 'geographic co-ordinate' includes –

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

- (d) by omitting from subsection (1) the definition of "Joint Authority" and substituting the following:

" 'Joint Authority' means the Commonwealth-Northern Territory Offshore Petroleum Joint Authority (also known as the Commonwealth-Northern Territory Off-shore Petroleum Joint Authority) established by the Commonwealth Act;"

- (e) by omitting from subsection (4) "pipeline licence," (all references);

- (f) by inserting after subsection (4) the following:

"(4A) In this Act, a reference to the term of a pipeline licence is a reference to the period during which the pipeline licence is in force.";

- (g) by omitting subsection (8).

**6. Repeal**

Sections 8 and 9 of the Principal Act are repealed.

**7. Repeal and substitution**

Section 10 of the Principal Act is repealed and the following substituted:

**"10. Definitions**

"In this Division, unless the contrary intention appears –

'Commonwealth Act' means, as the context requires –

- (a) the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth, as amended from time to time;
- (b) if the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth is repealed and re-enacted (with or without modification) – the Act of the Commonwealth that re-enacts it, as amended from time to time;
- (c) the *Petroleum (Submerged Lands) Registration Fees Act 1967* of the Commonwealth, as amended from time to time;
- (d) if the *Petroleum (Submerged Lands) Registration Fees Act 1967* of the Commonwealth is repealed and re-enacted (with or without modification) – the Act of the Commonwealth that re-enacts it, as amended from time to time;
- (e) the *Petroleum (Submerged Lands) Fees Act 1994* of the Commonwealth, as amended from time to time; or
- (f) if the *Petroleum (Submerged Lands) Fees Act 1994* of the Commonwealth is repealed and re-enacted (with or without modification) – the Act of the Commonwealth that re-enacts it, as amended from time to time;

'Commonwealth adjacent area' means –

- (a) if the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth is in force – the adjacent area in respect of the Territory determined in accordance with section 5A of that Act; or
- (b) if the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth is repealed and re-enacted (with or without

modification) – the area that, under the Act of the Commonwealth that re-enacts the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth, corresponds to the area which, immediately before the repeal of the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth, was the adjacent area in respect of the Territory determined in accordance with section 5A of that Act."

**8. Exploration for petroleum**

Section 19 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 – 400 penalty units or imprisonment for 2 years.

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

**9. Discovery of petroleum to be notified**

Section 34 of the Principal Act is amended by omitting from subsection (3) "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."

**10. Directions by designated authority on discovery of petroleum**

Section 35 of the Principal Act is amended by omitting from subsection (2) "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."

**11. Discovery of petroleum to be notified**

Section 38J of the Principal Act is amended by omitting from subsection (3) "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."

**12. Directions by designated authority on discovery of petroleum**

Section 38K of the Principal Act is amended by omitting from subsection (2) "Penalty: \$10,000." and substituting the following:



*Petroleum (Submerged Lands) Amendment Act 2002*

"Penalty: If the offender is a natural person – 200 penalty units.  
If the offender is a body corporate – 1 000 penalty units."

**13. Recovery of petroleum in adjacent area**

Section 39 of the Principal Act is amended by omitting all the words after paragraph (b) 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."

**14. Unit development**

Section 59 of the Principal Act is amended –

- (a) by omitting from subsection (11)(b) "within the meaning of the Commonwealth Act"; and
- (b) by adding at the end the following:

"(13) For the purposes of subsection (11)(b), the adjacent area in respect of a State is one of the following areas:

- (a) if the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth is in force – the adjacent area in respect of the State within the meaning of that Act;
- (b) if the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth is repealed and re-enacted (with or without modification) – the area that, under the Act of the Commonwealth that re-enacts the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth, corresponds to the area which, immediately before the repeal of the *Petroleum (Submerged Lands) Act 1967* of the Commonwealth, was the adjacent area in respect of the State determined in accordance with section 5A of that Act."

**15. Construction etc. of pipelines etc.**

Section 60 of the Principal Act is amended by omitting all the words after subsection (6) 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."

**16. Application for pipeline licence**

Section 64 of the Principal Act is amended by inserting in subsection (2)(b) "of a production licence" after "licence area".

**17. Grant or refusal of grant of pipeline licence**

Section 65 of the Principal Act is amended –

- (a) by omitting from subsection (1) "on him" and "to him" and substituting "on the applicant" and "to the applicant" respectively;
- (b) by omitting from subsection (2) "he" and substituting "the Minister";
- (c) by inserting after subsection (2) the following:

"(2A) If a person makes an application in accordance with section 64 for a pipeline licence in respect of the construction in an adjacent area of a pipeline for the conveyance of petroleum recovered from a place beyond the outer limits of any adjacent area, the Minister may inform the person, by instrument in writing served on the person, that he or she is prepared to grant the person a pipeline licence.";

- (d) by omitting from subsection (4)(a) "he" and "his" and substituting "he or she" and "his or her" respectively;
- (e) by omitting from subsection (4)(b) "he has" and "he thinks" and substituting "he or she has" and "he or she thinks" respectively;
- (f) by omitting from subsection (4)(c) "he has" and "he wishes" and substituting "he or she has" and "he or she wishes" respectively;
- (g) by omitting from subsection (4)(d) "he" and "him" and substituting "he or she" and "him or her" respectively;
- (h) by inserting in subsection (5) "of a production licence" after "case may be, a licence area";
- (i) by inserting in subsections (7), (8) and (9) "or (2A)" after "(2)";
- (j) by omitting from subsection (9) "notice on him", "served on him" and "to him" and substituting "notice on the person", "served on the person" and "to the person" respectively; and
- (k) by inserting in subsections (10) and (11) "or (2A)" after "(2)".

**18. Term of pipeline licence**

Section 67 of the Principal Act is amended by omitting subsection (1) and substituting the following:

"(1) Subject to this Part, a pipeline licence remains in force indefinitely."

**19. Repeal**

Sections 68 and 69 of the Principal Act are repealed.

**20. Conditions of pipeline licence**

Section 70 of the Principal Act is amended by omitting subsection (3).

**21. Variation of pipeline licence by designated authority**

Section 72 of the Principal Act is amended by omitting from subsection (2) "Penalty: \$50,000 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."

**22. Ceasing to operate pipeline**

Section 74 of the Principal Act is amended by omitting from subsection (1) "Penalty: \$50,000 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."

**23. New section**

The Principal Act is amended by inserting after section 74 in Part II, Division 4 the following:

**"74AA. Termination of pipeline licence if no operations for 5 years**

"(1) If a pipeline licensee –

(a) has not carried out any construction work under the pipeline licensee's pipeline licence for a continuous period of at least 5 years; and

(b) has not used the pipeline or a part of the pipeline the subject of the pipeline licensee's pipeline licence for a continuous period of at least 5 years,

the Minister may, by written notice served on the pipeline licensee, inform the pipeline licensee that the Minister proposes to terminate the pipeline licence, or to terminate the pipeline licence in respect of a part of the pipeline, (as the case requires) after the end of one month after the notice is served.

"(2) At any time after the end of one month after the notice referred to in subsection (1) is served on the pipeline licensee, the Minister may, by written notice served on the pipeline licensee, terminate the pipeline licence or terminate the pipeline licence in respect of a part of the pipeline (as the case requires).

"(3) In working out, for the purposes of subsection (1), the duration of the period in which a pipeline licensee did not carry out any construction work under the pipeline licence or did not use the pipeline or a part of the pipeline, any period in which construction work was not carried out, or the pipeline or part of the pipeline was not used, because of circumstances beyond the pipeline licensee's control is to be disregarded."

**24. True consideration to be shown**

Section 82 of the Principal Act is amended by omitting from subsection (1) "Penalty: \$10,000." 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."

**25. Power of Minister to acquire information as to dealings**

Section 84 of the Principal Act is amended 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."

**26. Production and inspection of documents**

Section 85 of the Principal Act is amended 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."

**27. Offences**

Section 90 of the Principal Act is amended by omitting "Penalty: \$5,000." 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."

**28. Notice of grants of permits etc. to be published**

Section 94 of the Principal Act is amended –

- (a) by omitting "he" and substituting "he or she";
- (b) by omitting from paragraph (a) ", licence or pipeline licence" and substituting "or licence";
- (c) by inserting after paragraph (a) the following:

"(aa) the grant of a pipeline licence;"
- (d) by omitting from paragraph (e) "renewal or"; and
- (e) by omitting from paragraph (g) ", licence or pipeline licence," and substituting "or licence, or the termination of a pipeline licence,".

**29. Commencement of works**

Section 96 of the Principal Act is amended by omitting from subsection (3) "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."

**30. Work practices**

Section 97 of the Principal Act is amended by omitting all the words after subsection (7) 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."

**31. Maintenance etc. of property**

Section 98 of the Principal Act is amended by omitting all the words after subsection (4) and substituting the following:

*Petroleum (Submerged Lands) Amendment Act 2002*

"Penalty: If the offender is a natural person – 200 penalty units.  
If the offender is a body corporate – 1 000 penalty units."

**32. Drilling near boundaries**

Section 100 of the Principal Act is amended by omitting from subsection (3) "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."

**33. Directions**

Section 101 of the Principal Act is amended –

(a) by omitting from subsections (2A), (2B) and (2C) "Penalty: \$5,000." 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.";  
and

(b) by omitting from subsection (7) "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."

**34. Exemption**

Section 103 of the Principal Act is amended –

(a) by omitting from subsection (1)(a) ", licence or pipeline licence is" and ", licence or pipeline licence;" and substituting "or licence is" and "or licence;" respectively;

(b) by omitting from subsection (2) ", licence or pipeline licence" and substituting "or licence"; and

(c) by omitting from subsection (3) "he" and substituting "he or she".

**35. Removal of property etc. by permittee etc.**

Section 107 of the Principal Act is amended –

*Petroleum (Submerged Lands) Amendment Act 2002*

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

"(1) If—

- (aa) a permit or licence has been wholly determined, partly determined, wholly cancelled or partly cancelled, or has expired;
- (ab) a pipeline licence has been wholly determined, partly determined, wholly cancelled or partly cancelled, or has been terminated; or
- (ac) a lease has been wholly determined, partly determined or wholly cancelled, or has expired,

the Minister may, by notice in writing served on the person who is or was the permittee, licensee, pipeline licensee or lessee (as the case requires), direct that person to do any one or more of the following things:"

- (b) by omitting from subsection (2) "him" and substituting "the permittee, lessee, licensee or pipeline licensee"; and
- (c) by omitting from subsection (3) "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."

**36. Removal of property etc. by Minister**

Section 108 of the Principal Act is amended –

- (a) by omitting all the words before paragraph (a) and substituting the following:

"If—

- (aa) a permit or licence has been wholly determined, partly determined, wholly cancelled or partly cancelled, or has expired;
- (ab) a pipeline licence has been wholly determined, partly determined, wholly cancelled or partly cancelled, or has been terminated; or
- (ac) a lease has been wholly determined, partly determined or wholly cancelled, or has expired,

and, in respect of the permit, licence, pipeline licence or lease, a direction under section 107 has not been complied with, or an arrangement under that section has not been carried out, in relation to a relinquished area –"; and

- (b) by omitting from paragraph (b) "he" and substituting "he or she".

**37. Special prospecting authorities**

Section 111 of the Principal Act is amended by omitting from subsection (9) "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."

**38. Access authorities**

Section 112 of the Principal Act is amended –

- (a) by omitting from subsection (10) "Penalty for an offence against this subsection: \$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.";  
and

- (b) by omitting from subsection (11) "Penalty for an offence against this subsection: \$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."

**39. Failing to furnish information etc.**

Section 117 of the Principal Act is amended by omitting all the words after paragraph (c) 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."

**40. Discovery of water**

Section 120 of the Principal Act is amended by omitting "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."



**41. Survey of wells etc.**

Section 121 of the Principal Act is amended by omitting from subsection (3) "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."

**42. Records etc. to be kept**

Section 122 of the Principal Act is amended by omitting from subsection (2) "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."

**43. Interference with other rights**

Section 124 of the Principal Act is amended by omitting "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."

**44. Inspectors**

Section 125 of the Principal Act is amended by omitting from subsection (3) "Penalty: \$500." and substituting "Penalty: 20 penalty units."

**45. Powers of inspectors**

Section 126 of the Principal Act is amended by omitting from subsection (3) "Penalty for an offence against this subsection: \$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. Safety zones**

Section 137B of the Principal Act is amended by omitting from subsection (3) "Penalty: \$100,000 or imprisonment for 10 years." and substituting the following:

"Penalty: If the offender is a natural person – 10 000 penalty units or imprisonment for 4 years.

If the offender is a body corporate – 50 000 penalty units."

**47. Powers of authorized persons**

Section 137C of the Principal Act is amended 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."

**48. Fees**

Section 138 of the Principal Act is amended by omitting from subsections (1), (3) and (4) "or licence" and substituting ", licence or pipeline licence".

**49. Time for payment of fees**

Section 141 of the Principal Act is amended by inserting in paragraphs (a) and (b) "lease," before "licence or".

**50. New Part**

The Principal Act is amended by inserting after section 150 the following:

**"PART IIA – DATUMS**

**"150A. 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 title or other instrument under this Act, using another datum (but not so as to change the position of a point, line, block or area).

**"150B. Definitions**

"In this Part –

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

*Petroleum (Submerged Lands) Amendment Act 2002*

'changeover time' means the time when a declaration under section 150D takes effect;

'current datum' means the datum declared to be the current datum under section 150D;

'instrument under this Act' does not include the Regulations;

'previous datum' means –

- (a) if a datum is the first datum declared to be the current datum under section 150D – 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;

'title' means a permit, lease, licence, pipeline licence, special prospecting authority or access authority.

**"150C. Australian Geodetic Datum**

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

- (a) a graticular section or block; and
- (b) a point, parallel of latitude or meridian of longitude referred to in Schedule 3,

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 title or other instrument under this Act, the position on the surface of the Earth of a point, line, block or other area.

"(3) Until a declaration under subsection 150D takes effect, the Australian Geodetic Datum applies for the purposes of describing, in a title or other instrument under this Act, the position on the surface of the Earth of a point, line, block or other area.

**"150D. 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, block or other area in a title or other instrument under this Act, a specified datum –

- (a) is the current datum; and

- (b) replaces the previous datum.

**"150E. Use of current datum**

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

- (a) a permit area the subject of a permit granted or renewed after the changeover time;
- (b) a lease area the subject of a lease granted or renewed after the changeover time;
- (c) a licence area the subject of a licence granted or renewed after the changeover time;
- (d) an area the subject of an access authority granted after the changeover time;
- (e) an area the subject of a special prospecting authority granted after the changeover time;
- (f) a route of a pipeline authorised by a pipeline licence granted after the changeover time; or
- (g) a point, line, block or other area set out in any other instrument made or granted under this Act after the changeover time,

is to be described by reference to the current datum, and the title or instrument may be annotated accordingly.

**"150F. Use of previous datum**

"(1) This section applies subject to section 150G.

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

- (a) a permit area the subject of a permit in force immediately before the changeover time;
- (b) a lease area the subject of a lease in force immediately before the changeover time;
- (c) a licence area the subject of a licence in force immediately before the changeover time;
- (d) an area the subject of a special prospecting authority in force immediately before the changeover time;

*Petroleum (Submerged Lands) Amendment Act 2002*

- (e) an area the subject of an access authority in force immediately before the changeover time;
- (f) the route of a pipeline authorised by a pipeline licence in force immediately before the changeover time; or
- (g) a point, line, block 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.

**"150G. Variation of titles etc.**

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

- (a) a permit in force immediately before the changeover time for the sole purpose of relabelling the permit area the subject of the permit using geographic co-ordinates based on the current datum;
- (b) a lease in force immediately before the changeover time for the sole purpose of relabelling the lease area the subject of the lease using geographic co-ordinates based on the current datum;
- (c) 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;
- (d) a special prospecting authority in force immediately before the changeover time for the sole purpose of relabelling the area the subject of the special prospecting authority using geographic co-ordinates based on the current datum;
- (e) an access authority in force immediately before the changeover time for the sole purpose of relabelling the area the subject of the access authority using geographic co-ordinates based on the current datum;
- (f) a pipeline licence in force immediately before the changeover time for the sole purpose of relabelling the route of the pipeline authorised by the pipeline licence using geographic co-ordinates based on the current datum;
- (g) any other instrument under this Act that –
  - (i) is in force immediately before the changeover time; and
  - (ii) sets out a point, line, block or other area,

for the sole purpose of relabelling the point, line, block or area using geographic co-ordinates based on the current datum; and

- (h) a title or other instrument under this Act for the sole purpose of inserting an annotation about the applicable datum.

**"150H. Variation of applications for titles**

"The Regulations may authorise the Minister to issue an instrument varying an application for a title for the sole purpose of relabelling a point, line, block or other area by reference to geographic co-ordinates based on the current datum.

**"150I. 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, block or other area.

**"150J. 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."

**51. Repeal**

Schedules 1 and 2 to the Principal Act are repealed.

**52. Transitional: applications for pipeline licences**

To avoid doubt, if a person makes an application for a pipeline licence under section 64 of the *Petroleum (Submerged Lands) Act* as in force before the commencement of this Act and, on the commencement of this Act, the application has not been rejected or the person who made the application has not been granted a pipeline licence, the *Petroleum (Submerged Lands) Act* as in force after that commencement applies to and in relation to that application and that application is to be dealt with under that Act.

---

---