

Serial 56
Petroleum Amendment Bill 2013
Mr Westra van Holthe

A Bill for an Act to amend the *Petroleum Act*

NORTHERN TERRITORY OF AUSTRALIA

PETROLEUM AMENDMENT ACT 2013

Act No. [] of 2013

Table of provisions

1	Short title	1
2	Commencement	1
3	Act amended	1
4	Section 5 amended	1
5	Sections 16 and 17 replaced	2
	16 Application for exploration permit	
	17 More than one application for same block or blocks	
6	Section 18 amended	3
7	Section 57AB amended	4
8	Part VIII inserted	5
	Part VIII Transitional matters for Petroleum Amendment Act 2013	
	124 Existing applications for grant of exploration permit	
9	Expiry of Act	5



NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2013

An Act to amend the *Petroleum Act*

[Assented to [] 2013]
[Second reading [] 2013]

The Legislative Assembly of the Northern Territory enacts as follows:

1 Short title

This Act may be cited as the *Petroleum Amendment Act 2013*.

2 Commencement

This Act commences on 1 January 2014.

3 Act amended

This Act amends the *Petroleum Act*.

4 Section 5 amended

Section 5(1)

insert (in alphabetical order)

application period, in relation to an application for the grant of an exploration permit, see section 16(2)(a).

guidelines, in relation to the making, consideration and determination of an application for the grant of an exploration permit, means the guidelines issued under section 21E.

prescribed means prescribed by regulation.

5 Sections 16 and 17 replaced

Sections 16 and 17

repeal, insert

16 Application for exploration permit

- (1) The Minister may, by notice published in a newspaper circulating throughout Australia and in any other way the Minister considers appropriate, invite applications for the grant of an exploration permit for any of the blocks specified in the notice.
- (2) The notice must include the following information:
 - (a) the period during which applications may be made (the **application period**);
 - (b) the designated number of each block specified in the notice;
 - (c) if Part IIA or IIB applies to the grant of an exploration permit for any of those blocks – a statement to that effect;
 - (d) the place at which copies of the guidelines in relation to the making of an application are available for inspection;
 - (e) any other information the Minister considers appropriate.
- (3) An application for the grant of an exploration permit must contain:
 - (a) the name and address of the applicant; and
 - (b) the designated number of each block the subject of the application; and
 - (c) a map clearly delineating:
 - (i) the application area, which must not exceed 200 adjoining blocks; and
 - (ii) the boundaries of existing exploration permit or licence areas in the immediate vicinity of the application area; and
 - (d) a proposed technical works programme for exploration of the blocks during each year of the term of the proposed exploration permit; and
 - (e) evidence of the technical and financial capacity of the applicant to carry out the proposed technical works programme and to comply with this Act; and

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- (f) if the application is made by 2 or more persons, the proposed sharing arrangements between the applicants; and
 - (g) the name of the designated operator and evidence of the technical capacity of the operator to carry out the proposed technical works programme; and
 - (h) the prescribed application fee; and
 - (i) other relevant information in support of the application.
- (4) A person may apply for the grant of one or more exploration permits.
- (5) The Minister may, by written notice to an applicant, request:
- (a) further information relevant to the applicant or application; or
 - (b) an amendment or variation of the application.

17 More than one application for same block or blocks

- (1) This section applies in relation to 2 or more applications for the grant of an exploration permit if:
- (a) the application period has ended; and
 - (b) the Minister has completed the procedures relevant to any requests under section 16(5); and
 - (c) the application areas cover all or some of the same blocks.
- (2) The Minister must decide, in accordance with the guidelines, which application has the greatest merit to be given consideration for the grant of an exploration permit.
- (3) The Minister must, as soon as practicable after making the decision, give each applicant whose application was unsuccessful a notice stating the reasons for the decision.

6 Section 18 amended

- (1) Section 18(1AA)

omit, insert

- (1AA) This section applies in relation to an application for the grant of an exploration permit as soon as practicable:
- (a) after the end of the application period; or

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- (b) if the Minister has made a request under section 16(5)(a) – after the Minister has received all relevant information; or
 - (c) if the Minister has made a request under section 16(5)(b) – after all matters relevant to the amendment or variation have been completed in accordance with the guidelines; or
 - (d) if the Minister has made a decision under section 17(2) – after giving notice under section 17(3).
- (2) Section 18(1)(c)
- omit*
- applicant;
- insert*
- applicant; and

7 Section 57AB amended

- (1) Section 57AB(1)(a)
- omit*
- Division 2
- insert*
- section 20(6) or 25(2)
- (2) Section 57AB(1)(b)
- omit*
- Division 3
- insert*
- section 34(4) or 38(3)
- (3) Section 57AB(1)(c)
- omit*
- Division 4
- insert*
- section 48(1) or 52(3)

8 Part VIII inserted

After section 123

insert

Part VIII Transitional matters for Petroleum Amendment Act 2013

124 Existing applications for grant of exploration permit

(1) If on the commencement day the Minister has not completed the consideration and determination of an existing application, Part II, Division 2, as in force immediately before the commencement day, continues to apply in relation to the application as if the *Petroleum Amendment Act 2013* had not commenced.

(2) In this section:

commencement day means the day on which this section commences.

existing application means an application for the grant of an exploration permit made before the commencement day.

9 Expiry of Act

This Act expires on the day after it commences.