

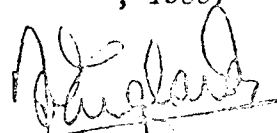
NORTHERN TERRITORY OF AUSTRALIA

Regulations 1980, No.50\*


Regulations under the Petroleum (Prospecting and Mining) Act

I, JOHN ARMSTRONG ENGLAND, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the Petroleum (Prospecting and Mining) Act.

Dated this *Tenth* day of *December*, 1980.

  
Administrator

By His Honour's Command

  
Minister for Mines and Energy

AMENDMENTS OF THE PETROLEUM (PROSPECTING AND MINING)  
REGULATIONS

1. PRINCIPAL REGULATIONS


The Petroleum (Prospecting and Mining) Regulations are in these Regulations referred to as the Principal Regulations.

2. INTERPRETATION

Regulation 2 of the Principal Regulations is amended -

- (a) by omitting from sub-regulation (1) "the Ordinance" means the Petroleum (Prospecting and Mining) Ordinances" and substituting "the Act" means the Petroleum (Prospecting and Mining) Act"; and
- (b) by omitting from sub-regulation (2) "the Schedule" and substituting "Schedule 1".

\* Notified in the Northern Territory Government Gazette  
on *23 December*, 1980.



3. REPEAL AND SUBSTITUTION

Regulation 13 of the Principal Regulations is repealed and the following regulation substituted:

"13. FORM OF LEASE

"A lease granted pursuant to section 46 of the Act shall be in accordance with Form 22 and shall be subject to the terms and conditions set out in Schedule 2 which shall be in addition to the rights and obligations given to or conferred upon the Minister and the lessee respectively under the Act."

4. SCHEDULE

The Schedule to the Principal Regulations is amended -

- (a) by omitting the heading "The Schedule" and substituting "Schedule 1";
- (b) by omitting "Petroleum (Prospecting and Mining) Ordinance" and "Petroleum (Prospecting and Mining) Ordinances" (wherever occurring) and substituting "Petroleum (Prospecting and Mining) Act"; and
- (c) by omitting "Companies Ordinance" and "Companies Ordinances" (wherever occurring) and substituting "Companies Act".

5. NEW SCHEDULE

The Principal Regulations are amended by adding at the end the following Schedule:

"SCHEDULE 2

Regulation 13

TERMS AND CONDITIONS OF LEASE UNDER  
SECTION 46 OF THE ACT

1. INTERPRETATION

(1) In this Schedule, unless the contrary intention appears -

'land' means the land demised by the lease;

'lessee' includes the successors and permitted assigns of the lessee;

'Regulations' means the Regulations made under the Act.

## Petroleum (Prospecting and Mining)

(2) For the purposes of a lease, the expression 'good oil field practice' wherever appearing in the Act shall include the requirement that the land will be developed in accordance with the technology which, from time to time, is determined in writing by the Minister to be the most appropriate technology and which causes the minimum damage to the natural resources of the land, including the fauna and flora, and the minimum damage to or pollution or degradation of the natural environment.

### 2. VALUE OF PETROLEUM, &c.

(1) For the purpose of calculating the value at the well-head of all substances upon which a royalty is payable as provided by the Act, the lessee shall measure the quantity of such substances by a measuring device approved by the Minister and installed at the well-head, or at such other place as the Minister approves, by the lessee.

(2) The value at the well-head for the purpose of calculating the royalty payable during any period shall be such amount as is agreed upon between the Minister and the lessee or, in default of agreement within a reasonable time, is such amount as is determined by the Minister as being that value.

### 3. INSPECTION OF MEASURING DEVICE

The lessee shall, from time to time, permit any person authorized by the Minister, at such times as the Minister may require, to test and examine any measuring device used or to be used by the lessee to measure the quantity of petroleum recovered from the land.

### 4. LESSEE TO COMPLY WITH LAW

The lessee shall, at all times during the currency of the lease, comply with the Act and Regulations and all other laws from time to time in force so far as they are applicable to or in relation to the land and the use of the land by the lessee.

### 5. LESSEE TO COMPLY WITH NOTICES

The lessee shall comply promptly with the requirements of all notices relating to the land and the use of the land by the lessee lawfully given to the lessee in pursuance of any law in force in the Territory.

### 6. CONSTRUCTION WORK, &c.

When and as often as the lessee intends to construct on the land any building, plant, water-way, road or other improvement or structure permitted to be constructed by the Act or Regulations, the lessee shall give to the Minister written notice of the proposed location thereof and shall obtain the Minister's written consent before commencing any such construction work, which consent may be given on such terms and conditions as the Minister thinks fit, and the

lessee shall give to the Minister such further information as the Minister may, from time to time, require in respect of any such construction.

7. CONSERVATION AND PROTECTION OF NATURAL RESOURCES

The lessee shall, from time to time when so required in writing by the Minister during the continuance of the lease, make provision to the satisfaction of the Minister for the continued conservation and protection of the natural resources of the land, including fauna and flora, and for minimizing damage to or degradation or pollution of the natural environment.

8. REMOVAL OF PLANT, &c.

If the Minister so directs in writing, the lessee shall, within 3 calendar months next following the expiration or earlier determination of the lease, remove from the land all plant, buildings, equipment and other property of the lessee reasonably capable of being so removed.

9. RESTORATION OF SURFACE AREAS, &c.

The lessee shall take all reasonable steps to ensure that -

- (a) topsoil from all disturbed areas of the land is stockpiled and, within the 3 calendar months next following the expiration or earlier determination of the lease, is respread to maximum advantage for rehabilitation and revegetation purposes, to the satisfaction of the Minister; and
- (b) wherever vegetation on the land has been removed, damaged or interfered with, within the 3 calendar months next following the expiration or earlier determination of the lease, all areas from or on which vegetation has been so removed, damaged or interfered with is revegetated in the manner and to the extent required by the Minister.

10. PRESERVATION OF MINISTER'S RIGHT TO CANCEL

The waiver by the Minister of any default by the lessee shall not prevent the Minister from cancelling the lease pursuant to the Act or the exercise by the Minister of any other remedy he may have by reason of any other cause or for the same cause arising at any other time.

11. OBLIGATIONS IN RELATION TO ABORIGINAL LAND

The lessee shall fully inform all employees, agents and contractors of the lessee from time to time working on the land of all the obligations of the lessee under any agreement between the lessee and a Land Council established by or under the Aboriginal Land Rights (Northern Territory) Act 1976 of the Commonwealth and shall take all reasonable steps to ensure that such employees, agents and contractors comply with and observe such obligations.

12. LESSEE TO INDEMNIFY CROWN, &c.

The lessee shall at all times indemnify and keep the Territory and the Minister, and all servants thereof, indemnified against all actions, proceedings, costs, charges, claims and demands whatsoever which may be made or brought against the Territory or the Minister or any such servant by any person whomsoever in relation to or in connection with the lease or any matter or thing done or purported to have been done in pursuance thereof.

13. COPIES OF RECORDS TO BE PROVIDED

The lessee shall, from time to time, deliver to the Minister or his duly authorized representative copies of or extracts from such records of the lessee relating to the land or the operations of the lessee thereon as the Minister may, from time to time in writing, require.

14. INSPECTION OF RECORDS

The lessee shall, at all times, permit a person duly authorized in writing by the Minister to inspect any of the records of the lessee relating to the land or the operations of the lessee thereon and that person may take such copies of or extracts from such records as he requires.

6. FURTHER AMENDMENTS

The Principal Regulations are further amended as set out in the Schedule.

SCHEDULE

Regulation 6

FORMAL AMENDMENTS

Provision of the Principal Regulations	Amendment	
	Omit	Substitute
regulation 3(6)	"the Ordinance"	"the Act"
regulation 6(1)	"100 dollars"	"\$100"
regulation 6(2)	"200 dollars"	"\$200"

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Provision of the Principal Regulations	Amendment	
	Omit	Substitute
regulation 6(3)	"the Ordinance"	"the Act"
	"200 dollars"	"\$200"
regulation 7	"the Ordinance"	"the Act"
regulation 8	"the Ordinance"	"the Act"
regulation 9	"40 dollars"	"\$40"
regulation 14	"the Ordinance"	"the Act"
regulation 15	"100 dollars" (twice occurring)	"\$100"
regulation 16	"the Ordinance"	"the Act"
	"the Schedule"	"Schedule 1"
regulation 17	"the Schedule" (twice occurring)	"Schedule 1"
regulation 18	"5 dollars"	"\$5"
regulation 20	"the Ordinance is 5 dollars"	"the Act is \$5"