

**PETROLEUM (SUBMERGED LANDS) ACT 1982****PETROLEUM (SUBMERGED LANDS) REGULATIONS 1990**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Petroleum (Submerged Lands) Regulations 1990*.

**Commencement**

2. These regulations shall come into operation on the day fixed under section 2 (1) of the *Acts Amendment (Petroleum) Act 1990*.

**Prescribed fees, rates and sums**

3. (1) For the purposes of a provision of the Act specified in Column 2 of Schedule I, the prescribed fee is the amount specified in Column 3 of that Schedule opposite to that provision.

(2) For the purposes of section 87 (2) of the Act, the prescribed fee is a fee calculated at the rate of \$2.00 per page.

(3) The sum prescribed for the purposes of—

(a) subparagraph (i) of section 114 (1) (a) of the Act is \$30 000.00;

(b) subparagraph (ii) of section 114 (1) (a) of the Act is \$300 000.00; and

(c) subparagraph (iii) of section 114 (1) (a) of the Act is \$120 000.00.

(4) For the purposes of section 118 (1a) (b), (2) (b), (5) (c) and (5a) (b) of the Act, the prescribed fee is an amount equal to the sum of the following amounts—

- (a) if the information requested is contained in a document and the document is lent to the person who made that request, an amount calculated at the rate of \$25 per day or part of a day during which the document containing that information is on loan to that person;
- (b) if the information requested is contained in a document and the document is not readily available and a search is necessary to locate that information, an amount calculated at the rate of \$25 per hour or part of an hour after the first half hour for the time taken to locate that information;
- (c) if any information referred to in paragraph (a) or (b) is, on the application of the person making the request concerned—

- (i) copied or reproduced; or

- (ii) forwarded or consigned to that person,

an amount equal to all costs incurred in that copying or reproduction or forwarding or consignment, including the costs of packaging when applicable.

(5) For the purposes of section 118 (3) (b) and (5) (d) of the Act, the prescribed fee is an amount equal to the sum of the following amounts—

- (a) if the relevant core, cutting or sample is lent to the person who made the request concerned, an amount calculated at the rate of \$25 per day or part of a day during which that core, cutting or sample is on loan to that person;
- (b) if the relevant core, cutting or sample is not readily available and a search is necessary to locate that core, cutting or sample, an amount calculated at the rate of \$25 per hour or part of an hour after the first half hour for the time taken to locate that core, cutting or sample;
- (c) if the relevant core, cutting or sample is, on the application of the person making the request concerned, forwarded or consigned to that person, an amount equal to all costs incurred in that forwarding or consignment, including the costs of packaging when applicable.

(6) For the purposes of section 139 (a) of the Act, the prescribed minimum fee is \$1 000.00.

(7) For the purposes of section 139 (b) of the Act, the prescribed rate is a rate of \$50.00.

(8) For the purposes of section 139A of the Act, the prescribed rate is a rate of \$6 000.00.

(9) For the purposes of section 140 of the Act, the prescribed rate is a rate of \$18 000.00.

#### **Form of instrument of transfer**

4. For the purposes of section 78 (3) (a) of the Act, the prescribed form of an instrument of transfer is the form set out in Schedule 2.

#### **Instrument under section 81 (4) (b) of Act**

5. (1) For the purposes of section 81 (4) (b) of the Act, the following particulars are prescribed—

- (a) description and date of execution of the instrument evidencing the dealing referred to in section 81 (4) (a) of the Act (in this subregulation referred to as "the dealing");
- (b) details of the title (including the type and number of the title) to which the dealing relates;
- (c) full name and business address of each party to the dealing;
- (d) details of the effect or effects, on registration, of the dealing specified in the relevant paragraph or paragraphs of section 81 (1) of the Act;
- (e) details of the interest or interests in the title of all parties to the dealing—
  - (i) before the registration of the dealing; and
  - (ii) in the event of approval of the dealing, after the registration of the dealing;
- (f) in the case of a dealing to which section 4 (5) (a) of the *Petroleum (Submerged Lands) Registration Fees Act 1982* applies, the value of the consideration;
- (g) in the case of a dealing relating to an interest in a licence or pipeline licence to which section 4 (5) (b) of the *Petroleum (Submerged Lands)*

- Registration Fees Act 1982* applies, the value of the interest;
- (h) whether or not the parties to the dealing have made or propose to make an application for the purposes of section 4 (7) of the *Petroleum (Submerged Lands) Registration Fees Act 1982*;
  - (j) in respect of any related dealing in relation to which an entry has been made in the Register or an application in writing for approval by the Minister has been lodged (whether before or after the day fixed under section 2 (1) of the *Acts Amendment (Petroleum) Act 1990*)—
    - (i) description and date of execution of the instrument evidencing the dealing;
    - (ii) date of approval by the Minister (if appropriate); and
    - (iii) registration number (if any).
- (2) In subregulation (1)—
- “related dealing” means any dealing executed, before the execution of the instrument evidencing the dealing referred to in subregulation (1) (a), by some or all of the parties to that instrument—
- (a) that affects the title which is the subject of the dealing to which the instrument referred to in subregulation (1) (a) relates; and
  - (b) that—
    - (i) creates or assigns an option to enter into the dealing referred to in subregulation (1) (a);
    - (ii) creates or assigns a right to enter into the dealing referred to in subregulation (1) (a); or
    - (iii) is altered or terminated by the dealing referred to in subregulation (1) (a),
- and includes any transaction in respect of which an instrument was registered under section 81 of the Act before the day fixed under section 2 (1) of the *Acts Amendment (Petroleum) Act 1990*.

Schedule 1  
Prescribed Fees (Regulation 3 (1))

Column 1 Item	Column 2 Provision of Act	Column 3 Amount of prescribed fee
1	Section 21 (1) (f)	\$3 000.00
2	Section 24 (1) (a)	\$3 000.00
3	Section 30 (2) (c)	\$1 200.00
4	Section 38A (2) (e)	\$1 200.00
5	Section 38F (2) (d)	\$1 200.00
6	Section 41 (1) (e)	\$1 200.00
7	Section 48 (1) (a)	\$3 000.00
8	Section 51 (2) (e)	\$600.00
9	Section 54 (2) (d)	\$1 200.00
10	Section 64 (1) (f)	\$3 000.00
11	Section 68 (2) (c)	\$1 200.00
12	Section 71 (2) (e)	\$600.00
13	Section 79 (2)	\$60.00
14	Section 79 (3) (b)	\$60.00
15	Section 86 (1)	\$12.00
16	Section 87 (3)	\$30.00
17	Section 111 (2) (d)	\$600.00
18	Section 141	\$80.00

SCHEDULE 2 (Regulation 4)  
 PETROLEUM (SUBMERGED LANDS) ACT 1982  
 PETROLEUM (SUBMERGED LANDS) REGULATIONS 1990  
 Form of Instrument of Transfer of Title  
 Under section 78 of *Petroleum (Submerged Lands) Act 1982*

I/We<sup>(1) (2)</sup> .....  
 being the registered holder/holders<sup>(1)</sup> of<sup>(3)</sup> .....  
 in consideration of<sup>(4)</sup> .....  
 hereby transfer all right, title and interest in that<sup>(3)</sup> .....  
 to<sup>(5)</sup> .....

In witness of this transfer the parties to the transfer have affixed their respective common seals or signatures below on this ..... day of ..... 19.....

(6)

(7)

- (1) Delete whichever is inapplicable.
- (2) Here insert the name of the transferor, or, if there are 2 or more transferors, the name of each transferor.
- (3) Here insert the type (e.g. exploration permit, production licence), and number, of the property transferred that is a title within the meaning of section 78 of the Act.
- (4) Here insert the value of the consideration for the transfer or the value of the title transferred. If the transfer of the title is pursuant to a dealing which has been approved and registered under the Act, insert a reference that is sufficient to identify that dealing.
- (5) Here insert the name and address of the transferee, or, if there are 2 or more transferees, the name and address of each transferee.
- (6) Here affix the common seal or signature of the transferor or of each transferor, as the case may be.
- (7) Here affix the common seal or signature of the transferee or of each transferee, as the case may be.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

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