

PETROLEUM PIPELINES ACT 1969**PETROLEUM PIPELINES AMENDMENT REGULATIONS 1990**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Petroleum Pipelines Amendment 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*.

Principal regulations

3. In these regulations the *Petroleum Pipelines Regulations 1970** are referred to as the principal regulations.

[*Published in the Gazette on 30 July 1970 at pp. 2242-2252. For amendments to 31 August 1990, see p. 319 of 1989 Index to Legislation of Western Australia.]

Regulation 2 amended

4. Regulation 2 of the principal regulations is amended by deleting—

(a) the definitions of "Schedule" and "the Minister";
and

(b) the semi-colon at the end of the definition of "the Act" and substituting a full stop.

Regulation 3 amended

5. Regulation 3 of the principal regulations is amended by repealing subregulation (4).

Regulations 4A, 4B, 4C and 4D inserted

6. The principal regulations are amended by inserting after regulation 4 the following regulations—

**Prescribed amount for purposes
of section 12 (2) (a) of Act**

" 4A. For the purposes of section 12 (2) (a) of the Act, the prescribed amount is an amount of \$120 000.00.

**Prescribed amount for purposes
of section 29 (1) of Act**

4B. For the purposes of section 29 (1) of the Act, the prescribed amount is an amount of \$80.00.

Form of instrument of transfer

4C. For the purposes of section 44 (3) (a) of the Act, the prescribed form of an instrument of transfer is the form set out in the Fourth Schedule.

Instrument under section 47 (4) (b) of Act

4D. (1) For the purposes of section 47 (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 47 (4) (a) of the Act (in this subregulation referred to as "the dealing");

(b) details of the licence (including the number of the licence) 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 47 (1) of the Act;

(e) details of the interest or interests in the licence 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 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 licence 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 47 of the Act before the day fixed under section 2 (1) of the *Acts Amendment (Petroleum) Act 1990*. ”

First Schedule amended

7. The First Schedule to the principal regulations is amended by deleting Form Number 6.

Third schedule amended

8. The Third Schedule to the principal regulations is amended—

(a) by deleting “THIRD SCHEDULE” and substituting the following—

“ THIRD SCHEDULE
(Regulation 4) ”;

(b) by deleting item 1 and substituting the following item—

“ 1. Application for licence Sec. 8 (l) (j) \$3 000.00 ”;

(c) in item 2 by deleting “\$150” and substituting the following—

“ \$1 200.00 ”;

(d) in item 3 by deleting “\$150” and substituting the following—

“ \$600 ”;

(e) by deleting items 4 and 5 and substituting the following items—

“ 4.	Registration of memorandum of transfer and name of transferee	Sec. 44 (9)	\$60.00
5.	Registration as licensee on devolution by operation of law	Sec. 45 (2)	\$60.00
5A.	Application by company licensee for registration of change of name	Sec. 45 (3)	\$60.00
5B.	Entry on memorial of registration of approval of dealing	Sec. 47 (12)	\$60.00

(f) in item 6 by deleting “\$6.00” and substituting the following—

“ \$12.00 ”;

(g) in item 7 by deleting the passage beginning with “A fee of \$6.00” and ending with “in excess of three” and substituting the following—

“ \$2.00 ”; and

(h) in item 8 by deleting “\$15.00” and substituting the following—

“ \$30.00 ”.

Fourth Schedule inserted

9. The principal regulations are amended by inserting after the Third Schedule the following Schedule—

“

FOURTH SCHEDULE

(Regulation 4C)

PETROLEUM PIPELINES ACT 1969

PETROLEUM PIPELINES REGULATIONS 1970

Form of Instrument of Transfer of Licence

Under section 44 of *Petroleum Pipelines Act 1969*

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

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 number of the licence transferred.
- (4) Here insert the value of the consideration for the transfer or the value of the licence transferred. If the transfer of the licence 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.
