

Western Australia

Petroleum Amendment Act 2007

As at 21 Dec 2007

No. 35 of 2007

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Petroleum Amendment Act 2007

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Western Australia

Petroleum Amendment Act 2007

No. 35 of 2007

An Act to amend the *Petroleum Act 1967* and to make consequential amendments to other Acts.

[Assented to 21 December 2007]

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This is the *Petroleum Amendment Act 2007*.

2. Commencement

This Act comes into operation as follows:

- (a) Part 1 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on a day fixed by proclamation, and different days may be fixed for different provisions.

“drilling reservation” means —

- (a) a petroleum drilling reservation; or
- (b) a geothermal drilling reservation;

“geothermal access authority” means a geothermal access authority under Part III;

“geothermal drilling reservation” means a geothermal drilling reservation referred to in section 43D(2);

“geothermal energy” means thermal energy that results from natural geological processes and is contained in geothermal energy resources;

“geothermal energy resources” means subsurface rock or other subterranean substances that contain geothermal energy and, where the context so requires, includes the geothermal energy contained in those resources;

“geothermal exploration permit” means a permit issued under section 38(2);

“geothermal lease area” means the area constituted by the blocks that are the subject of a geothermal retention lease;

“geothermal lessee” means the registered holder of a geothermal retention lease;

“geothermal licensee” means the registered holder of a geothermal production licence;

“geothermal permit area” means the area constituted by the blocks that are the subject of a geothermal exploration permit;

“geothermal permittee” means the registered holder of a geothermal exploration permit;

“geothermal production licence” means a geothermal production licence under Part III;

“petroleum licensee” means the registered holder of a petroleum production licence;

“petroleum permit area” means the area constituted by the blocks that are the subject of a petroleum exploration permit;

“petroleum permittee” means the registered holder of a petroleum exploration permit;

“petroleum production licence” means a petroleum production licence under Part III;

“petroleum retention lease” means a petroleum retention lease under Part III;

“petroleum special prospecting authority” means a petroleum special prospecting authority under Part III;

“recovery”, of geothermal energy, includes the recovery of any geothermal energy resources necessary to recover geothermal energy;

“special prospecting authority” means —

- (a) a petroleum special prospecting authority; or
- (b) a geothermal special prospecting authority;

”.

(3) Section 5(1) is amended as follows:

- (a) in the definition of “application for a primary licence” after “an application” by inserting —

“

for the grant or variation of a petroleum production licence

”.

- (4) This Act does not apply to operations for the recovery of geothermal energy —
 - (a) that are carried out for the purposes of a small scale ground source heat pump used at or near the source of the geothermal energy; or
 - (b) that involve small scale recovery of geothermal energy not for a commercial purpose; or
 - (c) that are of a kind prescribed by the regulations.
- (5) Without limiting subsection (4)(b), the regulations may specify whether the small scale recovery of geothermal energy in prescribed circumstances or for a prescribed reason is or is not for a commercial purpose.

”.

8. Section 7A amended

- (1) Section 7A(2) is amended as follows:
 - (a) after “petroleum pool” by inserting —
“ or geothermal resources area ”;
 - (b) after “being a pool” by inserting —
“ or area ”;
 - (c) after “any petroleum” by inserting —
“ or geothermal energy ”.
- (2) Section 7A(3) is amended as follows:
 - (a) after “pool” in each place where it occurs by inserting —
“ or geothermal resources area ”;
 - (b) after “and petroleum” by inserting —
“ or geothermal energy ”;
 - (c) after “all petroleum” by inserting —
“ or geothermal energy ”.

9. Section 9 amended

Section 9 is amended as follows:

- (a) after “petroleum” by inserting —
“
 , geothermal energy resources and geothermal energy
”;
- (b) by deleting “Crown, is” and inserting instead —
“ Crown, are ”.

10. Section 10 amended

Section 10 is amended after “petroleum” in both places where it occurs by inserting —

“ , geothermal energy resources and geothermal energy ”.

11. Section 11 amended

Section 11(1) is amended as follows:

- (a) after “petroleum” in the first place where it occurs by inserting —
“ or geothermal energy resources ”;
- (b) after “petroleum” in the second place where it occurs by inserting —
“
 , geothermal energy resources or geothermal energy
”.

12. Section 11A inserted and consequential repeal of section 120

- (1) After section 11 the following section is inserted —

“

11A. Property rights in recovered petroleum and geothermal energy

- (1) Subject to this Act and to any rights of other persons, on the recovery of any petroleum by a petroleum

- (b) in paragraph (b) after “petroleum” by inserting —
“ or geothermal energy ”.

15. Section 17 amended

Section 17(3) is amended by deleting “or petroleum” and inserting instead —

“
petroleum, geothermal energy resources or geothermal energy
”.

16. Section 24 amended

Section 24(2) is amended by deleting “or petroleum” and inserting instead —

“
petroleum, geothermal energy resources or geothermal energy
”.

17. Part III heading replaced

The heading to Part III is deleted and the following heading is inserted instead —

“
Part III — Mining for petroleum, geothermal energy resources and geothermal energy
”.

18. Section 28 amended

(1) Section 28(1) is amended as follows:

- (a) before “permit” in both places where it occurs by inserting —
“ petroleum exploration ”;

- (b) before “drilling” in both places where it occurs by inserting —
“ petroleum ”;
 - (c) before “lease” in both places where it occurs by inserting —
“ petroleum retention ”;
 - (d) before “licence” in both places where it occurs by inserting —
“ petroleum production ”;
 - (e) before “special” by inserting —
“ petroleum ”;
 - (f) before “access” by inserting —
“ petroleum ”.
- (2) After section 28(1) the following subsection is inserted —
- “
- (1a) The Minister may, by instrument published in the *Gazette*, declare that a block specified in the instrument (not being a block in respect of which a geothermal exploration permit, geothermal drilling reservation, geothermal retention lease or geothermal production licence is in force) shall not be the subject of a geothermal exploration permit, geothermal drilling reservation, geothermal retention lease, geothermal production licence, geothermal special prospecting authority or geothermal access authority.
- ”.
- (3) Section 28(2) is amended as follows:
- (a) before “permit” by inserting —
“ petroleum exploration ”;
 - (b) before “drilling” by inserting —
“ petroleum ”;

- (c) before “lease” by inserting —
“ petroleum retention ”;
 - (d) before “licence” by inserting —
“ petroleum production ”;
 - (e) before “special” by inserting —
“ petroleum ”;
 - (f) before “access” by inserting —
“ petroleum ”.
- (4) After section 28(2) the following subsection is inserted —
“
- (3) While a declaration under subsection (1a) remains in force in respect of a block, a geothermal exploration permit, geothermal drilling reservation, geothermal retention lease, geothermal production licence, geothermal special prospecting authority or geothermal access authority shall not be granted in respect of that block.
- ”.

19. Section 29 amended

- (1) Section 29(1)(a) is amended by deleting “permit or drilling” and inserting instead —
“ petroleum exploration permit or a petroleum drilling ”.
- (2) Section 29(2) is repealed and the following subsections are inserted instead —
“

 - (2) A person shall not explore for geothermal energy resources in the State except —
 - (a) under and in accordance with a geothermal exploration permit or a geothermal drilling reservation; or
 - (b) as otherwise permitted by this Act.

Penalty: \$50 000 or imprisonment for 5 years, or both.

22. Section 33 amended

- (1) Section 33(1) is amended as follows:
- (a) in paragraph (a) before “lease”, by inserting —
“ petroleum retention ”;
 - (b) in paragraph (aa) before “licence”, by inserting —
“ petroleum production ”;
 - (c) in paragraph (b) before “permit”, by inserting —
“ petroleum exploration ”;
 - (d) after “grant of a” by inserting —
“ petroleum exploration ”;
 - (e) after each of paragraphs (a) and (aa) by inserting —
“ or ”.
- (2) After section 33(1) the following subsection is inserted —
- “
- (2) If—
- (a) a geothermal retention lease is surrendered,
cancelled or determined as to a block or blocks;
or
 - (b) a geothermal production licence is surrendered
or cancelled as to a block or blocks; or
 - (c) a geothermal exploration permit is surrendered,
cancelled or determined as to a block or blocks
and, at the time of the surrender, cancellation or
determination, the block was, or was included
in, or the blocks were, or were included in, a
location; or
 - (d) a geothermal resources area from which
geothermal energy has been recovered is within
or extends to a block which is not, or to blocks

26. Section 38 amended

Section 38 is amended as follows:

- (a) before “A” by inserting the subsection designation “(1)”;
- (b) after “A” by inserting —
“ petroleum exploration ”;
- (c) at the end of the section by inserting the following subsection —

“

- (2) A geothermal exploration permit, while it remains in force, authorises the permittee, subject to this Act and in accordance with the conditions to which the permit is subject —
 - (a) to explore for geothermal energy resources in the permit area; and
 - (b) to recover geothermal energy in the permit area for the purpose of establishing the nature and probable extent of a discovery of geothermal energy resources; and
 - (c) to carry on such operations and execute such works in the permit area as are necessary for those purposes.

”.

27. Section 43A amended

Section 43A(2) is repealed and the following subsections are inserted instead —

“

- (2) Applications for the grant of a petroleum drilling reservation shall not be invited under subsection (1) over any area that is included in an existing petroleum exploration permit or an application for a petroleum

- (b) after “A” by inserting —
“ petroleum ”;
- (c) at the end of the section by inserting —

“

- (2) A geothermal drilling reservation, while it remains in force, authorises the holder of the drilling reservation, subject to this Act and in accordance with the conditions to which the drilling reservation is subject —
 - (a) to drill for geothermal energy resources in the drilling reservation area; and
 - (b) to recover geothermal energy in the drilling reservation area for the purpose of establishing the nature and probable extent of a discovery of geothermal energy resources; and
 - (c) to carry on such operations and execute such works in the drilling reservation area as are necessary for those purposes.

”.

30. Section 44 amended

- (1) Section 44(1) is amended by deleting “permit area or” and inserting instead —
“ petroleum permit area or petroleum ”.
- (2) After section 44(1) the following subsections are inserted —
“
 - (1a) If geothermal energy resources are discovered in a geothermal permit area or geothermal drilling reservation, the permittee or the holder of the drilling reservation, as the case requires —
 - (a) shall forthwith inform the Minister of the discovery; and”

- (b) the nature of the strata in which the geothermal energy resources occur;
- (c) any other matters relating to the discovery that are specified by the Minister in the instrument.

”.

- (5) Section 44(3) is amended after “subsection (2)” by inserting —
“ or (2a) ”.

31. Section 45 amended

- (1) Section 45(1) is amended by deleting “permit area or” and inserting instead —

“ petroleum permit area or petroleum ”.

- (2) After section 45(1) the following subsection is inserted —

“

- (1a) If geothermal energy resources are discovered in a geothermal permit area or geothermal drilling reservation, the Minister may, by instrument in writing served on the permittee or holder of the drilling reservation, as the case requires, direct the permittee or holder of the drilling reservation to do, within the period specified in the instrument, such things as the Minister thinks necessary and specifies in the instrument to determine the properties of those geothermal energy resources and to determine the quantity of geothermal energy resources in the geothermal resources area to which the discovery relates or, if part only of that geothermal resources area is within the permit area or drilling reservation, in such part of that geothermal resources area as is within the permit area or drilling reservation.

”.

- (3) Section 45(2) is amended after “subsection (1)” by inserting —
“ or (1a) ”.

- (5) Section 46(3) is amended as follows:
- (a) after “subsection (2)” by inserting —
“ or (2a) ”;
 - (b) after “pools” in both places where it occurs by inserting —
“ or geothermal resources areas ”;
 - (c) after “pool” by inserting —
“ or geothermal resources area ”.
- (6) Section 46(5) is amended as follows:
- (a) after “petroleum pool” by inserting —
“
 , or geothermal energy from the geothermal resources
 area,
 ”;
 - (b) after “one pool” by inserting —
“ or geothermal resources area ”;
 - (c) after “pools” by inserting —
“ or geothermal resources areas ”.
- (7) Section 46(6)(a) is amended by deleting “or (2);” and inserting instead —
“ , (1a), (2) or (2a); ”.

33. Section 47 amended

- (1) Section 47(4) is amended after “declaration” by inserting —
“ that relates to petroleum ”.

application to the Minister for the grant of a geothermal retention lease in respect of that block, or in respect of one or more of those blocks, as the case may be.

”.

(3) Section 48A(2) is amended as follows:

- (a) after “subsection (1)” by inserting —
“ or (1a) ”;
- (b) in paragraph (c)(ii) after “petroleum” in the first place where it occurs by inserting —
“ or geothermal energy, as the case requires, ”;
- (c) in paragraph (c)(ii) after “petroleum” in the second place where it occurs by inserting —
“ or geothermal energy ”.

36. Section 48B amended

(1) Section 48B(1) is amended as follows:

- (a) in paragraph (c) after “petroleum” by inserting —
“ or geothermal energy, as the case requires, ”;
- (b) by deleting “lease” and inserting instead —

“

petroleum retention lease or geothermal retention lease,
as the case requires,

”.

(2) Section 48B(5) is amended by deleting “retention lease” and inserting instead —

“

petroleum retention lease or geothermal retention lease,
as the case requires,

”.

39. Section 48F amended

Section 48F(2)(c)(ii) is amended as follows:

- (a) by deleting “lease area” in the first place where it occurs and inserting instead —

“

petroleum lease area or geothermal energy from the geothermal lease area, as the case requires,

”;

- (b) by deleting “lease area;” and inserting instead —

“

petroleum lease area or geothermal energy from the geothermal lease area;

”.

40. Section 48G amended

Section 48G(1)(c) is amended by deleting “lease area” and inserting instead —

“

petroleum lease area or geothermal energy from the geothermal lease area, as the case requires

”.

41. Section 48H amended

Section 48H(3) is amended by deleting “petroleum production in the lease area” and inserting instead —

“

, as the case requires, the recovery of petroleum from the petroleum lease area or geothermal energy from the geothermal lease area

”.

- (b) the nature of the strata in which the geothermal energy resources occur;
- (c) any other matters relating to the discovery that are specified by the Minister in the instrument.

”.

- (5) Section 48J(3) is amended after “subsection (2)” by inserting —
“ or (2a) ”.

43. Section 48K amended

- (1) Section 48K(1) is amended after “discovered in a” by inserting —

“ petroleum ”.

- (2) After section 48K(1) the following subsection is inserted —

“

- (1a) If geothermal energy resources are discovered in a geothermal lease area, the Minister may, by instrument in writing served on the lessee, direct the lessee to do, within the period specified in the instrument, such things as the Minister thinks necessary and specifies in the instrument to determine the properties of the geothermal energy resources and to determine the quantity of geothermal energy resources in the geothermal resources area to which the discovery relates or, if part only of that geothermal resources area is within the lease area, in such part of that geothermal resources area as is within the lease area.

”.

- (3) Section 48K(2) is amended after “subsection (1)” by inserting —

“ or (1a) ”.

(2) After section 50(1) the following subsection is inserted —

“

- (1a) A permittee whose geothermal exploration permit is in force, or the holder of a drilling reservation whose geothermal drilling reservation is in force, in respect of a block that constitutes, or the blocks that constitute, a location may, within the application period, make an application to the Minister for the grant of a geothermal production licence in respect of the block that constitutes, or the blocks that constitute, the location.

”.

(3) Section 50(2)(a) is amended after “subsection (1)” by inserting —

“ or (1a) ”.

(4) Section 50(3) is amended as follows:

- (a) in paragraphs (a) and (b) before “permittee” by inserting —

“ petroleum ”;

- (b) in paragraphs (a) and (b) after “holder of a” by inserting —

“ petroleum ”.

47. Section 50A amended

(1) Section 50A(1) is amended as follows:

- (a) after “whose” by inserting —

“ petroleum ”;

- (b) after “grant of a” by inserting —

“ petroleum production ”.

50. Section 57 amended

(1) Section 57(1) is amended as follows:

- (a) in paragraph (a) before “licence” by inserting —
“ petroleum production ”;
- (b) in paragraph (b) by deleting “permit, drilling reservation or” and inserting instead —
“
petroleum exploration permit, petroleum
drilling reservation or petroleum retention
”;
- (c) in paragraph (ba) by deleting “, or to blocks which are,”;
- (d) in paragraph (ba) by deleting “permit, drilling reservation, lease or” and inserting instead —
“
petroleum exploration permit, petroleum
drilling reservation, petroleum retention lease
or petroleum production
”;
- (e) by deleting “, at any subsequent time,”;
- (f) in paragraph (c) after “grant of a” by inserting —
“ petroleum production ”.

(2) After section 57(1) the following subsection is inserted —
“

- (1a) If —
 - (a) a geothermal production licence is surrendered or cancelled as to a block; or
 - (b) a geothermal exploration permit, geothermal drilling reservation or geothermal retention lease is surrendered, cancelled or determined as to a block —

- (i) that, at the time of the surrender, cancellation or determination, was, or was included in, a location; and
- (ii) in which, in the opinion of the Minister, there are geothermal energy resources;

or

- (c) a geothermal resources area from which geothermal energy has been recovered is within or extends to a block which is not the subject of a geothermal exploration permit, geothermal drilling reservation, geothermal retention lease or geothermal production licence,

the Minister may by instrument published in the *Gazette* —

- (d) invite applications for the grant of a geothermal production licence in respect of that block; and
- (e) specify a period within which applications may be made.

”.

(3) Section 57(2) is amended as follows:

- (a) in paragraph (a) after “grant of a” by inserting —
“ petroleum production ”;
- (b) in paragraph (b) after “pay, if a” by inserting —
“ petroleum production ”.

(4) Section 57(3) is amended after “to grant a” by inserting —
“ petroleum production ”.

(5) After section 57(3) the following subsection is inserted —

“

- (4) The Minister shall, in an instrument under subsection (1a), state that an applicant is required to specify an amount that the applicant would be prepared

to pay in respect of the grant of a geothermal production licence to the applicant on the application.

”.

(6) Section 57(6) is amended as follows:

(a) after “and” after paragraph (d) by inserting —

“

(e) in the case of an application under subsection (1a), shall specify, in accordance with the requirement in the instrument by which applications were invited, the amount that the applicant would be prepared to pay; and

”;

(b) after each of paragraphs (a), (b) and (c) by inserting —

“ and ”.

51. Section 59 amended

(1) Section 59(1) is amended after “subsection (1)” by inserting —

“ or (1a) ”.

(2) Section 59(2) is amended as follows:

(a) after “subsection (1)” by inserting —

“ or (1a) ”;

(b) in paragraph (b) after “amount, or” in both places where it occurs by inserting —

“ , if applicable, ”.

52. Section 60 amended

Section 60 is amended by deleting “production licence for petroleum” and inserting instead —

“

petroleum production licence or geothermal production licence, as the case requires,

- (a) to recover geothermal energy in the licence area and to recover geothermal energy from the licence area in another area to which the licensee has lawful access for that purpose; and
- (b) to explore for geothermal energy resources in the licence area; and
- (c) to carry on such operations and execute such works in the licence area as are necessary for those purposes.

”.

55. Sections 62A and 62B inserted

After section 62 the following sections are inserted —

“

62A. Geothermal energy recovery development plans

- (1) A geothermal licensee is to submit to the Minister for approval a geothermal energy recovery development plan, or a geothermal energy recovery development plan as varied under subsection (2), that sets out the information required by the regulations in relation to how geothermal energy is proposed to be recovered under the licence.
- (2) Before approving a geothermal energy recovery development plan submitted under subsection (1), the Minister may, by instrument in writing served on the geothermal licensee, direct the licensee to vary the development plan, as specified in the instrument, for the purpose of securing the more effective recovery of geothermal energy under the licence.
- (3) The Minister is not to give a direction under subsection (2) unless the Minister has given to the geothermal licensee an opportunity to confer with the Minister concerning the proposed direction.

57. Section 69 amended

- (1) Section 69(1) is amended by deleting paragraph (a) and “and” after it and inserting instead —

“

- (a) applies in relation to —
- (i) a petroleum pool that is partly in a particular licence area of a petroleum licensee and partly in another area, whether in the State or not, in respect of which another person has authority, whether under this Act or another written law or under the law of another State or of the Northern Territory, to carry on operations for the recovery of petroleum from the pool; or
 - (ii) a geothermal resources area that is partly in a particular licence area of a geothermal licensee and partly in another area, whether in the State or not, in respect of which another person has authority, whether under this Act or another written law or under the law of another State or of the Northern Territory, to carry on operations for the recovery of geothermal energy from the geothermal resources area;

and

”.

- (2) Section 69(1)(b) is amended after “pool” by inserting —

“

or geothermal energy from that geothermal resources area, as the case requires,

”.

(b) by deleting “pool.” and inserting instead —

“

pool or geothermal energy from the geothermal resources area.

”.

(7) Section 69(6) is amended as follows:

(a) by deleting “is the licensee in respect of 2 or more licence areas in each of which there is part of a particular petroleum pool,” and inserting instead —

“

is —

(a) the petroleum licensee in respect of 2 or more licence areas in each of which there is part of a particular petroleum pool; or

(b) the geothermal licensee in respect of 2 or more licence areas in each of which there is part of a particular geothermal resources area,

”;

(b) by deleting “pool.” and inserting instead —

“

pool or geothermal energy from the geothermal resources area.

”.

(8) Section 69(7) is amended by deleting “pool.” and inserting instead —

“

pool or geothermal energy from the geothermal resources area.

”.

(9) Section 69(9) is amended after “petroleum” by inserting —

“ or geothermal energy ”.

58. Part III Division 3A inserted

After section 69 the following Division is inserted —

“

**Division 3A — Petroleum titles and geothermal titles
may subsist in respect of same blocks**

**69A. Petroleum titles and geothermal titles may subsist in
respect of same blocks**

(1) In this section —

“**geothermal title**” means a geothermal exploration permit, geothermal drilling reservation, geothermal retention lease, geothermal production licence, geothermal special prospecting authority or geothermal access authority;

“**petroleum title**” means a petroleum exploration permit, petroleum drilling reservation, petroleum retention lease, petroleum production licence, petroleum special prospecting authority or petroleum access authority.

(2) The Minister is not to —

- (a) grant a petroleum title on an application under this Act in respect of a block that is the subject of a geothermal title of which the registered holder is a person other than the applicant; or
- (b) vary a petroleum production licence on an application under section 50(2) to include in the licence area a block that is the subject of a geothermal title of which the registered holder is a person other than the applicant,

unless the Minister has complied with subsection (3).

- (5) The Minister has complied with this subsection if the Minister —
- (a) has, by instrument in writing served on the registered holder of the petroleum title, given not less than one month's notice of the Minister's intention to grant the geothermal title or vary the geothermal production licence, as the case requires; and
 - (b) has in the instrument —
 - (i) given particulars of the geothermal title proposed to be granted or of the variation proposed to be made to the geothermal production licence; and
 - (ii) specified a date on or before which the person on whom the instrument is served may, by instrument in writing served on the Minister, submit any matters that the person wishes the Minister to consider;
- and
- (c) has taken into account any matters submitted to the Minister on or before the specified date by that person.
- (6) Nothing in this section limits the operation of any other provision of this Act relating to applying for, granting or varying a petroleum title or geothermal title.
- ”.

59. Section 72 amended

Section 72(9) is amended after “*Petroleum*” by inserting —

“ *and Geothermal Energy Resources* ”.

(2) After section 91(1) the following subsection is inserted —

“

- (1a) Subsections (2) and (2a) have effect without limiting the generality of subsection (1) but subject to any authorisation, requirement or direction given or made by or under this Act.

”.

(3) Section 91(2) is amended as follows:

- (a) by deleting the passage beginning with “In” and ending with “shall — ” and inserting instead —

“

A petroleum permittee, holder of a petroleum drilling reservation, petroleum lessee or petroleum licensee shall —

”;

- (b) after each of paragraphs (a), (b) and (c) by inserting —

“ and ”.

(4) After section 91(2) the following subsection is inserted —

“

- (2a) A geothermal permittee, holder of a geothermal drilling reservation, geothermal lessee or geothermal licensee shall —

- (a) control the flow and prevent the waste or escape in the permit area, drilling reservation, lease area or licence area of geothermal energy resources or water; and
- (b) prevent the escape in the permit area, drilling reservation, lease area or licence area of any mixture of water or drilling fluid with geothermal energy resources or any other matter; and

64. Section 91A amended

- (1) Section 91A(1) is amended by deleting “petroleum.” and inserting instead —

“
 petroleum or geothermal energy resources, as the case requires.

”.

- (2) Section 91A(2) is amended by deleting “petroleum.” and inserting instead —

“
 petroleum or geothermal energy resources, as the case requires.

”.

65. Section 95 amended

Section 95(2)(b) is amended after “petroleum” by inserting —

“ or geothermal energy resources ”.

66. Section 105 amended

- (1) Section 105(4) is amended after “A” by inserting —

“ petroleum ”.

- (2) After section 105(4) the following subsection is inserted —

“
(4a) A geothermal special prospecting authority, while it remains in force, authorises the holder, subject to this Act and in accordance with the conditions to which the special prospecting authority is subject, to carry on in the blocks specified in the special prospecting authority the geothermal energy resources exploration operations so specified.

”.

- (3) Section 105(6b) is amended as follows:
- (a) in paragraph (a) after “holds a” by inserting —
“ petroleum ”;
 - (b) in paragraph (b) after “another” by inserting —
“ petroleum ”;
 - (c) after paragraph (c) by inserting —
“ and ”.
- (4) After section 105(6b) the following subsection is inserted —
- “
- (6c) If—
- (a) a person holds a geothermal special prospecting authority in respect of a block; and
 - (b) another geothermal special prospecting authority is granted to another person in respect of the block,
- the Minister shall, by notice in writing served on each of those persons, inform each of them of —
- (c) the geothermal energy resources exploration operations authorised by the special prospecting authority granted to the other person; and
 - (d) the conditions to which the special prospecting authority granted to the other person is subject.
- ”.

67. Section 106 amended

- (1) Section 106(1) is amended as follows:
- (a) by deleting “permittee, holder of a drilling reservation, lessee, licensee or holder of a” and inserting instead —
“
petroleum permittee, holder of a petroleum drilling reservation, petroleum lessee, petroleum licensee or holder of a petroleum

- ”.
- (b) by deleting “an access” and inserting instead —
“ a petroleum access ”.
- (2) Section 106(1a) is amended by deleting “an access” and inserting instead —
“ a petroleum access ”.
- (3) After section 106(1a) the following subsections are inserted —
“
- (1b) A person who is a geothermal permittee, holder of a geothermal drilling reservation, geothermal lessee, geothermal licensee or holder of a geothermal special prospecting authority may make an application to the Minister for the grant of a geothermal access authority to enable the person to carry on, in an area being part of the State that is not part of the permit area, drilling reservation, lease area or licence area or area of the blocks specified in the special prospecting authority, geothermal energy resources exploration operations or operations related to the recovery of geothermal energy in or from the permit area, drilling reservation, lease area or licence area or area of the blocks so specified.
- (1c) A holder of a geothermal title outside the State may make an application to the Minister for the grant of a geothermal access authority to enable the holder to carry on, in a part of the State, geothermal energy resources exploration operations or operations related to the recovery of geothermal energy in or from the area to which that geothermal title relates.
- ”.
- (4) Section 106(3)(a) is amended by deleting “or a petroleum title” and inserting instead —
“ , petroleum title or geothermal title ”.

- (5) Section 106(4) is amended by deleting the passage beginning with “not grant an access” and ending with “unless — ” and inserting instead —

“

not —

- (aa) grant a petroleum access authority on an application under this section in respect of a block that is the subject of a petroleum exploration permit, petroleum drilling reservation, petroleum retention lease or petroleum production licence of which the registered holder is a person other than the applicant, or vary a petroleum access authority as in force in respect of a block that is the subject of a petroleum exploration permit, petroleum drilling reservation, petroleum retention lease or petroleum production licence of which the registered holder is a person other than the registered holder of the access authority; or
- (bb) grant a geothermal access authority on an application under this section in respect of a block that is the subject of a geothermal exploration permit, geothermal drilling reservation, geothermal retention lease or geothermal production licence of which the registered holder is a person other than the applicant, or vary a geothermal access authority as in force in respect of a block that is the subject of a geothermal exploration permit, geothermal drilling reservation, geothermal retention lease or geothermal production licence of which the registered holder is a person other than the registered holder of the access authority,

unless —

”.

- (6) Section 106(6) is amended after “Act or” by inserting —
“ , in the case of a petroleum access authority, ”.
- (7) Section 106(11) is amended after “recovery of petroleum” by inserting —
“ or geothermal energy ”.
- (8) Section 106(13) is repealed and the following subsection is inserted instead —

“

- (13) In this section —
- “**geothermal title**” means an authority, however described, under a law of the Commonwealth, of another State or of the Northern Territory to explore for geothermal energy resources or to recover geothermal energy;
- “**petroleum title**” means an authority, however described, under the *Petroleum (Submerged Lands) Act 1982* or a law of the Commonwealth, of another State or of the Northern Territory to explore for, or to recover, petroleum.

”.

68. Section 109 amended

Section 109(1) is amended after “State,” by inserting —

“

or to geothermal energy resources exploration operations or operations for the recovery of geothermal energy in the State,

”.

69. Section 112 amended

- (1) Section 112(1)(b) is amended after “petroleum” by inserting —

“ or geothermal energy resources or geothermal energy, ”.

73. Section 119 amended

Section 119(1)(a) is amended by deleting “petroleum;” and inserting instead —

“

petroleum or geothermal energy resources
exploration operations or operations for the
recovery of geothermal energy;

”.

74. Section 123 amended

(1) Section 123(1) is amended as follows:

(a) in paragraph (c)(ii) and (iii) after “petroleum” by inserting —

“ or geothermal energy ”;

(b) after paragraph (a) by inserting —

“ and ”;

(c) after paragraph (c)(i) by inserting —

“ or ”.

(2) Section 123(2) is amended after “Where” by inserting —

“ , in respect of petroleum, ”.

75. Section 142 amended

(1) Section 142(1) is amended after “petroleum” by inserting —

“ or all geothermal energy, as the case requires, ”.

(2) Section 142(2) is amended by deleting “permit, drilling reservation, or” and inserting instead —

“

petroleum exploration permit, petroleum drilling
reservation or petroleum retention

provision) as the Minister specifies in respect of such period as the Minister specifies.

”.

- (2) Section 143(2) is amended by deleting “recovered, during the period specified in the determination,” and inserting instead —

“

or geothermal energy recovered, during the period specified in a determination under subsection (1) or (1a), as the case requires,

”.

77. Section 144 amended

Section 144(1) is amended as follows:

- (a) in paragraph (a) after “petroleum” in both places where it occurs by inserting —

“ or geothermal energy ”;

- (b) after “and” after paragraph (b) by inserting —

“

- (ba) is not payable in respect of geothermal energy that is used by the permittee, lessee, holder of the drilling reservation, or licensee as approved by the Minister for the purposes of geothermal energy resources exploration operations or operations for the recovery of geothermal energy; and

”;

- (c) by deleting paragraph (c) and inserting —

“

- (c) is not payable in respect of —

- (i) petroleum that, with the approval of the Minister, is flared or vented in connection with operations for the recovery of petroleum; or

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Part 2 Petroleum Act 1967

Division 2 Amendments to Act as amended by the Petroleum Legislation Amendment and Repeal Act 2005

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81. Section 147 amended

Section 147 is amended after “petroleum” in both places where it occurs by inserting —

“ or geothermal energy ”.

82. Section 148 amended

Section 148(1) is amended after “petroleum” by inserting —

“ or geothermal energy ”.

83. Section 153 amended

Section 153(2) is amended as follows:

- (a) in paragraph (a) after “petroleum” by inserting —
“ or geothermal energy resources ”;
- (b) in paragraph (b) after “petroleum” by inserting —
“ or geothermal energy ”;
- (c) in paragraph (g) after “strata” by inserting —
“ or geothermal energy resources ”;
- (d) in paragraph (j) after “petroleum” by inserting —
“ or geothermal energy resources ”;
- (e) in paragraph (k) after “petroleum” in both places where it occurs by inserting —
“ or geothermal energy resources ”.

Division 2 — Amendments to Act as amended by the *Petroleum Legislation Amendment and Repeal Act 2005*

84. The Act amended

The amendments in this Division are to the *Petroleum Act 1967* as amended by the *Petroleum Legislation Amendment and Repeal Act 2005*.

85. Section 5 amended

Section 5(1) is amended as follows:

- (a) in the definition of “facility” after “operation” by inserting —

“ or geothermal energy operation ”;

- (b) after the definition of “geothermal energy” by inserting —

“

“geothermal energy operation” means —

- (a) an operation to explore for geothermal energy resources, and the carrying on of such operations and the execution of such works as are necessary for that purpose;
- (b) an operation to drill for geothermal energy resources, and the carrying on of such operations and the execution of such works as are necessary for that purpose;
- (c) an operation to recover geothermal energy, and the carrying on of such operations and the execution of such works as are necessary for that purpose;
- (d) any other kind of operation that is prescribed by the regulations to be a geothermal energy operation for the purposes of this definition, but does not include an operation of a kind that is prescribed by the regulations not to be a geothermal energy operation for the purposes of this definition;

”;

- (c) in paragraph (a) of the definition of “operator” after “petroleum” by inserting —

“ or geothermal energy resources ”;

Petroleum Amendment Act 2007

Part 2 Petroleum Act 1967

Division 2 Amendments to Act as amended by the Petroleum Legislation Amendment and Repeal Act 2005

s. 85

- (d) in paragraph (b) of the definition of “operator” after “petroleum” by inserting —
“ or geothermal energy resources ”;
- (e) in paragraph (c) of the definition of “operator” after “petroleum” by inserting —
“ or geothermal energy resources ”;
- (f) in paragraph (d) of the definition of “operator” —
 - (i) in subparagraph (i) after “petroleum” in both places where it occurs by inserting —
“ or geothermal energy ”;
 - (ii) in subparagraph (ii) after “petroleum” by inserting —
“ or geothermal energy resources ”;
- (g) in paragraph (f) of the definition of “operator” after “operation” by inserting —
“
or geothermal energy resources exploration
operation
”;
- (h) in paragraph (g) of the definition of “operator” —
 - (i) after “exploration operation” by inserting —
“
or geothermal energy resources exploration
operation
”;
 - (ii) after “recovery of petroleum” by inserting —
“ or geothermal energy ”;
- (i) after paragraph (j) of the definition of “operator” by inserting —
“
 - (k) in relation to any other kind of operation that is prescribed by the regulations to be a

geothermal energy operation for the purposes of the definition of “geothermal energy operation”, means the person prescribed by the regulations to be the operator of such a geothermal energy operation for the purposes of this definition;

”;

- (j) by deleting the definition of “other protected person” and inserting —

“

“other protected person”, in relation to a geothermal energy operation, means a person who is at or near a place where the geothermal energy operation is being carried on at the invitation of, or with the express or implied consent of —

- (a) the operator of the geothermal energy operation; or
- (b) a person in control of a part of the geothermal energy operation;

“other protected person”, in relation to a petroleum operation, means a person who is at or near a place where the petroleum operation is being carried on at the invitation of, or with the express or implied consent of —

- (a) the operator of the petroleum operation; or
- (b) a person in control of a part of the petroleum operation;

”.

86. Amendments relating to “geothermal energy operation”

The provisions listed in the Table to this section are amended after “petroleum operation” in each place where it occurs by inserting —

“ or geothermal energy operation ”.

Petroleum Amendment Act 2007

Part 2 Petroleum Act 1967

Division 2 Amendments to Act as amended by the Petroleum Legislation
Amendment and Repeal Act 2005

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Table

s. 7AA(1)	Sch. 1 cl. 22(4)
s. 117A	Sch. 1 cl. 24(1)
s. 126A(1)	Sch. 1 cl. 25
s. 149B(1)(a)	Sch. 1 cl. 26
s. 149B(2)	Sch. 1 cl. 28(2)
Sch. 1 cl. 2	Sch. 1 cl. 32(1)(a)(v), (vi)
Sch. 1 cl. 3 (“designated work group”)	Sch. 1 cl. 38(1)
Sch. 1 cl. 3 (“employer”)	Sch. 1 cl. 39(1)
Sch. 1 cl. 3 (“group member”)	Sch. 1 cl. 40(1)(a), (b)
Sch. 1 cl. 3 (“member of the workforce”)	Sch. 1 cl. 42(1)
Sch. 1 cl. 3 (“regulated business premises”)	Sch. 1 cl. 42(2)
Sch. 1 cl. 3 (“work”)	Sch. 1 cl. 42(3)(b)
Sch. 1 cl. 3 (“workforce representative”)	Sch. 1 cl. 45
Sch. 1 cl. 3 (“work group employer”)	Sch. 1 cl. 47(1)(c)
Sch. 1 cl. 3 (“workplace”)	Sch. 1 cl. 47(2)(c)
Sch. 1 cl. 4(1)	Sch. 1 cl. 48(1)(a)
Sch. 1 cl. 4(2)	Sch. 1 cl. 48(2)
Sch. 1 cl. 5	Sch. 1 cl. 49(1)(a)
Sch. 1 cl. 6	Sch. 1 cl. 50(1)(a)
Sch. 1 cl. 7(1)	Sch. 1 cl. 53(1)
Sch. 1 cl. 7(2)	Sch. 1 cl. 53(2)
Sch. 1 cl. 7(3)	Sch. 1 cl. 54(1)(b)
Sch. 1 cl. 7(4)(b)(ii)	Sch. 1 cl. 54(3)(b)
Sch. 1 cl. 7(5)(b)(ii)	Sch. 1 cl. 56(1)
Sch. 1 cl. 8(1)	Sch. 1 cl. 56(2)
Sch. 1 cl. 8(2)	Sch. 1 cl. 56(3)
Sch. 1 cl. 9(1)	Sch. 1 cl. 57(1)(b)

Sch. 1 cl. 9(5)	Sch. 1 cl. 57(6)(a)
Sch. 1 cl. 10(1)	Sch. 1 cl. 57(7)
Sch. 1 cl. 10(2)	Sch. 1 cl. 58(1)
Sch. 1 cl. 11(1)	Sch. 1 cl. 60(8)(c)(i)
Sch. 1 cl. 11(2)	Sch. 1 cl. 63(3)(a)
Sch. 1 cl. 12(1)	Sch. 1 cl. 63(5)
Sch. 1 cl. 13(1)	Sch. 1 cl. 64(1)(e)
Sch. 1 cl. 14(3)	Sch. 1 cl. 64(2)(a)
Sch. 1 cl. 15(1)	Sch. 1 cl. 64(3)(b)
Sch. 1 cl. 15(2)	Sch. 1 cl. 64(5)
Sch. 1 cl. 16	Sch. 1 cl. 64(6)(b)
Sch. 1 cl. 17(1)	Sch. 1 cl. 66(3)
Sch. 1 cl. 17(2)	Sch. 1 cl. 67(3)(b)
Sch. 1 cl. 18(1)	Sch. 1 cl. 70(1)
Sch. 1 cl. 19(1)	Sch. 1 cl. 71(1)
Sch. 1 cl. 19(2)	Sch. 1 cl. 74
Sch. 1 cl. 20(1)	Sch. 1 cl. 75
Sch. 1 cl. 22(2)	Sch. 1 cl. 81(1)(a)
Sch. 1 cl. 22(3)	

87. Amendments relating to “geothermal energy operations”

The provisions listed in the Table to this section are amended after “petroleum operations” in each place where it occurs by inserting —

“ or geothermal energy operations ”.

Table

s. 149C(1)	Sch. 1 cl. 2
s. 153(2)(l)	Sch. 1 cl. 72(1)
Sch. 1 cl. 1	

Part 3 — Other Acts amended

88. *Aboriginal Affairs Planning Authority Act 1972* amended

- (1) The amendments in this section are to the *Aboriginal Affairs Planning Authority Act 1972*.
- (2) Section 21A(8) is amended in paragraph (b) of the definition of “mineral resources” by deleting “*Petroleum Act 1967*.” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967*. ”.
- (3) Section 30 is amended in the proviso by deleting “*Petroleum Act 1967*” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967* ”.

89. *Aboriginal Heritage Act 1972* amended

- (1) The amendments in this section are to the *Aboriginal Heritage Act 1972*.
- (2) Section 18(1) is amended by deleting “*Petroleum Act 1967*,” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967*, ”.

90. *Barrow Island Act 2003* amended

- (1) The amendments in this section are to the *Barrow Island Act 2003*.
- (2) Section 7(5)(b) is amended by deleting “or petroleum” and inserting instead —
“ , petroleum or geothermal energy ”.

91. *Barrow Island Royalty Variation Agreement Act 1985* amended

- (1) The amendments in this section are to the *Barrow Island Royalty Variation Agreement Act 1985*.

- (2) The long title is amended by deleting “*Petroleum Act 1967.*” and inserting instead —

“

Petroleum and Geothermal Energy Resources Act 1967.

”.

- (3) Section 5(3) is amended by deleting “*Petroleum Act 1967.*” and inserting instead —

“ *Petroleum and Geothermal Energy Resources Act 1967.* ”.

92. Conservation and Land Management Act 1984 amended

- (1) The amendments in this section are to the *Conservation and Land Management Act 1984*.

- (2) Section 3 is amended in the definition of “Minister for Mines” by deleting “*Petroleum Act 1967,*” and inserting instead —

“ *Petroleum and Geothermal Energy Resources Act 1967,* ”.

- (3) Section 4(1) is amended by deleting “*Petroleum Act 1967,*” and inserting instead —

“ *Petroleum and Geothermal Energy Resources Act 1967,* ”.

- (4) Section 13A(3) is amended by deleting “petroleum under the *Petroleum Act 1967* or” and inserting instead —

“

petroleum, geothermal energy resources or geothermal energy under the *Petroleum and Geothermal Energy Resources Act 1967* or petroleum under

”.

- (5) Section 13B(9) is amended by deleting “petroleum under the *Petroleum Act 1967* or” and inserting instead —

“

petroleum, geothermal energy resources or geothermal energy under the *Petroleum and Geothermal Energy Resources Act 1967* or petroleum under

”.

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(6) Before section 13C(1) the following subsection is inserted —

“

(1aa) In this section —

“**geothermal energy**” and “**geothermal energy resources**” have the same meanings as they have in the *Petroleum and Geothermal Energy Resources Act 1967*.

”.

(7) Section 13C(2) is amended in the definition of “commercial purposes” as follows:

(a) in paragraph (c) by deleting “petroleum;” and inserting instead —

“ petroleum or geothermal energy resources; ”;

(b) in paragraph (d) by deleting “petroleum;” and inserting instead —

“ petroleum or geothermal energy, ”.

(8) Section 13C(7) is amended as follows:

(a) in paragraph (a) by deleting “*Petroleum Act 1967*” and inserting instead —

“

Petroleum and Geothermal Energy Resources Act 1967

”;

(b) after paragraph (a) by inserting —

“

(ab) exploratory drilling for geothermal energy resources and recovery of geothermal energy under the *Petroleum and Geothermal Energy Resources Act 1967*;

”.

- (9) Section 13E(1) is amended in the definitions of “drilling reservation” and “petroleum law” by deleting “*Petroleum Act 1967*” and inserting instead —
- “ *Petroleum and Geothermal Energy Resources Act 1967* ”.
- (10) Section 60(2b) is amended as follows:
- (a) after “or petroleum” by inserting —
- “ or geothermal energy ”;
- (b) by deleting “*Petroleum Act 1967*,” and inserting instead —
- “
- Petroleum and Geothermal Energy Resources Act 1967*,
- ”.

93. *Fire and Emergency Services Authority of Western Australia Act 1998* amended

- (1) The amendments in this section are to the *Fire and Emergency Services Authority of Western Australia Act 1998*.
- (2) Section 3A is amended in paragraph (f)(iii) of the definition of “owner” as follows:
- (a) by deleting “*Petroleum Act 1967*” and inserting instead —
- “
- Petroleum and Geothermal Energy Resources Act 1967*
- ”;
- (b) by deleting “petroleum production licence or a petroleum exploration permit” and inserting instead —
- “
- permit, drilling reservation, lease or licence
- ”.

94. *Fish Resources Management Act 1994* amended

- (1) The amendments in this section are to the *Fish Resources Management Act 1994*.
- (2) Section 114 is amended by deleting “*Petroleum Act 1967*,” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967*, ”.

95. *Gas Standards Act 1972* amended

- (1) The amendments in this section are to the *Gas Standards Act 1972*.
- (2) Section 5(1)(c) is amended by deleting “*Petroleum Act 1967*,” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967*, ”.

96. *Heritage of Western Australia Act 1990* amended

- (1) The amendments in this section are to the *Heritage of Western Australia Act 1990*.
- (2) Section 3(2)(a)(v) is amended by deleting “*Petroleum Act 1967*,” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967*; ”.

97. *Industrial Relations Act 1979* amended

- (1) The amendments in this section are to the *Industrial Relations Act 1979*.
- (2) Section 7(3)(c) is amended by deleting “*Petroleum Act 1967*,” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967*, ”.
- (3) Section 8(2a)(b) is amended by deleting “*Petroleum Act 1967*,” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967*, ”.

- (4) Section 113(1)(d)(ii)(III) is amended by deleting “*Petroleum Act 1967*,” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967*; ”.

98. *Land Administration Act 1997* amended

- (1) The amendments in this section are to the *Land Administration Act 1997*.

- (2) Section 3(1) is amended in the definition of “interest” by deleting paragraph (d) and inserting instead —

“
(d) mining, petroleum or geothermal energy right;
”.

- (3) Section 3(1) is amended in the definition of “mining or petroleum right” as follows:

- (a) by deleting ““mining or petroleum right” means — ” and inserting instead —

“
“mining, petroleum or geothermal energy right”
means —
”;

- (b) in paragraph (b) by deleting “*Petroleum Act 1967*,” and inserting instead —

“
Petroleum and Geothermal Energy Resources Act 1967,
”.

- (4) Section 5 is amended as follows:

- (a) before “This” by inserting the subsection designation “(1)”;

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- (b) in paragraph (a) by deleting “or petroleum;” and inserting instead —

“

, petroleum, geothermal energy or geothermal energy resources;

”;

- (c) in paragraph (b) by deleting “or petroleum” and inserting instead —

“ , petroleum or geothermal energy ”;

- (d) at the end of the section by inserting —

“

- (2) In subsection (1) —

“geothermal energy” and **“geothermal energy resources”** have the same meanings as they have in the *Petroleum and Geothermal Energy Resources Act 1967*.

”.

- (5) Section 24 is amended by deleting “*Petroleum Act 1967* or the *Petroleum (Submerged Lands) Act 1982*” and inserting instead —

“

Petroleum and Geothermal Energy Resources Act 1967 or the *Petroleum (Submerged Lands) Act 1982* and geothermal energy resources and geothermal energy within the meaning of the *Petroleum and Geothermal Energy Resources Act 1967*

”.

- (6) Section 91(5) is amended by deleting “or petroleum” in each place where it occurs and inserting instead —

“ , petroleum or geothermal energy ”.

(7) Section 164(1)(b) is amended as follows:

(a) by deleting “*Petroleum Act 1967*,” and inserting instead —

“

Petroleum and Geothermal Energy Resources Act 1967,

”;

(b) at the end of paragraph (b) by deleting the comma and inserting —

“

; and

(c) the rights relating to geothermal energy resources and geothermal energy referred to in the *Petroleum and Geothermal Energy Resources Act 1967*,

”.

(8) Section 170(5)(b) is amended by deleting “or petroleum” and inserting instead —

“ , petroleum or geothermal energy ”.

(9) Section 175(1)(a)(iii) is amended by deleting “or petroleum” and inserting instead —

“ , petroleum or geothermal energy ”.

(10) Section 177(5)(c) is amended by deleting “or petroleum” and inserting instead —

“ , petroleum or geothermal energy ”.

99. *Local Government Act 1995* amended

(1) The amendments in this section are to the *Local Government Act 1995*.

(2) Section 1.4 is amended in paragraph (e)(iii) of the definition of “owner” as follows:

(a) by deleting “*Petroleum Act 1967*” and inserting instead —

“

Petroleum and Geothermal Energy Resources Act 1967

”;

(b) by deleting “petroleum production licence or a petroleum exploration permit” and inserting instead —

“

permit, drilling reservation, lease or licence

”.

(3) Section 6.27 is amended as follows:

(a) in paragraph (c) —

(i) by deleting “*Petroleum Act 1967*” and inserting instead —

“

Petroleum and Geothermal Energy Resources Act 1967

”;

(ii) by deleting “petroleum production licence or exploration permit,” and inserting instead —

“

permit, drilling reservation, lease or licence,

”;

(b) by deleting “licence or permit” and inserting instead —

“ permit, drilling reservation, lease or licence ”.

- (4) Section 6.29(1) is amended as follows:
- (a) by deleting “petroleum production licence or exploration permit held under the *Petroleum Act 1967*” and inserting instead —
“
 permit, drilling reservation, lease or licence held under the *Petroleum and Geothermal Energy Resources Act 1967*
”;
 - (b) by deleting “licence or permit” and inserting instead —
“ permit, drilling reservation, lease or licence ”.
- (5) Section 6.29(2) is amended by deleting “licence or permit” and inserting instead —
“ permit, drilling reservation, lease or licence ”.

100. *Mining Act 1978* amended

- (1) The amendments in this section are to the *Mining Act 1978*.
- (2) Section 8(1) is amended in the definition of “minerals” as follows:
- (a) in paragraph (b) by deleting “*Petroleum Act 1967*” and inserting instead —
“
 Petroleum and Geothermal Energy Resources Act 1967
”;
 - (b) after paragraph (b) by inserting —
“
 (ba) without limiting paragraph (b), geothermal energy resources as defined in the *Petroleum and Geothermal Energy Resources Act 1967* section 5(1); or
”;

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- (c) after each of paragraphs (a) and (b) and (d)(i) and (ii) by inserting —
“ or ”.
- (3) Section 8(2) is amended by deleting “*Petroleum Act 1967*” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967* ”.
- (4) Section 8A(1) is amended by deleting “*Petroleum Act 1967*” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967* ”.
- (5) Section 159(1) is amended by deleting “*Petroleum Act 1967*” and inserting instead —
“ *Petroleum and Geothermal Energy Resources Act 1967* ”.
- (6) After section 159(3) the following subsection is inserted —
“
(4) In this section —
 - (a) a reference to a licence or permit includes a reference to a drilling reservation or lease; and
 - (b) a reference to a licensee or permittee includes a reference to the registered holder of a drilling reservation or lease.”.

101. *Occupational Safety and Health Act 1984* amended

- (1) The amendments in this section are to the *Occupational Safety and Health Act 1984* as amended by the *Petroleum Legislation Amendment and Repeal Act 2005*.
- (2) Section 4(2)(b) is amended as follows:
 - (a) after “petroleum operation” by inserting —
“ or geothermal energy operation ”;

- (b) by deleting “*Petroleum Act 1967*,” and inserting instead —

“

Petroleum and Geothermal Energy Resources Act 1967,

”.

102. *Petroleum Pipelines Act 1969* amended

- (1) The amendments in this section are to the *Petroleum Pipelines Act 1969*.
- (2) Section 67(1c) is amended by deleting “*Petroleum Act 1967*,” and inserting instead —

“ *Petroleum and Geothermal Energy Resources Act 1967*, ”.

103. *Petroleum (Registration Fees) Act 1967* amended

- (1) The amendments in this section are to the *Petroleum (Registration Fees) Act 1967*.
- (2) The long title is amended by deleting “*Petroleum Act 1967*.” and inserting instead —

“

Petroleum and Geothermal Energy Resources Act 1967.

”.

- (3) Section 1 is amended after “*Petroleum*” by inserting —

“ *and Geothermal Energy Resources* ”.

- (4) Section 3 is amended by deleting “*Petroleum Act 1967*” and inserting instead —

“ *Petroleum and Geothermal Energy Resources Act 1967* ”.

- (5) Section 4(2), (4)(a), (5), (6)(b) and (7)(a) are amended by deleting “*Petroleum Act 1967*” in each place where it occurs and inserting instead —

“ *Petroleum and Geothermal Energy Resources Act 1967* ”.

- (b) in paragraph (b) by deleting “or petroleum” and inserting instead —
“ , petroleum or geothermal energy ”.
- (3) Section 3(3) is repealed and the following subsection is inserted instead —
“
(3) In subsection (2) —
“**geothermal energy**” and “**geothermal energy resources**” have the same meanings as they have in the *Petroleum and Geothermal Energy Resources Act 1967*;
“**mining, petroleum or geothermal energy rights**” has the same meaning as it has in the *Land Administration Act 1997*.
”.

107. Valuation of Land Act 1978 amended

- (1) The amendments in this section are to the *Valuation of Land Act 1978*.
- (2) Section 4(1) is amended in the definition of “unimproved value” as follows:
- (a) in paragraph (b)(ii)(III) —
(i) by deleting “is held under the *Petroleum Act 1967*” and inserting instead —
“
or geothermal production licence is held under the *Petroleum and Geothermal Energy Resources Act 1967*
”;
- (ii) by deleting “the petroleum production” and inserting instead —
“ the relevant ”;

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- (b) in paragraph (b)(ii)(IV), by deleting “*Petroleum Act 1967*” and inserting instead —

“

*Petroleum and Geothermal
Energy Resources Act 1967*

”.

108. *Waterways Conservation Act 1976* amended

- (1) The amendments in this section are to the *Waterways Conservation Act 1976*.
- (2) Section 5(4)(b) is amended by deleting “*Petroleum Act 1967*;” and inserting instead —

“ *Petroleum and Geothermal Energy Resources Act 1967*; ”.

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