Offshore Petroleum and Greenhouse Gas Storage Amendment (National Regulator) Bill 2011

(Amendments to be moved by Senator Siewert on behalf of the Australian Greens in committee of the whole)

(1) Clause 2, page 3 (at the end of the table), add:

10. Schedule 7 The day after this Act receives the Royal Assent.

(2) Schedule 2, page 83 (after line 21), after item 427, insert:

427A Paragraph 656(1)(b)
Omit “4 or 6”, substitute “at least 5, and not more than 7,”.

(3) Page 147 (after line 31), at the end of the bill, add:

Schedule 7—Other amendments


1 After subsection 478(2)

Insert:

(2A) The Titles Administrator must not approve the transfer of a title if the transferee, or any of the transferees, is the subject of a Commission of inquiry that is being conducted, or is to be conducted, by a person appointed under section 780A.

2 Application—transfer of title

The amendment made by item 1 of this Schedule applies in relation to Commissions of inquiry established on or after the commencement of that item, whether the application for a transfer of title was made before, on or after that commencement.

3 At the end of Part 9.1 of Chapter 9

Add:
747A Decisions under this Act must not be the subject of certain declarations

A decision or class of decisions under this Act must not be:
  (a) specified as an action or a class of actions; or
  (b) accredited as a management arrangement or authorisation process;
for the purposes of a declaration under section 33 of the Environment Protection and

Note: Section 33 of the Environment Protection and Biodiversity Conservation Act 1999 allows a
declaration to be made that certain environmental actions do not require approval under the Act.

4 Application—decisions under the Act
The amendment made by item 3 of this Schedule applies in relation to declarations made on or
after the commencement of that item, whether the decision was made before, on or after that
commencement.

5 Before section 780A
Insert:

780AA Applications under this Act may be suspended while Commission of inquiry
underway

(1) The Minister may suspend consideration of an application made under this Act by an
entity if the entity is the subject of a Commission of inquiry that is being conducted, or is
to be conducted, by a person appointed under section 780A.

(2) The suspension continues to have effect until the earlier of the following days:
  (a) the Commission of inquiry is completed;
  (b) the Minister revokes the suspension.

6 Application—suspension of applications
The amendment made by item 5 of this Schedule applies in relation to Commissions of
inquiry established on or after the commencement of that item, whether the application was
made before, on or after that commencement.

7 After Part 9.7 of Chapter 9
Insert:

Part 9.7A—Notification of vacated areas

777A Notification of vacated areas

The Titles Administrator must notify the Minister administering the Environment
Protection and Biodiversity Conservation Act 1999 of all vacated areas as soon as
practicable after the areas come into existence.

8 Application—notifications
The amendment made by item 7 of this Schedule applies in relation to vacated areas that come
into existence on or after the commencement of that item.

[decisions, applications and notifications]