Offshore Petroleum and Greenhouse Gas Storage (Registration Fees) Amendment Bill 2011

Moira Coombs
Law and Bills Digest Section

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Offshore Petroleum and Greenhouse Gas Storage (Registration Fees) Amendment Bill 2011

Date introduced: 25 May 2011

House: House of Representatives

Portfolio: Resources and Energy

Commencement: Sections 1–3 on the day of Royal Assent; Schedule 1 at the same time as Part 1 of Schedule 2 to the Offshore Petroleum and Greenhouse Gas Storage Amendment (National Regulator) Bill 2011.

Links: The links to the Bill, its Explanatory Memorandum and second reading speech can be found on the Bill’s home page, or through http://www.aph.gov.au/bills/. When Bills have been passed and have received Royal Assent, they become Acts, which can be found at the ComLaw website at http://www.comlaw.gov.au/.

Purpose

The purpose of the Offshore Petroleum and Greenhouse Gas Storage (Registration Fees) Amendment Bill 2011 (the Bill) is to amend the Offshore Petroleum and Greenhouse Gas Storage Amendment (Registration Fees) Act 2006 to correctly reference the new National Offshore Petroleum Titles Administrator—NOPTA.

Background

This Bill is one of a suite of Bills, the primary Bill being the Offshore Petroleum and Greenhouse Gas Storage Amendment (National Regulator) Bill 2011 (National Regulator Bill). The National Regulator Bill establishes two new bodies. They are the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) and the National Offshore Petroleum Titles Administrator (NOPTA or the Titles Administrator). The Titles Administrator will “administer titles and advise the


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Joint Authorities on key petroleum title decisions”. Further information and analysis can be found in the Bills Digest on the National Regulator Bill.

Like this Bill, the National Regulator Bill replaces references to Designated Authorities which currently comprise the State and Northern Territory ministers with relevant references to the two new bodies. The Joint Authority arrangement with respect to petroleum titles will remain.

At present the Offshore Petroleum and Greenhouse Gas Storage (Registration Fees) Act 2006 (the Registration Fees Act) operates to impose fees for the registration under the Offshore Petroleum and Greenhouse Gas Storage Act 2006 of transfers of titles and approvals of dealings. Under this Bill, the collection of registration fees will continue but they will be paid to the Commonwealth in order to recover the establishment costs of the two new bodies.

The Titles Administrator will be a public servant within the Department of Resources, Energy and Tourism. This change centralises the administration of titles.

Schedule 1 of the Bill commences at the same time as Part 1 of Schedule 2 of the National Regulator Bill. There will be a period of approximately 24 months before Schedule 4 commences, or until the Commonwealth has received a total of $30.6 million, whichever is the later.

**Committee consideration**

On 25 May 2011, the suite of Bills was referred to the Senate Economics Legislation Committee for inquiry and report by 16 June 2011. After a detailed consideration of the Bill, the Senate Committee concluded that the Bills should be passed. It should be noted that the Coalition Senators submitted a dissenting report.

In addition, the Bills were referred to the House of Representatives Standing Committee on Agriculture, Resources, Fisheries and Forestry on 25 May 2011. The House of Representatives Committee supported the passage of the Bills.

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7. Ibid., p. 45.

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Provisions

The Bill makes a number of amendments to the Registration of Fees Act by substituting the term Designated Authority with the term Titles Administrator. This will correctly reference the terms within the Registration of Fees Act until Schedule 4 of the National Regulator Act commences. At the same time, the Registration of Fees Act will be repealed.