

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

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Presented and read a first time

(*Primary Industries and Energy*)

## A BILL

FOR

**An Act to provide for the payment of fees in respect of permits, leases and licences under the *Petroleum (Submerged Lands) Act 1967***

The Parliament of Australia enacts:

**Short title**

1. This Act may be cited as the *Petroleum (Submerged Lands) Fees Act 1994*.

5 **Commencement**

2. This Act commences on 1 July 1994.

**Incorporation**

3. The *Petroleum (Submerged Lands) Act 1967* is incorporated with this Act and is to be read as one with this Act.

**Fees**

**4.(1)** The holder of:

- (a) an exploration permit (other than one granted under section 22B of the *Petroleum (Submerged Lands) Act 1967*); or
- (b) a retention lease; or
- (c) a production licence; or
- (d) a pipeline licence;

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must pay a fee in respect of each year of the term of the permit, lease or licence.

**(2)** The fee:

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- (a) is payable to the Designated Authority; and
- (b) is to be calculated in accordance with the regulations.

**(3)** The fee for the first year of the term of the permit, lease or licence is payable within one month after the day on which the term commences.

**(4)** The fee for a subsequent year of the term of the permit, lease or licence is payable within one month after the anniversary of the day on which the first year of the term commences.

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**(5)** A fee is not payable under this Act for a year of the term of the permit, lease or licence if a fee is payable for that year of the term under:

- (a) the *Petroleum (Submerged Lands) (Exploration Permit Fees) Act 1967*; or
- (b) the *Petroleum (Submerged Lands) (Retention Lease Fees) Act 1985*; or
- (c) the *Petroleum (Submerged Lands) (Production Licence Fees) Act 1967*; or
- (d) the *Petroleum (Submerged Lands) (Pipeline Licence Fees) Act 1967*.

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**Penalty for late payment**

**5.(1)** If the holder of the permit, lease or licence does not discharge the liability to pay the fee at or before the time when the fee becomes payable, the holder must pay an additional amount to the Designated Authority.

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**(2)** The additional amount is to be:

- (a) calculated at the rate of one-third of a percent per day upon the amount of the fee remaining unpaid; and
- (b) computed from the time when the fee became payable until the time when it is paid.

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**Fees and penalties debts due to the Commonwealth**

**6.(1)** An amount payable under section 4 or 5 is a debt due by the holder to the Commonwealth.

(2) An amount payable under section 4 or 5 is recoverable in a court of competent jurisdiction.

(3) The fees and additional amounts received by the Designated Authority are received by the Designated Authority on behalf of the Commonwealth.

**Regulations**

7. The Governor-General may make regulations prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

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