

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1983, No. 30*

Regulations under the *Petroleum (Prospecting and Mining) Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Petroleum (Prospecting and Mining) Act*.

Dated this 15th day of September, 1983.

E.E. JOHNSTON
Administrator

AMENDMENTS OF THE PETROLEUM (PROSPECTING AND MINING) REGULATIONS

1. INTERPRETATION

Regulation 2 of the Petroleum (Prospecting and Mining) Regulations is amended by omitting sub-regulation (1) and substituting the following:

"(1) In these Regulations, unless the contrary intention appears 'authorized' means authorized by the Minister."

2. NEW REGULATIONS

The Petroleum (Prospecting and Mining) Regulations are amended by inserting after regulation 20 the following:

"21. ROYALTY RETURN

"(1) A lessee shall within 15 days after the commencement of each month furnish to the Minister or to an authorized person, a royalty return in a form approved by the Minister.

Penalty: \$200.

* Notified in the *Northern Territory Government Gazette* on 23 September, 1983.

Petroleum (Prospecting and Mining) Regulations

"(2) A royalty return required to be furnished under sub-regulation (1) shall contain -

- (a) a statement showing for the previous month -
 - (i) the quantity; and
 - (ii) the gross value as determined in accordance with section 57(2) of the Act,
of all substances produced from the land comprised in the lease and in respect of which royalty is payable under the Act;
- (b) the lessee's method of determining the quantity and gross value;
- (c) a calculation or, if no calculation can be made, an estimate of royalty payable in respect of the previous month's production; and
- (d) such other information, if any, as the Minister requires.

"22. PAYMENT ON ACCOUNT OF ROYALTY

"A lessee shall at the time of furnishing a royalty return under Regulation 21, pay on account of royalty the amount as calculated or estimated in the royalty return.

Penalty: \$200.

"23. AMENDED ROYALTY RETURN

"Where in respect of a royalty return furnished in accordance with Regulation 21, a lessee subsequently becomes aware of an error or omission in or in respect of the royalty return, the lessee shall as soon as possible, furnish the Minister with an amended royalty return correcting such error or omission.

Penalty: \$200.

"24. PAYMENT ON ACCOUNT OF ROYALTY ON AMENDED RETURN

"Where, as a result of a lessee furnishing an amended royalty return, the amount payable on account of royalty in accordance with Regulation 22 is varied, the lessee shall, where an additional amount is calculated or estimated as payable, at the time of furnishing the amended royalty return, pay the additional amount or, where an overpayment has occurred, the Minister may refund the amount overpaid or retain it to meet future liability of the lessee for royalty.

Penalty: \$200.

Petroleum (Prospecting and Mining) Regulations

"25. ASSESSMENT OF ROYALTY

"(1) The Minister shall, upon being furnished with a royalty return or amended royalty return, or, in his discretion, after the end of the month in respect of which the return is or is required to be furnished, assess or re-assess, as the case may be, the royalty to be paid by the lessee and shall notify the lessee accordingly.

"(2) Where the royalty to be paid under sub-regulation (1) -

- (a) is greater than an amount paid in accordance with Regulation 22 or 24, the lessee shall pay to the Minister, within 14 days after being notified under sub-regulation (1), an amount equal to the difference; or
- (b) is less than an amount paid in accordance with Regulation 22 or 24, the Minister may refund the amount overpaid or retain it to meet future liability of the lessee for royalty.

Penalty: \$200.

"26. INSPECTION OF RECORDS

"A lessee shall, at the request of the Minister or an authorized person -

- (a) produce any books, accounts and other records which, in the opinion of the Minister or the authorized person, are required to enable an assessment of the quantity, or the gross value in accordance with section 57(2) of the Act, of all substances produced from the land comprised in the lease and in respect of which royalty is payable under the Act; such books, accounts and other records to include but not to be limited to, records of -
 - (i) production from;
 - (ii) operations carried out in connection with;
 - (iii) transportation to the point of sale of all substances upon which royalty is payable produced from; and
 - (iv) sales of all substances upon which royalty is payable produced from,
the land comprised in the lease; and

Petroleum (Prospecting and Mining) Regulations

- (b) permit the inspection and copying of the books, accounts and records referred to in paragraph (a) by the Minister or the authorized person.

Penalty: \$200.

"27. MEASURING METHOD

"(1) For the purposes of section 57(4) of the Act, the method of measuring crude oil, casinghead petroleum spirit and natural gas shall be by a device approved by the Minister.

"(2) A device approved under sub-regulation (1) by the Minister shall be installed, operated and maintained by the lessee at the well head or such other place as the Minister approves.

Penalty: \$200.

"28. INSPECTION OF MEASURING METHOD

"A lessee shall permit the Minister or an authorized person at such times as the Minister requires to examine and -

- (a) test a device referred to in Regulation 27; and
- (b) take copies of any records associated with or produced by a device.

Penalty: \$200.
