

Petroleum Acts Amendment Act. 14 GEO. VI. No. 20,

(b) So far as relates to coal—land (not being subject to **“The Agricultural Lands Special Purchase Act of 1901”*) which was alienated in fee-simple from the Crown on or before the first day of March, one thousand nine hundred and ten.”,

and inserting, in lieu of such repealed words, the words “The term, however, does not include a reserve.”;

(ii.) By repealing the words “proviso next” where those words appear in the first paragraph of subsection three of that section and inserting, in lieu of such repealed words, the words “second proviso”; by inserting in the second and last proviso to the said subsection three after the words “Provided that” the words “, subject to the provisions of subsection one of section 33D of †*“The Coal Mining Acts, 1925 to 1950,”*”; and by adding to the second and last proviso to the said subsection three the words “except where such coal is reserved or included in a reservation to the Crown in the instrument whereby the land was alienated in fee-simple from the Crown when in such case the coal is, and it is hereby declared always was, the property of the Crown.”

14 GEO. VI.
No. 20.
THE
PETROLEUM
ACTS
AMENDMENT
ACT OF
1950.

An Act to Amend “The Petroleum Acts, 1923 to 1939,” in certain particulars.

[ASSENTED TO 30TH NOVEMBER, 1950.]

BE it enacted by the King’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

Short title
and
construction

1. This Act may be cited as “*The Petroleum Acts Amendment Act of 1950*,” and shall be read as one with ‡*“The Petroleum Acts, 1923 to 1939,”* herein referred to as the Principal Act.

Collective
title

The Principal Act and this Act may collectively be cited as “*The Petroleum Acts, 1923 to 1950.*”

* 1 E. 7 No. 23.

† 16 G. 5 No. 30 and amending Acts.

‡ 14 G. 5 No. 26 and amending Acts.

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2 Section fifty of the Principal Act is repealed and the following section is inserted in lieu thereof, namely:— Repeal of and new s. 50.

“ [50.] Every permittee and every lessee, unless in any case wholly or partially excused by the Minister from so doing, shall properly case each well with metal casing in accordance with the best approved methods, landing and effectually cementing one or more strings of the casing in clay or other water-impervious strata and generally shall take all such steps as may be reasonably necessary for effectually shutting off the escape of all water and for effectually preventing any water from penetrating any petroleum deposits.” Casing well.

3. Section fifty-one of the Principal Act is repealed and the following section is inserted in lieu thereof, namely:— Repeal of and new s. 51.

“ [51.] (1.) Every permittee and every lessee shall, before abandoning a well, give to the Minister not less than thirty days’ notice in writing of his intention to abandon that well. Abandonment of well.

(2.) A permittee, lessee, or other person shall not, without the prior consent in writing of the Minister, withdraw any cemented string or other permanent form of casing from a well which it is proposed to abandon or which has been abandoned.

(3.) When casing may lawfully be withdrawn from a well, the permittee or lessee shall, whilst withdrawing that casing, effectually shut off and exclude all water, and shall fill that well with clay, earth, mortar, or other good and efficient materials, used alone or in suitable combination and thoroughly packed and tamped in that well to a point specified by the Minister.

(4.) If for a reason other than for the purpose of the Governor in Council declaring, under section 55A of this Act, a well to be an artesian well, the Minister refuses to consent to the withdrawal of casing from that well, then the Minister shall—

- (a) Determine the value of that casing *in situ* ;
and
- (b) Notify in writing the former permittee or lessee at his address last known to the Minister of the sum at which he has determined that value and that the casing is required for future use in the well.

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The property in any casing in respect of which the Minister gives notice as aforesaid shall, on and from the date when the Minister gives that notice, be divested from the former permittee or lessee and vested in the Crown.

(5.) Where casing in a well is, pursuant to subsection four of this section, the property of the Crown, a permittee or lessee under this Act, or an owner or occupier of private or improved land, or any other person whomsoever shall not commence to use that well in any manner or for any purpose whatsoever unless that permittee, lessee, owner, occupier, or, as the case may be, other person has first paid to the Minister the sum determined by the Minister to be the value *in situ* of that casing.

Any sum paid as aforesaid shall be paid into the Treasury and shall, upon demand, be paid out to the permittee or lessee from whom the casing in question was divested when it became the property of the Crown.

Upon payment as aforesaid the casing in question shall become and be the property of the payer but, if the payer is himself a permittee or lessee or makes the payment for the purposes of obtaining a permit or lease under this Act, then that payer shall in relation to that casing be bound by the provisions of this section."

New s. 55A.

4. The following section, numbered 55A, is inserted after section fifty-five of the Principal Act, namely:—

When abandoned well may be declared to be an artesian well.

"[55A.] (1.) The Governor in Council may, by Order in Council published in the *Gazette*, declare a well situated upon the land formerly covered by or comprised in a permit or lease which has been determined by surrender or forfeiture to be an artesian well under and within the meaning of **The Water Acts, 1926 to 1942*," whereupon—

(a) The property in any cemented string or other permanent form of casing in that well shall, on and from the date of the publication in the *Gazette* of the Order in Council, be divested from the former permittee or lessee and vested in the Crown;

* 17 G. 5 No. 12 and amending Acts.

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- (b) The Minister shall determine the value of that casing *in situ* and shall notify in writing the Commissioner of Irrigation and Water Supply and the former permittee or lessee at his address last known to the Minister of the sum at which he has determined that value ; and
- (c) The Governor in Council may, under and pursuant to the provisions of subsection two of section nine of this Act, declare and define an area surrounding that well which shall not be open to permit or lease under this Act, but the area so defined shall not exceed five acres unless the Governor in Council is of opinion that for special reason an area greater than five acres should be so declared and defined, in which case he may so declare and define that greater area.

(2.) A license under **“ The Water Acts, 1926 to 1942,”* shall not issue in respect of a well declared under this section to be an artesian well, unless and until the applicant for that license has paid to the Commissioner of Irrigation and Water Supply the sum determined by the Minister to be the value of the casing, the property of the Crown, in that well.

The said Commissioner shall pay into the Treasury any sum paid to him under this subsection and that sum shall, upon demand, be paid out to the former permittee or lessee who was divested of his property in the casing in question when the well was declared to be an artesian well.”

* 17 G. 5 No. 12 and amending Acts.

MINING ON PRIVATE LAND.

See MINING.

OIL SHALE MINE WORKERS (PENSIONS).

See MINING.

PETROLEUM.

See MINING.