



ANNO DECIMO OCTAVO

ELIZABETHAE II REGINAE

A.D. 1969

No. 47 of 1969

An Act to amend the Petroleum (Submerged Lands) Act, 1967.

[Assented to 27th November, 1969.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Petroleum (Submerged Lands) Act Amendment Act, 1969". Short titles.

(2) The Petroleum (Submerged Lands) Act, 1967, as amended by this Act, may be cited as the "Petroleum (Submerged Lands) Act, 1967-1969".

(3) The Petroleum (Submerged Lands) Act, 1967, is hereinafter referred to as "the principal Act".

2. Section 14 of the principal Act is repealed and the following sections are enacted and inserted in its place :—

Repeal of s. 14 of principal Act and enactment of ss. 14 and 14a—

14. (1) Subject to this Act, the provisions of the laws, whether written or unwritten, as in force for the time being, and the provisions of any instrument having effect under any of those laws, apply as provided by this section, in the adjacent area and so apply as if that area were part of the State and of the Commonwealth.

Application of laws in areas adjacent to the State.

(2) A law shall be taken to be a law in force in the State notwithstanding that that law applies to part only of the State.

(3) The provisions referred to in subsection (1) of this section apply to and in relation to all acts, omissions, matters, circumstances and things touching, concerning, arising out of or connected with the exploration of the sea-bed or subsoil of the adjacent area for petroleum and the exploitation of the natural resources, being petroleum, of that sea-bed or subsoil.

(4) Without limiting the operation of the last preceding subsection, the provisions referred to in subsection (1) of this section apply—

(a) to and in relation to—

(i) an act or omission that takes place in, on, above, below or in the vicinity of ;

and

(ii) a matter, circumstance or thing that exists or arises with respect to or in connection with,

a vessel, aircraft, structure or installation, or equipment or other property, that is in the adjacent area for any reason touching, concerning, arising out of or connected with the exploration of the sea-bed or subsoil of the adjacent area for petroleum or the exploitation of the natural resources, being petroleum, of that sea-bed or subsoil ;

(b) to and in relation to a person who—

(i) is in the adjacent area for any reason of the kind referred to in the last preceding paragraph ;

or

(ii) is in, on, above, below or in the vicinity of a vessel, aircraft structure or installation or equipment or other property, that is in the adjacent area for any reason of the kind referred to in the last preceding paragraph ;

and

(c) to and in relation to a person in respect of his carrying on any operation or doing any work in the adjacent area for any reason of the kind referred to in paragraph (a) of this subsection.

(5) This section does not—

(a) extend to the provisions of any law or instrument—

(i) in so far as it is specifically provided that they are not to extend to, apply or have effect in the adjacent area ;

or

(ii) in so far as it is not within the authority of Parliament to make those provisions applicable in the adjacent area ;

(b) operate so as to apply the provisions of any law of the Commonwealth in any part of the adjacent area in which that law applies.

(6) Except as provided by section 14a of this Act, this section does not limit the operation that any law or instrument has apart from this section.

(7) The regulations may provide that such of the provisions as are referred to in subsection (1) of this section that are specified in the regulations do not apply by reason of this section or so apply with such modifications as are specified in the regulations.

(8) For the purposes of the last preceding subsection, “modification” includes the omission or addition of a provision or the substitution of a provision for another provision.

(9) Notwithstanding anything in this section or in section 15 of this Act, the regulations that may be made for the purposes of subsection (7) of this section include regulations having the effect that provisions as modified by the regulations make provision for and in relation to—

(a) removing or modifying a jurisdiction, power or function of a court, board, tribunal or authority;

or

(b) conferring a jurisdiction, power or function on a court, board, tribunal or authority.

14a. Parts III and IV of this Act have effect notwithstanding anything in this Part or in any other law.

Effect of
Parts.

**Amendment of
principal Act,
s. 15—
Consideration
of application.**

3. Section 15 of the principal Act is amended by inserting after the passage "Subject to" in subsection (1) the passage "subsection (9) of section 14 of this Act and to".

**Amendment of
principal Act,
s. 92—
Imposition of
Registration
fees.**

4. Section 92 of the principal Act is amended by striking out from subsection (2) the passage "Five dollars" wherever it occurs and inserting in lieu thereof, in each case, the passage "one hundred dollars".

**Amendment of
principal Act,
s. 101—
Directions.**

5. Section 101 of the principal Act is amended by striking out from subsection (1) the passage "being a permittee, licensee, pipeline licensee or the holder of a special prospecting authority or access authority".

In the name and on behalf of Her Majesty, I hereby
assent to this Bill.

J. W. HARRISON, Governor.