

CONCURRENCE COPY

PETROLEUM (COAL MINING) AMENDMENT BILL, 1983

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Coal Mining (Amendment) Bill, 1983.

The object of this Bill is to amend the Petroleum Act, 1955, so as to clarify the circumstances in which a person is entitled to prospect or mine for petroleum and, in particular, to provide that the holder of a coal lease is entitled to do so if the Minister has directed, pursuant to proposed section 72A of the Coal Mining Act, 1973, that the coal lease applies to petroleum.



PETROLEUM (COAL MINING) AMENDMENT BILL, 1983

No. , 1983.

A BILL FOR

An Act to amend the Petroleum Act, 1955, as a consequence of the enactment of the Coal Mining (Amendment) Act, 1983, and for other purposes.

[MR K. J. STEWART—2 *November*, 1983.]

Petroleum (Coal Mining) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Petroleum (Coal Mining) Amendment Act, 1983".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this 10 Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (3) of the Coal Mining (Amendment) Act, 1983, for the commencement of Schedule 4 (28) to that Act.

15 Amendment of Act No. 28, 1955.

3. The Petroleum Act, 1955, is amended by omitting section 7 and by inserting instead the following section:—

Offence of prospecting or mining without authority.

7. (1) Subject to subsection (2), a person shall not—
20 (a) prospect for petroleum except under, and in accordance with—
(i) a petroleum exploration licence granted under this Act;
or
(ii) a coal lease granted under the Coal Mining Act, 1973,
25 which applies to petroleum by reason of a direction given
under section 72A (3) (a) of that Act; or

Petroleum (Coal Mining) Amendment.

- (b) mine for petroleum except under, and in accordance with—
- (i) a petroleum mining lease granted under this Act; or
 - (ii) a coal lease referred to in paragraph (a) (ii).

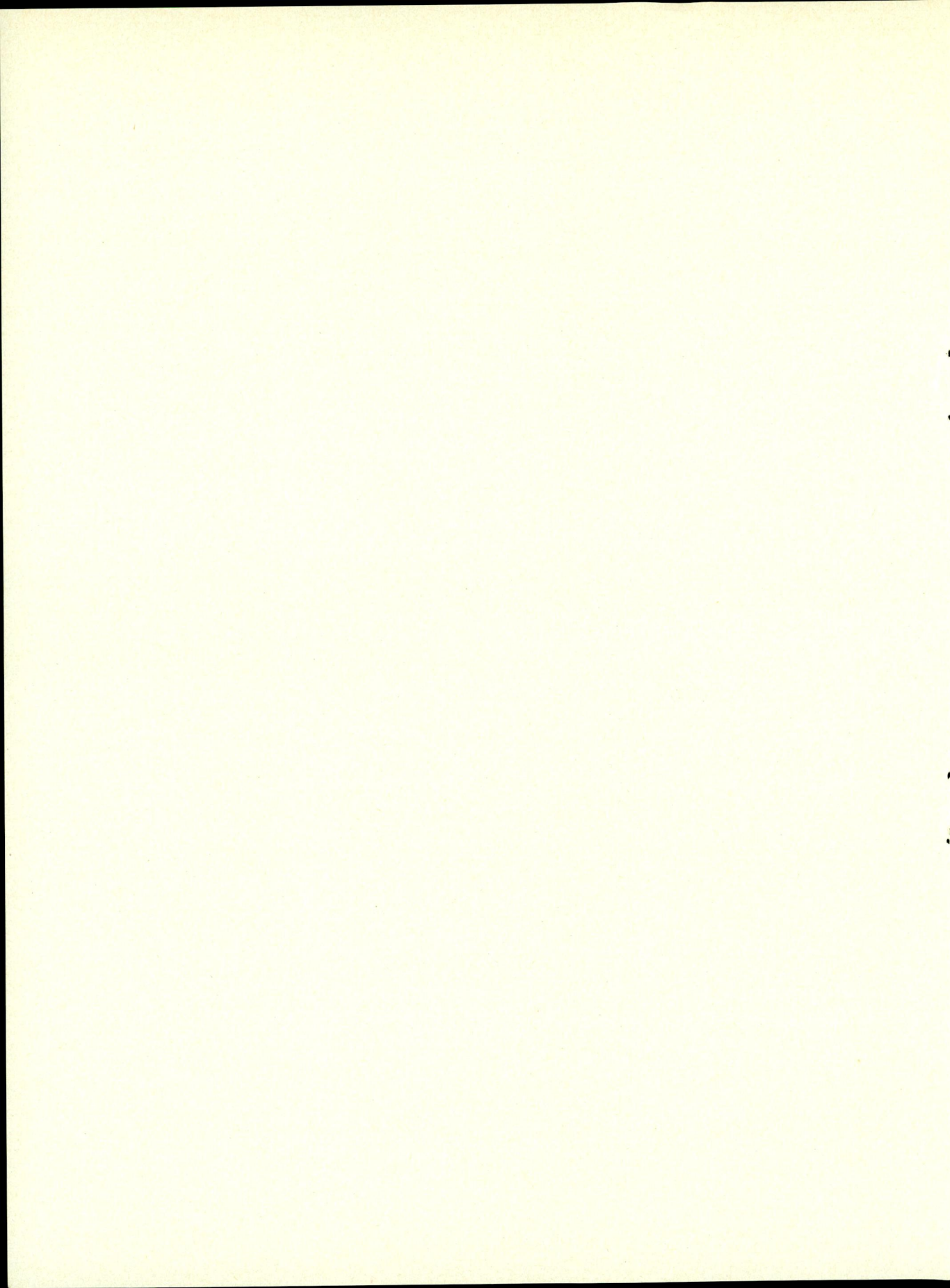
5 (2) Nothing in subsection (1) prevents a person from prospecting or mining for petroleum if the person is entitled to do so by virtue of a legal instrument—

- (a) sanctioned by the Minister under section 38 and registered under that section; or
- 10 (b) approved by the Minister administering the Coal Mining Act, 1973, under section 104 of that Act.

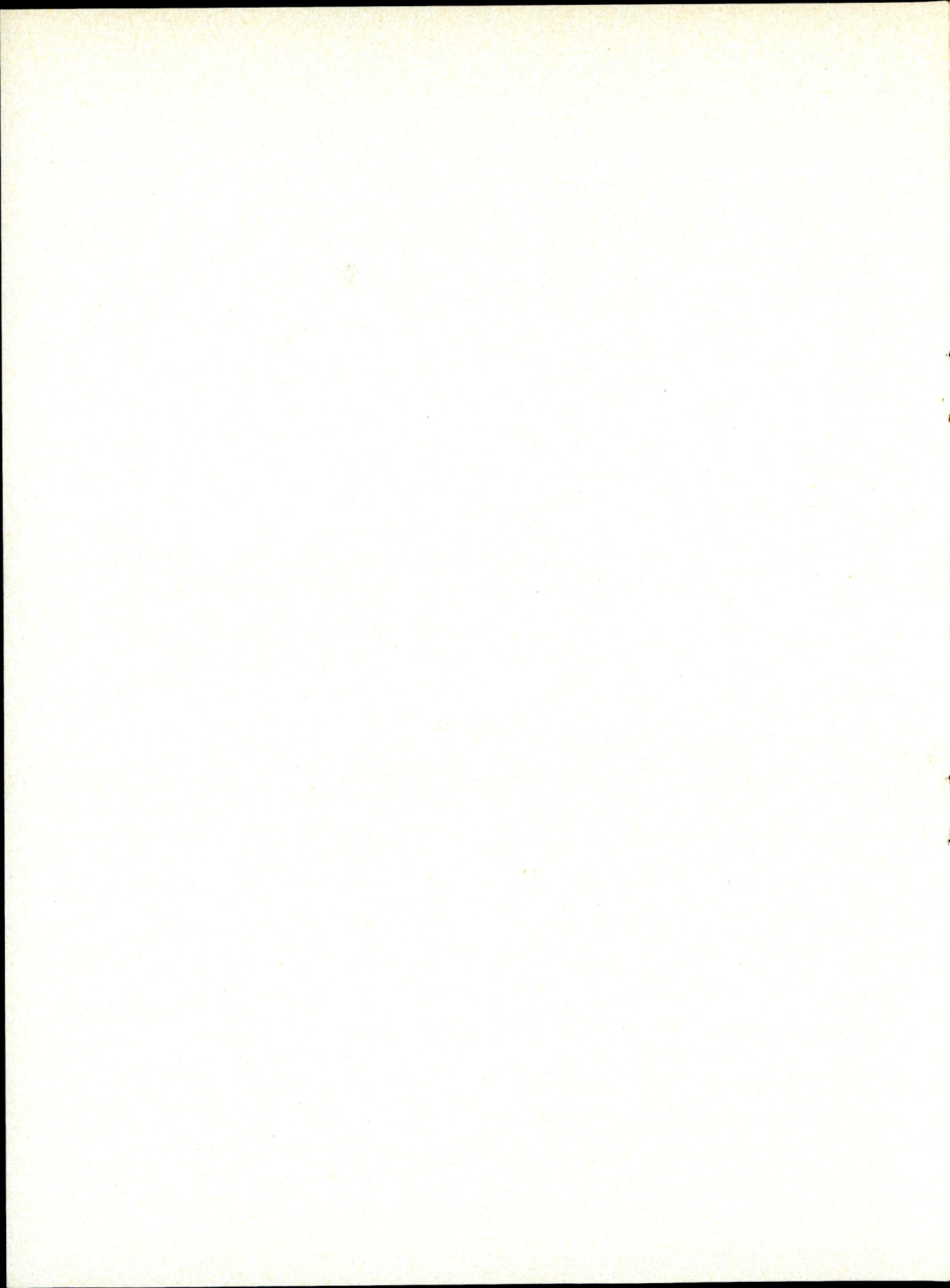
BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1983

(20c)







**PETROLEUM (COAL MINING) AMENDMENT ACT,
1983, No. 155**

New South Wales



ANNO TRICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 155, 1983.

An Act to amend the Petroleum Act, 1955, as a consequence of the enactment of the Coal Mining (Amendment) Act, 1983, and for other purposes. [Assented to, 31st December, 1983.]

Petroleum (Coal Mining) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Petroleum (Coal Mining) Amendment Act, 1983".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on the day appointed and notified under section 2 (3) of the Coal Mining (Amendment) Act, 1983, for the commencement of Schedule 4 (28) to that Act.

Amendment of Act No. 28, 1955.

3. The Petroleum Act, 1955, is amended by omitting section 7 and by inserting instead the following section:—

Offence of prospecting or mining without authority.

7. (1) Subject to subsection (2), a person shall not—

- (a) prospect for petroleum except under, and in accordance with—
- (i) a petroleum exploration licence granted under this Act; or
 - (ii) a coal lease granted under the Coal Mining Act, 1973, which applies to petroleum by reason of a direction given under section 72A (3) (a) of that Act; or

Petroleum (Coal Mining) Amendment.

- (b) mine for petroleum except under, and in accordance with—
- (i) a petroleum mining lease granted under this Act; or
 - (ii) a coal lease referred to in paragraph (a) (ii).

(2) Nothing in subsection (1) prevents a person from prospecting or mining for petroleum if the person is entitled to do so by virtue of a legal instrument—

- (a) sanctioned by the Minister under section 38 and registered under that section; or
- (b) approved by the Minister administering the Coal Mining Act, 1973, under section 104 of that Act.

In the name and on behalf of Her Majesty I assent to this Act.

L. W. STREET,
*By Deputation from
His Excellency the Governor.*

*Government House,
Sydney, 31st December, 1983.*

