



ANNO VICESIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1977

No. 16 of 1977

An Act to amend the Pipelines Authority Act, 1967-1974.

[Assented to 5th May, 1977]

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

Short titles.

1. (1) This Act may be cited as the "Pipelines Authority Act Amendment Act, 1977".

(2) The Pipelines Authority Act, 1967-1974, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Pipelines Authority Act, 1967-1977".

Amendment of
principal Act,
s. 3—
Interpretation.

2. Section 3 of the principal Act is amended by striking out from paragraph (c) in the definition of "petroleum" the passage "and one or more of the following, that is to say, hydrogen sulphide, nitrogen, helium and carbon dioxide" and inserting in lieu thereof the passage "whether or not occurring with or in combination with other substances".

Amendment of
principal Act,
s. 10—
Powers and
functions of
Authority.

3. Section 10 of the principal Act is amended by striking out from paragraph (k) of subsection (1) the passage "all or any of the foregoing powers" and inserting in lieu thereof the passage "the exercise and performance of its powers and functions".

Enactment of
s. 10aa of
principal Act—

4. The following section is enacted and inserted in the principal Act after section 10 thereof:—

Additional
powers and
functions of
Authority.

10aa. (1) In this section "petroleum resource" means—

(a) any naturally occurring hydrocarbon, whether in a gaseous, liquid or solid state;

(b) any naturally occurring mixture of hydrocarbons, whether in a gaseous, liquid or solid state;

or

(c) any naturally occurring mixture of one or more hydrocarbons, whether in a gaseous, liquid or solid state whether or not occurring with or in combination with other substances, situated within the prescribed area.

(2) In addition to, and without derogating from, the generality of the powers elsewhere conferred on it, the Authority may—

(a) acquire, hold and deal with any interest or share in any licence, permit or authority, however described, granted under a law of this State, the Commonwealth or any other State or Territory of the Commonwealth relating to the exploration for or exploitation of a petroleum resource;

(b) acquire, hold and deal with any interest or share in any body corporate having an interest or share in any licence, permit or authority referred to in paragraph (a) of this subsection;

or

(c) enter into and do all things necessary to carry out any agreement, arrangement (including, without limiting the generality of the meaning of the expression, an arrangement to make or pay a subsidy) or understanding with any body corporate referred to in paragraph (b) of this subsection in relation to the exploration for or exploitation of a petroleum resource in relation to which that body has a share or interest in a licence, permit or authority of a kind referred to in paragraph (a) of this subsection.

(3) While any Act of the Commonwealth relating to income tax does not apply to the Authority in relation to the exercise of the powers and functions conferred or imposed on it by this section the Authority shall from time to time pay to the Treasurer, in aid of the General Revenue of the State, such sums as the Auditor-General certifies in writing to be the equivalent of the amounts that would have been payable by the Authority, by way of income tax under any Act of the Commonwealth relating to income tax in relation to the exercise of those powers and functions, if the Authority had been a Company as defined in the Companies Act, 1962-1974.

(4) In this section “the prescribed area” means all that area bounded by a line commencing at a point that is the intersection of the coastline at mean low water by the boundary between the States of South Australia and Western Australia that runs thence northerly along the line of longitude 129° to its intersection by the parallel of latitude 23° 30', thence easterly along the parallel of latitude 23° 30' to its intersection by the line of longitude 144°, and thence southerly along the line of longitude 144° to its intersection by the coastline of Victoria at mean low water, and thence along the coastline of Victoria at mean low water to a point that is the intersection of that coastline at mean low water by the boundary between the States of South Australia and Victoria thence southerly along the meridian through that point to its intersection by the parallel of latitude 38° 10' south, thence south-westerly along the geodesic to a point of latitude 38° 15' south, longitude 140° 57' east, thence south-westerly along the geodesic to a

point of latitude 38° 26' south, longitude 140° 53' east, thence south-westerly along the geodesic to a point of latitude 38° 35' 30" south, longitude 140° 44' 37" east, thence south-westerly along the geodesic to a point of latitude 38° 40' 48" south, longitude 140° 40' 44" east, thence south-westerly along the geodesic to a point of latitude 44° south, longitude 136° 29' east, thence westerly along the parallel of latitude 44° south to a point that is the intersection of that parallel by the meridian passing through the intersection of the coastline at mean low water by the boundary between the States of South Australia and Western Australia, thence northerly along that meridian to its intersection by that coastline at mean low water.

Repeal of section 11 of the principal Act and enactment of new section—
Application of Petroleum Act, 1940-1971.

5. Section 11 of the principal Act is repealed and the following section is enacted and inserted in its place:—

11. (1) The Petroleum Act, 1940-1971, and the regulations thereunder shall extend and apply to the Authority except to the extent that the Authority is by proclamation exempted from the operation thereof.

(2) Except in relation to the exercise by the Authority of any power or function under section 10aa of this Act, the Governor may by proclamation exempt the Authority from any provision of the Petroleum Act, 1940-1971, or the regulations thereunder and the Governor may by subsequent proclamation amend, vary or revoke any such proclamation.

(3) Any proclamation made under section 11 of this Act as in force before the commencement of the Pipelines Authority Act Amendment Act, 1977, shall on and from that commencement continue in force as if it were a proclamation under this section and this section shall apply and have effect accordingly.

Amendment of principal Act, s. 14—
Power of Authority to borrow money, etc.

6. Section 14 of the principal Act is amended—

(a) by striking out paragraph (a) from subsection (1) and inserting in lieu thereof the following paragraph:—

(a) for the purposes of the exercise or performance of its powers and functions;;

and

(b) by inserting in paragraph (a) of subsection (5) after the passage "by way of loan" the passage "or otherwise".

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

W. R. CROCKER, Lieutenant-Governor