

7 ELIZ. II. No. 25, 1958. *Petroleum Acts Amendment Act.*

(b) That, subject to the owner and all other persons concerned complying at all times and in all respect with the provisions, terms and conditions, if any, specified in the Order in Council, the mine shall, while the Order in Council continues in force but no longer, be by virtue thereof exempt from this Act to the extent thereby prescribed.”.

4. Section 55A of the Principal Act is amended— Amendments of s. 55A.

(a) By inserting after the words “within one week”, where those words appear in subsection one thereof, the words and commas, “, or such period longer than one week as the Chief Inspector may approve in writing,”; and

(b) By inserting after the words “at all times”, where those words appear in paragraph (a) of subsection three thereof, the words “subsequent to the period of three months next after the completion of drilling the borehole in question”.

5. Subsection two of section sixty-six of the Principal Act is amended by repealing therein the figures “1915”, and by inserting, in lieu of those repealed figures, the figures “1951”. Amendment of s. 66 (1).

An Act to Amend “The Petroleum Acts, 1923 to 1955,” in certain particulars.

7 ELIZ. II.
No. 25.
THE
PETROLEUM
ACTS
AMENDMENT
ACT OF 1958.

[ASSENTED TO 7TH OCTOBER, 1958.]

BE it enacted by the Queen’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:—

1. (1.) This Act may be cited as “*The Petroleum Acts Amendment Act of 1958.*” Short title.

(2.) **“The Petroleum Acts, 1923 to 1955,”* are in this Act referred to as the Principal Act. Principal Act.

* 14 G. 5 No. 26 and amending Acts.

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Collective
title.

(3.) The Principal Act and this Act may be collectively cited as "*The Petroleum Acts, 1923 to 1958.*"

Repeal of
and new
s. 12.

2. Section twelve of the Principal Act is repealed and, in lieu of that repealed section, the following section is inserted:—

Limit to
number of
permits and
leases.

"[12.] (1.) For the purposes of this section the State shall be deemed to be divided into three divisions by the 20th and 24th parallels of latitude.

(2.) A person shall not be entitled to apply for, acquire, or hold in any one division of the State a number of leases or permits, or an aggregated number of leases and permits, in excess of five at any time when the number of permits or leases, or the aggregated number of permits and leases, held by him in any other division of the State exceeds five.

(3.) Save as prescribed by subsection two of this section the number of permits or leases which any person may apply for, acquire, and hold shall not be limited.

(4.) Where one company or corporation is a member of, or holds any beneficial interest in, another company or corporation, then this section shall apply to each such company or corporation as if it held in its own right all leases or permits, or leases and permits held by them respectively.

(5.) All leases acquired by the original permittee within the area comprised in his permit and all subdivisions of such leases shall, for the purposes of this section, be deemed to be one lease."

Amendment
of s. 14 (1).

3. Subsection one of section fourteen of the Principal Act is amended by repealing paragraph (c) thereof.

Amendment
of s. 18.

4. Section eighteen of the Principal Act is amended by repealing the words "oil has been discovered in commercial quantity", where they appear in the sixth paragraph thereof, and inserting, in lieu of those repealed words, the words "payable deposits of petroleum have been discovered".

Repeal of
s. 21.

5. Section twenty-one of the Principal Act is repealed.

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6. Section twenty-two of the Principal Act is amended by repealing the words "and for the purposes of this section the term "scout drilling" shall have the meaning as set out in section 61c of this Act." ^{Amendment of s. 22.}

7. Section thirty-two of the Principal Act is repealed and, in lieu of that repealed section, the following section is inserted:— ^{Repeal of and new s. 32.}

"[32.] (1.) The lessee shall pay in advance, ^{Rent.} beginning with the date of the application for the lease, a rental at the rate of ten pounds for every square mile or part thereof per annum for and in respect of the land demised, and such payment shall continue to be made annually during the currency of the lease.

(2.) All rents shall be paid to the nearest Warden unless the Minister otherwise directs."

8. Section thirty-three of the Principal Act is repealed. ^{Repeal of s. 33.}

9. The following new section 40A is inserted after section forty of the Principal Act:— ^{New s. 40A inserted.}

"[40A.] (1.) Any person who produces any ^{Royalty.} petroleum shall, subject to this section, pay a royalty, computed at the rate of ten per centum, on the selling value of all crude oil, casinghead petroleum spirit, and natural gas that he produces.

(2.) Royalty shall not be payable in respect of—

- (i.) Any crude oil, casinghead petroleum spirit, or natural gas which is unavoidably lost or is returned to the natural reservoir;
- (ii.) Any crude oil, casinghead petroleum spirit, or natural gas which is used for the purposes of petroleum production or any incidental purposes (including the heating and lighting of the dwellings of employees engaged in connection with the work of petroleum production and the heating and lighting of buildings maintained to provide social amenities for those employees and their families);
- (iii.) Any natural gas which, or the product of which, is not sold.

(3.) There shall be set off against the amount of royalty payable in any year under this section the amount of any rental paid in respect of that year and, where the amount of rental so paid exceeds the royalty, no royalty shall be payable for the year.

(4.) For the purpose of enabling the royalty payable to be computed, the person shall in each month furnish to the Under Secretary, Department of Mines, a statement in the prescribed form showing the quantity and selling value of crude oil, casinghead petroleum spirit, and natural gas produced during the preceding month, and giving such other information as may be prescribed.

(5.) The person shall, at the request of the Under Secretary, Department of Mines, or of any person authorised by him to make the request, produce to the Under Secretary or to that person, all books, accounts, and other records in relation to such production and the operations and transactions carried on thereunder or in connection therewith and shall permit the Under Secretary or that person to inspect and make copies of those books, accounts, and records.

(6.) In this section "selling value" means—

(i.) In relation to any oil spirit or gas which is sold, the price actually realised less the expenses (if any) incurred in transporting the oil, spirit, or gas from the site of the well or borehole to the point of delivery to the buyer ;

(ii.) In relation to any oil, spirit, or gas which is treated before sale, its value in its natural condition at the top of the well or borehole and before treatment.

(7.) The royalty shall be payable on a monthly basis and payments shall be made to the nearest Warden or to the Under Secretary, Department of Mines, within thirty days of the last day of every month or such extended time as the Minister may approve."

Amendment
of s. 51 (1).

10. Subsection one of section fifty-one of the Principal Act is amended by repealing therein the words "thirty days" and inserting, in lieu of those repealed words, the words "three days".

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11. Section 61B of the Principal Act is repealed and, in lieu of that repealed section, the following section is inserted :—

Repeal of
and new
s. 61B.

“ [61B.] (1.) Subject to this section the Minister may, at his discretion, sanction any agreement—

Agreements
to drill
wells.

(a) Between holders respectively of authorities to prospect, permits, or leases in respect of lands situated in the same district ; or

(b) Between the holder of any authority to prospect, permit, or lease and a person, company, or corporation,

having for its object the making of provision for the drilling of any well by a party to the agreement on the land specified in that agreement.

Such an agreement shall not have force or effect in law unless it is sanctioned by the Minister.

(2.) The Minister shall not sanction, between a holder and any person, company, or corporation, any agreement whereby that person, company, or corporation acquires or holds any interest whatsoever in any authority to prospect, permit, or lease which he or it is prohibited from holding by section twelve of this Act.

(3.) For the purpose of the performance, wholly or in part, of the obligations imposed by sections 22A and thirty-four of this Act upon a holder who is a party to an agreement between holders sanctioned by the Minister under this section, any well which, pursuant to the agreement, is drilled on the land comprised in an authority to prospect, permit, or lease held by any other holder who is a party to the agreement shall be taken into account as if it had been drilled on the land comprised in the authority to prospect, permit, or lease in question of the holder first hereinbefore mentioned in this subsection.

(4.) Where the Minister is satisfied that the lands comprised in two or more authorities to prospect, permits, and leases, form part of one and the same geological structure favourable to the storage of petroleum or one deposit of petroleum, and that it is desirable for the purpose of ensuring economy and efficiency, and of avoiding wasteful and harmful development and practices that the structure or deposit should be worked as one unit, the Minister may, by notice in writing,

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require the holders of the authorities to prospect, permits, and leases in question to prepare and submit to him a scheme for testing or developing, or testing and developing the structure or deposit as one unit.

Such notice shall specify the lands in respect of which and the time within which the Minister requires the scheme to be furnished to him.

If a scheme satisfactory to the Minister is not furnished to him within the time specified by him (or within such extension of that time as he may grant), the Minister may cause a scheme to be prepared and particulars thereof to be furnished to all holders of authorities to prospect, permits, and leases affected thereby, and thereupon and thereafter every such holder shall be bound by such scheme and shall do and take all such things and steps as are thereby required to be done and taken by him.

(5.) Regulations, including regulations prescribing the form of agreement, may be made for the purpose of carrying out the objects of this section.

OATHS.

8 ELIZ. II.
No. 5.
THE OATHS
ACTS
AMENDMENT
ACT OF 1959.

An Act to Amend "The Oaths Acts, 1867 to 1924," in a certain particular.

[ASSENTED TO 25TH MARCH, 1959.]

BE it enacted by the Queen'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. 1. (1.) This Act may be cited as "*The Oaths Acts Amendment Act of 1959.*"
- Principal Act. (2.) *"*The Oaths Acts, 1867 to 1924,*" are in this Act referred to as the Principal Act.
- Collective title. (3.) The Principal Act and this Act may be collectively cited as "*The Oaths Acts, 1867 to 1959.*"

* 31 V. No. 12 and amending Acts.