



Queensland

Mines and Energy Legislation Amendment Regulation (No. 1) 2011

Subordinate Legislation 2011 No. 32

made under the

Mineral Resources Act 1989

Petroleum and Gas (Production and Safety) Act 2004

Contents

		Page
Part 1	Preliminary	
1	Short title	3
Part 2	Amendment of Mineral Resources Regulation 2003	
2	Regulation amended	3
3	Insertion of new pt 9, div 6	3
	Division 6 Provisions about royalty estimates	
	47A Application of div 6	3
	47B What notice must contain	3
	47C Form of and information to be included in royalty estimate	4
	47D Minister may request information to support royalty estimate	4
4	Amendment of sch 7 (Dictionary)	5
Part 3	Amendment of Petroleum and Gas (Production and Safety) Regulation 2004	
5	Regulation amended	5
6	Insertion of new ch 6, pt 2, div 4, sdiv 4	5
	Subdivision 4 Royalty estimate	
	149A Application of sdiv 4	6

Contents

	149B	What notice must contain	6
	149C	Form of and information to be included in royalty estimate	7
	149D	Minister may request information to support royalty estimate	7
7		Amendment of sch 12 (Dictionary)	8

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Mines and Energy Legislation Amendment Regulation (No. 1) 2011*.

Part 2 Amendment of Mineral Resources Regulation 2003

2 Regulation amended

This part amends the *Mineral Resources Regulation 2003*.

3 Insertion of new pt 9, div 6

Part 9—
insert—

‘Division 6 Provisions about royalty estimates

‘47A Application of div 6

‘This division prescribes for section 327A(2) of the Act the requirements for royalty estimates.

‘47B What notice must contain

- ‘(1) The notice given by the Minister to a person under section 327A(1) of the Act (a *royalty estimate notice*) must include the following—
- (a) the period (the *estimate period*) for which the person is to estimate the royalties payable by the person under section 320 of the Act;

[s 3]

- (b) the day by which the person must provide the royalty estimate;
 - (c) the form in which the person must provide the royalty estimate;
 - (d) a description of the information the person must provide in the royalty estimate.
- ‘(2) For subsection (1)(d), the information the Minister may ask the person to provide in the royalty estimate includes the following—
- (a) an estimate of the royalties payable by the person under section 320 of the Act for the estimate period;
 - (b) identification of each type of mineral the person expects to sell, dispose of or use in the estimate period;
 - (c) for each type of mineral identified for paragraph (b)—an estimate of the volume of each mineral the person expects to sell, dispose of or use in the estimate period;
 - (d) the exchange rate the person has assumed for working out the estimate of royalties mentioned in paragraph (a).
- ‘(3) Subsection (2) does not limit the information the Minister may ask a person to provide in the royalty estimate.

‘47C Form of and information to be included in royalty estimate

‘The royalty estimate must—

- (a) be in the form stated in the royalty estimate notice; and
- (b) include the information the Minister has asked for in the royalty estimate notice.

‘47D Minister may request information to support royalty estimate

- ‘(1) The Minister may, by notice in writing to a person who has lodged a royalty estimate, ask the person to give the Minister,

by the day stated in the notice, information to support the matters stated in the royalty estimate.

- ‘(2) The Minister may, by notice in writing to a person who must provide a royalty estimate under section 327A(2) of the Act, ask the person to give the Minister, by the day stated in the notice, additional information about the matters that must be included in the royalty estimate.
- ‘(3) If the Minister asks a person for information under subsection (1) or (2), the person must provide the information by the day stated in the notice.’.

4 Amendment of sch 7 (Dictionary)

Schedule 7—

insert—

‘royalty estimate notice see section 47B(1).’.

Part 3 Amendment of Petroleum and Gas (Production and Safety) Regulation 2004

5 Regulation amended

This part amends the *Petroleum and Gas (Production and Safety) Regulation 2004*.

6 Insertion of new ch 6, pt 2, div 4, sdiv 4

Chapter 6, part 2, division 4—

insert—

[s 6]

‘Subdivision 4 Royalty estimate

‘149A Application of sdiv 4

‘This subdivision prescribes for section 599A(2) of the Act the requirements for royalty estimates.

‘149B What notice must contain

- ‘(1) The notice given by the Minister to a petroleum producer under section 599A(1) of the Act (a *royalty estimate notice*) must include the following—
- (a) the period (the *estimate period*) for which the petroleum producer is to estimate the royalties payable by the petroleum producer under section 590 of the Act;
 - (b) the day by which the petroleum producer must provide the royalty estimate;
 - (c) the form in which the petroleum producer must provide the royalty estimate;
 - (d) a description of the information the petroleum producer must provide in the royalty estimate.
- ‘(2) For subsection (1)(d), the information the Minister may ask a petroleum producer to provide in the royalty estimate includes the following—
- (a) an estimate of the royalties payable by the petroleum producer under section 590 of the Act for the estimate period;
 - (b) identification of each relevant petroleum product the petroleum producer expects to dispose of in the estimate period;
 - (c) for each relevant petroleum product identified for paragraph (b), an estimate of the following for the estimate period—
 - (i) the volume of the petroleum product the petroleum producer expects to dispose of;

-
- (ii) the amount of any revenue the petroleum producer expects to earn in relation to the petroleum product;
 - (iii) the amount of allowable deductions the petroleum producer expects to incur in relation to the petroleum product;
 - (iv) the wellhead value of the petroleum product;
 - (d) the exchange rate the petroleum producer has assumed for working out the estimate of royalties mentioned in paragraph (a).
- ‘(3) Subsection (2) does not limit the information the Minister may ask to be included in the royalty estimate.
- ‘(4) In this section—
- relevant petroleum product* means—
- (a) a petroleum product; or
 - (b) any other petroleum, or substance derived from petroleum, disposed of by the petroleum producer.

‘149C Form of and information to be included in royalty estimate

‘The royalty estimate must—

- (a) be in the form stated in the royalty estimate notice; and
- (b) include the information asked for in the royalty estimate notice.

‘149D Minister may request information to support royalty estimate

- ‘(1) The Minister may, by notice to a petroleum producer who has lodged a royalty estimate, ask the petroleum producer to give the Minister, by the day stated in the notice, information to support the matters stated in the royalty estimate.

[s 7]

- ‘(2) The Minister may, by notice to a petroleum producer who must provide a royalty estimate under section 599A(2) of the Act, ask the petroleum producer to give the Minister, by the day stated in the notice, additional information about the matters that must be included in the royalty estimate.
- ‘(3) If the Minister asks a petroleum producer for information under subsection (1) or (2), the petroleum producer must provide the information by the day stated in the notice.’.

7 Amendment of sch 12 (Dictionary)

Schedule 12—

insert—

‘royalty estimate notice see section 149B(1).’.

ENDNOTES

- 1 Made by the Governor in Council on 31 March 2011.
- 2 Notified in the gazette on 1 April 2011.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Employment, Economic Development and Innovation.

© State of Queensland 2011