



Queensland

Natural Resources and Mines Legislation Amendment Regulation (No. 2) 2012

Subordinate Legislation 2012 No. 226

made under the

Geothermal Energy Act 2010

Greenhouse Gas Storage Act 2009

Mineral Resources Act 1989

Petroleum Act 1923

Petroleum and Gas (Production and Safety) Act 2004

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Natural Resources and Mines Legislation Amendment Regulation (No. 2) 2012*.

2 Commencement

This regulation commences on 7 December 2012.

Part 2 Amendment of Geothermal Energy Regulation 2012

3 Regulation amended

This part amends the *Geothermal Energy Regulation 2012*.

4 Insertion of new s 82A

After section 82—

insert—

‘82A Prescribed way for making applications, lodging documents or making submissions

‘(1) For section 363(2)(b) of the Act, the prescribed way for doing any of the following is electronically using the online system on the department’s website—

- (a) the making of an application;
- (b) the giving of a document to the Minister or chief executive;
- (c) the making of a submission.

‘(2) Also, the chief executive may, by notice given to the person making or giving a document mentioned in subsection (1),

[s 11]

11 Insertion of new s 79A

Part 12, division 2—

insert—

‘79A Prescribed way for making applications, giving, filing, forwarding or lodging documents or making submissions

- ‘(1) For section 386O(2)(b) of the Act, the prescribed way for doing any of the following is electronically using the online system on the department’s website—
- (a) the making of an application;
 - (b) the giving of a document to the Minister, chief executive or mining registrar;
 - (c) the filing, forwarding or lodging of a document;
 - (d) the making of a submission.
- ‘(2) Also, the chief executive may, by notice given to the person making, giving, filing, forwarding or lodging a document mentioned in subsection (1), require the person to lodge a hard copy of the application, document or submission at the place required under section 386O(2)(a) of the Act.
- ‘(3) An application, document or submission lodged electronically after 4.30p.m. on a working day and before 8.30a.m. on the next working day (the *later day*) is taken to have been lodged at 8.30a.m. on the later day.’.

12 Amendment of s 81 (Particular applications must not be accepted)

- (1) Section 81, heading ‘must’—

omit, insert—

‘can’.

- (2) Section 81(1) and (2)—

omit, insert—

- ‘(1) An application for a mining tenement can not be accepted if—

-
- (a) the person stated in the document as the applicant for the mining tenement is not an eligible person; or
 - (b) the land, stated in the document as the land for which the application is made, is unavailable land for the mining tenement for which the application is made; or
 - (c) the document is not in the approved form for an application for the mining tenement; or

Note—

See, however, the *Acts Interpretation Act 1954*, section 49 (Forms).

- (d) the person has not paid the prescribed fee for the application.’.
- (3) Section 81(3), from ‘subsection (2)’ to ‘a mining tenement,’—
omit, insert—
‘subsection (1), an application for a mining tenement can not be accepted,’.
- (4) Section 81(3) and (4)—
renumber as section 81(2) and (3).

13 Amendment of s 82 (Prescribed hours of business)

Section 82, ‘a mining registrar’—

omit, insert—

‘the chief executive or mining registrar’.

Part 5 Amendment of Petroleum Regulation 2004

14 Regulation amended

This part amends the *Petroleum Regulation 2004*.

[s 15]

- 15 Amendment of s 9 (Relinquishment report for an authority to prospect [P&G, s 20])**
Section 9(1), ‘75Z(1)(b)’—
omit, insert—
‘75Z(b)’.
- 16 Amendment of s 10 (Relinquishment report for a lease [P&G, s 21])**
Section 10(1), ‘75Z(1)(b)’—
omit, insert—
‘75Z(b)’.
- 17 Amendment of s 11 (End of tenure report [P&G, s 22])**
Section 11(1), ‘76(1)(b)’—
omit, insert—
‘76(b)’.
- 18 Amendment of s 14 (Surrender report for an authority to prospect [P&G, s 28])**
Section 14(1), ‘21(4)(c)(ii)’—
omit, insert—
‘21(4)(b)(ii)’.
- 19 Insertion of new s 43A**
Chapter 3, part 2—
insert—

‘43A Prescribed way for making applications, giving or lodging documents or making submissions

- ‘(1) For section 124AA(2)(b) of the Act, the prescribed way for doing any of the following is electronically using the online system on the department’s website—
- (a) the making of an application;
 - (b) the giving of a document to the Minister or the chief executive;
 - (c) the lodging of a document;
 - (d) the making of a submission.
- ‘(2) Also, the chief executive may, by notice given to the person making or giving a document mentioned in subsection (1), require the person to lodge a hard copy of the application, document or submission at the place required under section 124AA(2)(a) of the Act.
- ‘(3) An application, document or submission lodged electronically after 4.30p.m. on a working day and before 8.30a.m. on the next working day (the *later day*) is taken to have been lodged at 8.30a.m. on the later day.’.

20 Amendment of sch 2 (Fees)

- (1) Schedule 2, part 1, item 1, ‘21(4)(c)(i)’—
omit, insert—
‘21(4)(b)(i)’.
- (2) Schedule 2, part 1, item 2, ‘25I(b)’—
omit, insert—
‘25H(3)’.
- (3) Schedule 2, part 1, item 3, ‘25M(1)(j)(i)’—
omit, insert—
‘25M(1)(i)(i)’.
- (4) Schedule 2, part 1, item 4, ‘45(2A)(e)(i)’—

24 Amendment of s 22 (End of tenure report)

Section 22(1), ‘546(1)(b)’—

omit, insert—

‘546(b)’.

25 Amendment of s 51 (Confidentiality of required information for petroleum tenure holders)

Section 51(2)—

insert—

‘(k) for an infrastructure report required to be lodged under section 552A of the Act—the day that is 5 years after the day on which the report is required to be lodged.’.

26 Amendment of s 76 (Application for exemption)

Section 76(2)(d)—

omit, insert—

‘(d) be lodged at the office of the chief inspector.’.

27 Amendment of s 77 (Notice of application to be given to relevant coal or oil shale mining tenement holder)

Section 77(2)(b)—

omit, insert—

‘(b) a notice stating the holder may, within 20 business days after receiving the notice (the *submission period*), lodge submissions about the application at the office of the chief inspector.’.

28 Insertion of new s 154A

Chapter 6, part 3—

insert—

[s 29]

‘154A Prescribed way for making applications or giving or lodging documents

- ‘(1) For section 851AA(2)(b) of the Act, the prescribed way for doing any of the following is electronically using the online system on the department’s website—
- (a) the making of an application;
 - (b) the giving of a document to the Minister, chief executive or chief inspector;
 - (c) the lodging of a document.
- ‘(2) Also, the chief executive may, by notice given to the person making, giving or lodging a document mentioned in subsection (1), require the person to lodge a hard copy of the application or document at the place required under section 851AA(2)(a) of the Act.
- ‘(3) An application or document lodged electronically after 4.30p.m. on a working day and before 8.30a.m. on the next working day (the *later day*) is taken to have been lodged at 8.30a.m. on the later day.’.

29 Amendment of sch 9 (Fees)

- (1) Schedule 9, part 1, item 1, ‘37(e)’—
omit, insert—
‘37(d)’.
- (2) Schedule 9, part 1, item 2, ‘61(b)’—
omit, insert—
‘60(4)’.
- (3) Schedule 9, part 1, item 4, ‘82(1)(j)(i)’—
omit, insert—
‘82(1)(i)(i)’.
- (4) Schedule 9, part 1, item 5, ‘89(2)(c)’—
omit, insert—

-
- ‘89(2)(b)’.
- (5) Schedule 9, part 1, item 6, ‘93(2)(b)’—
omit, insert—
‘93(2)’.
- (6) Schedule 9, part 1, item 7, ‘104(h)’—
omit, insert—
‘104(g)’.
- (7) Schedule 9, part 1, item 8, ‘118(1)(g)’—
omit, insert—
‘118(f)’.
- (8) Schedule 9, part 1, item 10, ‘162(1)(h)(i)’—
omit, insert—
‘162(1)(g)(i)’.
- (9) Schedule 9, part 1, item 11, ‘172(h)’—
omit, insert—
‘172(g)’.
- (10) Schedule 9, part 1, item 13, ‘235(2)(c)(ii)’—
omit, insert—
‘235(2)(b)(ii)’.
- (11) Schedule 9, part 1, item 14, ‘372(1)(h)’—
omit, insert—
‘372(1)(g)’.
- (12) Schedule 9, part 1—
insert—
- ‘16 Application for approval to change production commencement day for petroleum lease to a new day—Act, s 175AB(d)..... 5 000.00’.
- (13) Schedule 9, part 2, item 1, ‘177(c)’—

[s 29]

omit, insert—

‘177(b)’.

- (14) Schedule 9, part 2, item 2, ‘191(c)’—

omit, insert—

‘191(b)’.

- (15) Schedule 9, part 2, item 3, ‘203(3)(c)’—

omit, insert—

‘203(3)(b)’.

- (16) Schedule 9, part 4, item 1, ‘395(2)(e)’—

omit, insert—

‘395(2)(d)’.

- (17) Schedule 9, part 4, item 2, ‘409(g)’—

omit, insert—

‘409(f)’.

- (18) Schedule 9, part 4, item 5, ‘445(g)’—

omit, insert—

‘445(f)’.

- (19) Schedule 9, part 4, item 7, ‘464(c)’—

omit, insert—

‘464(b)’.

- (20) Schedule 9, part 4, item 8, ‘475(c)’—

omit, insert—

‘475(b)’.

- (21) Schedule 9, part 4, item 9, ‘480(d)(i)’—

omit, insert—

‘480(c)(i)’.

- (22) Schedule 9, part 5, item 5, ‘576(1)(c)’—

omit, insert—

‘576(1)(b)’.

- (23) Schedule 9, part 6, item 1, ‘728A(c)’—

omit, insert—

‘728A(b)’.

- (24) Schedule 9, part 6, item 3, ‘728A(c)’—

omit, insert—

‘728A(b)’.

- (25) Schedule 9, part 6, item 5, ‘728A(c)’—

omit, insert—

‘728A(b)’.

- (26) Schedule 9, part 7, item 2, ‘622(2)(c)’—

omit, insert—

‘622(2)(b)’.

ENDNOTES

- 1 Made by the Governor in Council on 6 December 2012.
- 2 Notified in the gazette on 7 December 2012.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Natural Resources and Mines.