



Queensland

Mineral and Energy Resources and Other Legislation Amendment Regulation 2025

Subordinate Legislation 2025 No. 48

made under the

Geothermal Energy Act 2010

Greenhouse Gas Storage Act 2009

Land Court Act 2000

Mineral and Energy Resources (Common Provisions) Act 2014

Mineral Resources Act 1989

Petroleum Act 1923

Petroleum and Gas (Production and Safety) Act 2004

State Penalties Enforcement Act 1999

Contents

		Page
Part 1	Preliminary	
1	Short title	4
2	Commencement	4
Part 2	Amendment of Geothermal Energy Regulation 2022	
3	Regulation amended	4
4	Amendment of sch 4 (Annual rent)	4
Part 3	Amendment of Greenhouse Gas Storage Regulation 2021	
5	Regulation amended	4
6	Amendment of s 33 (Security for GHG authorities)	5
Part 4	Amendment of Mineral and Energy Resources (Common Provisions) Regulation 2016	
7	Regulation amended	5
8	Amendment, relocation and renumbering of s 33 (Arbitration election notice—Act, s 91A)	5
9	Insertion of new ch 6, pt 1 and pt 2, hdg	6

Contents

	Part 1	Arrangement for deferring payment of rent	
	Division 1	Preliminary	
	60A	Purpose of part	6
	60B	Application of part	6
	60C	Definitions for part	7
	Division 2	Arrangement	
	Subdivision 1	Making deferral declaration	
	60D	Declaration of hardship area	8
	60E	Content of deferral declaration	8
	60F	Instalments may only be annual	9
	60G	Different payment days	10
	60H	Time limit for payment day	10
	Subdivision 2	Amending deferral declaration	
	60I	Application of subdivision	10
	60J	Amending deferral declaration	10
	60K	Amendment to fix later payment day for deferred rent	11
	60L	Amendment to extend deferral period for payment of rent	11
	Division 3	Ending of arrangement	
	60M	References to deferral	12
	60N	Cessation of deferral on making of relevant application	12
	60O	Cessation of deferral on making or giving of surrender instrument	14
	60P	Cessation of deferral on ending of resource authority	14
	Part 2	Other provisions	
10		Amendment of sch 2 (Fees)	15
11		Amendment of sch 3 (Dictionary)	15
Part 5		Amendment of State Penalties Enforcement Regulation 2014	
12		Regulation amended	15
13		Amendment of sch 1 (Infringement notice offences and fines for nominated laws)	16
Part 6		Other amendments	
14		Legislation amended	16
Schedule 1		Other amendments	17
		Geothermal Energy Regulation 2022	17
		Greenhouse Gas Storage Regulation 2021	17
		Land Court Rules 2022	17

Mineral and Energy Resources (Common Provisions) Regulation 2016	
.....	18
Mineral Resources Regulation 2013	18
Petroleum and Gas (General Provisions) Regulation 2017	18

[s 1]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Mineral and Energy Resources and Other Legislation Amendment Regulation 2025*.

2 Commencement

This regulation commences on 19 June 2025.

Part 2 Amendment of Geothermal Energy Regulation 2022

3 Regulation amended

This part amends the *Geothermal Energy Regulation 2022*.

Note—

See also the amendment in schedule 1.

4 Amendment of sch 4 (Annual rent)

Schedule 4, ‘\$’—

omit, insert—

Fee units

Part 3 Amendment of Greenhouse Gas Storage Regulation 2021

5 Regulation amended

This part amends the *Greenhouse Gas Storage Regulation 2021*.

Note—

See also the amendments in schedule 1.

6 Amendment of s 33 (Security for GHG authorities)

Section 33(2)—

omit, insert—

- (2) For section 271(2)(b) of the Act, the following amounts are prescribed—
 - (a) for a GHG permit or proposed GHG permit—\$16,350;
 - (b) for a GHG lease or proposed GHG lease—\$47,690;
 - (c) for a GHG data acquisition authority or proposed GHG data acquisition authority—\$14,305.

Part 4 Amendment of Mineral and Energy Resources (Common Provisions) Regulation 2016

7 Regulation amended

This part amends the *Mineral and Energy Resources (Common Provisions) Regulation 2016*.

Note—

See also the amendments in schedule 1.

8 Amendment, relocation and renumbering of s 33 (Arbitration election notice—Act, s 91A)

- (1) Section 33, heading, ‘s 91A’—

omit, insert—

s 196N

- (2) Section 33(1), ‘section 91A(3)(f)’—
omit, insert—
section 196N(e)
- (3) Section 33(2)(a), ‘section 91A(4)’—
omit, insert—
section 91A(3)
- (4) Section 33—
relocate to chapter 6, part 2 as inserted by this regulation and
renumber as section 61A.

9 Insertion of new ch 6, pt 1 and pt 2, hdg

Before section 61—

insert—

Part 1 Arrangement for deferring payment of rent

Division 1 Preliminary

60A Purpose of part

For section 204B of the Act, this part provides for an arrangement for deferring the payment of rent payable for a resource authority because of hardship.

60B Application of part

This part does not apply in relation to the payment of rent that is required to be paid on the grant of a resource authority.

Example of rent required to be paid on grant of resource authority—

rental payable, under the Mineral Resources Act, section 290(1), on the grant of a mining lease for the first rental period for the lease

60C Definitions for part

In this part—

affected resource authority see section 60D(1).

deferral declaration see section 60D(2).

deferral period, for the payment of rent, means the period for which the payment of the rent is deferred under division 2.

deferred rent, for a resource authority, means rent payable for the authority the payment of which is deferred under division 2.

exceptional circumstances, affecting a resource authority, means exceptional circumstances that—

- (a) result in significant adverse economic impacts on the authority; and
- (b) are outside the control of the authority's holder.

Examples of exceptional circumstances that may satisfy paragraphs (a) and (b)—

a natural disaster, a pandemic

payment day means—

- (a) for deferred rent for a resource authority—the day on or before which the deferred rent must be paid; or
- (b) for an instalment of deferred rent for a resource authority—the day on or before which the instalment of the deferred rent must be paid.

Division 2 Arrangement

Subdivision 1 Making deferral declaration

60D Declaration of hardship area

- (1) This section applies if the Minister is satisfied a holder of a resource authority (an *affected resource authority*) is suffering hardship because of exceptional circumstances affecting the authority.
- (2) The Minister may, by notice (a *deferral declaration*) published on the department's website or the Queensland Government business and industry portal, declare an area comprising, or including, the authorised area for an affected resource authority as a hardship area.

60E Content of deferral declaration

- (1) A deferral declaration must state—
 - (a) the affected resource authorities to which the declaration relates; and
 - (b) details of the hardship being suffered by the holders of the authorities, including—
 - (i) the exceptional circumstances affecting the authorities; and
 - (ii) when the circumstances started; and
 - (c) each area declared as a hardship area; and
 - (d) that the payment of all or part of the rent that, but for the declaration, would have been payable by the holder of each affected resource authority, is deferred; and

- (e) if the payment of only part of the rent is deferred—the proportion of the rent that is deferred; and
 - (f) the period, of not more than 1 year, for which the payment of the rent is deferred; and
 - (g) the terms of payment of the deferred rent, including—
 - (i) whether the deferred rent is to be paid in instalments; and
 - (ii) the day on or before which the deferred rent must be paid or, if the deferred rent is to be paid in instalments, the day on or before which each instalment of the deferred rent must be paid.
- (2) For subsection (1)(a), the affected resource authorities may be stated by reference to either, or a combination of both, of the following—
- (a) all resource authorities of a particular type;
 - (b) a list of stated resource authorities.
- (3) For subsection (1)(c), an area may be declared as a hardship area by reference to either, or a combination of both, of the following—
- (a) an area comprising or including the authorised area for an affected resource authority;
 - (b) an area in a local government area.

60F Instalments may only be annual

Instalments for the payment of deferred rent may only be annual instalments.

60G Different payment days

The payment day for deferred rent, or each instalment of deferred rent, may be different for holders of different types of affected resource authorities.

60H Time limit for payment day

The payment day for deferred rent, or each instalment of deferred rent, for a resource authority must be within 5 years after the last day of the deferral period for the payment of rent.

Subdivision 2 Amending deferral declaration

60I Application of subdivision

This subdivision applies if the Minister—

- (a) has made a deferral declaration; and
- (b) is satisfied an amendment of the deferral declaration, under this subdivision, is appropriate because the holders of the affected resource authorities to which the declaration relates continue to suffer hardship because of exceptional circumstances affecting the authorities.

60J Amending deferral declaration

- (1) The Minister may, by notice published on the department's website or the Queensland Government business and industry portal, amend a deferral declaration under either or both of sections 60K and 60L.
- (2) However, the Minister may amend a deferral

declaration under this subdivision only before the day that is 20 business days before the last day of the current deferral period for the payment of rent.

60K Amendment to fix later payment day for deferred rent

- (1) The Minister may amend a deferral declaration to fix a later payment day for deferred rent.
- (2) However, the Minister may amend a deferral declaration under this section only once.
- (3) Also, the Minister may not amend a deferral declaration to fix a later payment day for an instalment of deferred rent.
- (4) Further, section 60H applies in relation to an amendment of a deferral declaration under this section.

60L Amendment to extend deferral period for payment of rent

- (1) The Minister may amend a deferral declaration to—
 - (a) extend a deferral period for payment of rent for a further period of not more than 1 year; and
 - (b) decide the terms of payment of the deferred rent for the further period, including—
 - (i) whether the deferred rent is to be paid in instalments; and
 - (ii) the day on or before which the deferred rent must be paid or, if the deferred rent is to be paid in instalments, the day on or before which each instalment of the deferred rent must be paid.
- (2) The Minister may amend a deferral declaration

under this section even if the Minister has previously amended the deferral declaration under this section (whether once or more than once).

- (3) Also, sections 60F to 60H apply in relation to an amendment of a deferral declaration under this section.

Division 3 Ending of arrangement

60M References to deferral

In this division, a reference to the deferral of the payment of rent under division 2 includes a reference to the authorisation under that division of the payment of the deferred rent on or before a stated day.

60N Cessation of deferral on making of relevant application

- (1) This section applies if—
 - (a) the payment of rent for a resource authority is deferred under division 2; and
 - (b) a relevant application for the authority is made.
- (2) The deferral of the payment of the rent stops applying in relation to the resource authority from the day the relevant application for the authority is made.
- (3) In this section—

relevant application, for a resource authority, means each of the following applications—

 - (a) an application to renew the authority;

- (b) an application for approval of a prescribed dealing, with the authority, that is an assessable transfer other than a transfer of a share in the authority;
- (c) an application, under a Resource Act, for another type of resource authority that, if granted—
 - (i) would be over all or part of the authorised area for the authority (the ***original authority***); and
 - (ii) would result in—
 - (A) the ending of the original authority; or
 - (B) the removal of part of the authorised area from the original authority;

Examples of applications for paragraph (c)—

- an application, for a mining tenement, mentioned in the Mineral Resources Act, section 177 or 226A
 - an ATP-related application under the P&G Act, section 117
 - a grant application under the P&G Act, section 908
 - an application for a geothermal lease under the Geothermal Act, section 77
 - a permit-related application under the Greenhouse Gas Act, section 113
- (d) if the authority is a petroleum tenure under the P&G Act—an application relating to the tenure under section 103, 107AA, 170A or 171 of that Act.

60O Cessation of deferral on making or giving of surrender instrument

- (1) This section applies if—
 - (a) the payment of rent for a resource authority is deferred under division 2; and
 - (b) a surrender instrument for the authority is made or given.
- (2) The deferral of the payment of the rent stops applying in relation to the resource authority from the day the surrender instrument for the authority is made or given.
- (3) In this section—

surrender instrument, for a resource authority, means any of the following made or given under the relevant Resource Act for the authority—

 - (a) an application to surrender the authority;
 - (b) an application to surrender all or part of the authorised area for the authority;
 - (c) a notice to surrender the authority.

60P Cessation of deferral on ending of resource authority

- (1) This section applies if—
 - (a) the payment of rent for a resource authority is deferred under division 2; and
 - (b) the authority is cancelled or terminated, or otherwise ends, under a Resource Act.
- (2) The deferral of the payment of the rent stops applying in relation to the resource authority from the day the authority is cancelled or terminated or otherwise ends.

Part 2 Other provisions

10 Amendment of sch 2 (Fees)

Schedule 2, item 1, after ‘authority’—

insert—

or an application for a mining lease

11 Amendment of sch 3 (Dictionary)

Schedule 3—

insert—

affected resource authority, for chapter 6, part 1, see section 60D(1).

deferral declaration, for chapter 6, part 1, see section 60D(2).

deferral period, for the payment of rent, for chapter 6, part 1, see section 60C.

deferred rent, for a resource authority, for chapter 6, part 1, see section 60C.

exceptional circumstances, affecting a resource authority, for chapter 6, part 1, see section 60C.

payment day, for chapter 6, part 1, see section 60C.

Part 5 Amendment of State Penalties Enforcement Regulation 2014

12 Regulation amended

This part amends the *State Penalties Enforcement Regulation 2014*.

[s 13]

13 Amendment of sch 1 (Infringement notice offences and fines for nominated laws)

Schedule 1, entry for *Fossicking Act 1994*, entry for section 27(4)—

omit.

Part 6 Other amendments

14 Legislation amended

Schedule 1 amends the legislation it mentions.

Schedule 1 Other amendments

section 14

Geothermal Energy Regulation 2022

1 Section 37(1), ‘section 196(1)’—

omit, insert—

section 196(2)

Greenhouse Gas Storage Regulation 2021

1 Section 10, note—

omit.

2 Section 28(1), ‘section 261(1)’—

omit, insert—

section 261(2)

Land Court Rules 2022

1 Rule 48(1)(c), ‘section 88(5)’—

omit, insert—

section 88(4)

Mineral and Energy Resources (Common Provisions) Regulation 2016

1 Section 4(1)(b), ‘paragraph (b)’—

omit, insert—

paragraph (a)

2 Section 15(1) and (3), ‘section 26(2)(a)’—

omit, insert—

section 26(3)(a)

Mineral Resources Regulation 2013

1 Section 22, ‘section 276(1)(m)’—

omit, insert—

section 276(1)(n)

2 Section 29A(2)(d), before ‘any’—

insert—

include

Petroleum and Gas (General Provisions) Regulation 2017

1 Section 52(1), ‘section 550(1)’—

omit, insert—

section 550(2)

2 Section 52(1), ‘section 76D(1)’—

omit, insert—

section 76D(2)

3 Section 72, ‘For of’—

omit, insert—

For the

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 12 June 2025.
- 2 Notified on the Queensland legislation website on 13 June 2025.
- 3 The administering agency is the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development.

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