

2019

The Parliament of the  
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

*As passed by both Houses*

**Timor Sea Maritime Boundaries Treaty  
Consequential Amendments Bill 2019**

**No.     , 2019**

**A Bill for an Act to amend laws relating to certain  
areas and boundaries in the Timor Sea, and for  
related purposes**



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1     **A Bill for an Act to amend laws relating to certain**  
2     **areas and boundaries in the Timor Sea, and for**  
3     **related purposes**

4     The Parliament of Australia enacts:

5     **1 Short title**

6                     This Act is the *Timor Sea Maritime Boundaries Treaty*  
7                     *Consequential Amendments Act 2019*.

8     **2 Commencement**

9                     (1) Each provision of this Act specified in column 1 of the table  
10                     commences, or is taken to have commenced, in accordance with

1 column 2 of the table. Any other statement in column 2 has effect  
 2 according to its terms.  
 3

| <b>Commencement information</b>   |   |  |
|---|---|--|
| <b>Column 1</b>   | <b>Column 2</b>   | <b>Column 3</b>  |
| <b>Provisions</b>   | <b>Commencement</b>   | <b>Date/Details</b>  |
| 1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table | The day this Act receives the Royal Assent.   |  |
| 2. Schedule 1   | <p>The day the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018 enters into force for Australia.</p> <p>The Minister must announce, by notifiable instrument, the day the treaty enters into force.</p>   |  |
| 3. Schedule 2   | <p>A single day to be fixed by Proclamation.</p> <p>A Proclamation must not specify a day that occurs before the Greater Sunrise Production Sharing Contract (within the meaning of the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018) comes into force.</p> |  |
| 4. Schedule 3   | The day the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018 enters into force for Australia.   |  |
| 4   | Note:   | This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act. |
| 5   |   |  |
| 6   |   |  |
| 7   | (2) Any information in column 3 of the table is not part of this Act.   |  |
| 8   | Information may be inserted in this column, or information in it  |  |
| 9   | may be edited, in any published version of this Act.  |  |



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1     **3 Schedules**

2             Legislation that is specified in a Schedule to this Act is amended or  
3             repealed as set out in the applicable items in the Schedule  
4             concerned, and any other item in a Schedule to this Act has effect  
5             according to its terms.

## Schedule 1—Provisions commencing when new treaty comes into force

## Part 1—Amendment of the Admiralty Act 1988

## *Admiralty Act 1988*

**1 Subsection 22(5) (note to the definition of *innocent***  
***passage*)**

Omit “the Schedule”, substitute “Schedule 1”.

1 **Part 2—Amendment of the Australian Jobs Act 2013**

2 *Australian Jobs Act 2013*

3 **2 Subparagraphs 7(1)(d)(i) and 117(1)(b)(i)**

4 After “2006”, insert “and outside the Greater Sunrise special regime  
5 area (within the meaning of the *Seas and Submerged Lands Act 1973*)”.

1 **Part 3—Amendment of the Australian Postal**  
2 **Corporation Act 1989**

3 *Australian Postal Corporation Act 1989*

4 **3 Subsection 9(4) (definition of offshore area)**

5 Repeal the definition, substitute:

6 *offshore area:*

- 7 (a) of a State or a Territory other than the Northern Territory, has  
8 the same meaning as in the *Offshore Petroleum and*  
9 *Greenhouse Gas Storage Act 2006*; and  
10 (b) of the Northern Territory, has the same meaning as Principal  
11 Northern Territory offshore area has in that Act.

1 **Part 4—Amendment of the Building and**  
2 **Construction Industry (Improving**  
3 **Productivity) Act 2016**

4 ***Building and Construction Industry (Improving Productivity)***  
5 ***Act 2016***

6 **4 Section 5**

7 Insert:

8 *Greater Sunrise special regime area* has the same meaning as in  
9 the *Seas and Submerged Lands Act 1973*.

10 **5 At the end of section 11**

11 Add:

12 *Modifications relating to Greater Sunrise special regime area*

- 13 (3) Despite subsections (1) and (2), if the rules prescribe modifications  
14 of this Act, or specified provisions of this Act, for its operation  
15 under subsection (1) or (2) in relation to all or part of the Greater  
16 Sunrise special regime area then, so far as this Act would, apart  
17 from this subsection, extend to the area or part, it has effect as so  
18 modified.
- 19 (4) For the purposes of subsection (3), the rules may prescribe  
20 different modifications relating to different parts of the Greater  
21 Sunrise special regime area.

22 *Extension relating to Greater Sunrise special regime area*

- 23 (5) Despite subsection 13AB(1) of the *Seas and Submerged Lands Act*  
24 *1973*:
- 25 (a) an extension of this Act under subsection (1) of this section  
26 has effect; and
- 27 (b) an extension of this Act, or a provision of this Act, because  
28 of rules made for the purposes of subsection (2) of this  
29 section may (subject to those rules) have effect;

## Act 2016

8 *Timor Sea Maritime Boundaries Treaty Consequential Amendments* No. , 2019  
Bill 2019

1 **Part 5—Amendment of the Clean Energy Regulator**  
2 **Act 2011**

3 *Clean Energy Regulator Act 2011*

4 **6 Section 4 (definition of *Joint Petroleum Development Area*)**

5 Repeal the definition.

6 **7 Section 9**

7 Repeal the section, substitute:

8 **9 Extension to Greater Sunrise special regime area**

9 (1) Despite subsection 13AB(1) of the *Seas and Submerged Lands Act*  
10 *1973*, this Act extends to acts, omissions, matters and things  
11 directly or indirectly connected with the exploration of, or  
12 exploitation of the natural resources of, the continental shelf in the  
13 Greater Sunrise special regime area (within the meaning of that  
14 Act).

15 (2) This section does not limit section 8.

1 **Part 6—Amendment of the Climate Change Authority**  
2 **Act 2011**

3 *Climate Change Authority Act 2011*

4 **8 Section 4 (definition of *Joint Petroleum Development Area*)**

5 Repeal the definition.

6 **9 Section 9**

7 Repeal the section, substitute:

8 **9 Extension to Greater Sunrise special regime area**

9 (1) Despite subsection 13AB(1) of the *Seas and Submerged Lands Act*  
10 *1973*, this Act extends to acts, omissions, matters and things  
11 directly or indirectly connected with the exploration of, or  
12 exploitation of the natural resources of, the continental shelf in the  
13 Greater Sunrise special regime area (within the meaning of that  
14 Act).

15 (2) This section does not limit section 8.



1 **Part 7—Amendment of the Crimes at Sea Act 2000**

2 **Division 1—Amendments**

3 *Crimes at Sea Act 2000*

4 **10 Section 4**

5 Insert:

6 *Greater Sunrise special regime area* has the same meaning as in  
7 the *Seas and Submerged Lands Act 1973*.

8 **11 Section 4**

9 Repeal the following definitions:

- 10 (a) definition of *Joint Petroleum Development Area*;  
11 (b) definition of *petroleum*.

12 **12 Section 4**

13 Insert:

14 *petroleum activities* has the same meaning as Petroleum Activities  
15 has in the Treaty between Australia and the Democratic Republic  
16 of Timor-Leste Establishing their Maritime Boundaries in the  
17 Timor Sea done at New York on 6 March 2018, as in force from  
18 time to time.

19 Note: The Treaty could in 2019 be viewed in the Australian Treaties Library  
20 on the AustLII website (<http://www.austlii.edu.au>).

21 **13 Part 3A (heading)**

22 Omit “**East Timor**”, substitute “**Timor-Leste**”.

23 **14 Section 6A (heading)**

24 Omit “**Joint Petroleum Development Area**”, substitute “**Greater**  
25 **Sunrise special regime area**”.

**15 Subsection 6A(1)**

Omit “Joint Petroleum Development Area that is connected with, or arises out of, the exploration for, or exploitation of, petroleum resources”, substitute “Greater Sunrise special regime area that is connected with, or arises out of, petroleum activities”.

**16 Paragraphs 6A(2)(b) and (c) and (3)(a), (b) and (c)**

Omit “East Timor”, substitute “Timor-Leste”.

**17 Subsection 6A(6)**

Repeal the subsection, substitute:

(6) The Commonwealth and Northern Territory laws of criminal investigation, procedure and evidence from time to time apply to a criminal act done in the Greater Sunrise special regime area that is connected with, or arises out of, petroleum activities in the same way as those laws would apply to a maritime offence under clause 3 of Schedule 1 if in paragraph (2)(b) of that clause:

- (a) a reference to a State or to the State were a reference to the Northern Territory; and
- (b) the reference to the area of administrative responsibility for the relevant State were a reference to the Greater Sunrise special regime area.

**18 Subsection 6A(7) (definition of State)**

Repeal the definition.

**19 Section 6B (heading)**

Omit “East Timor”, substitute “Timor-Leste”.

**20 Subsection 6B(1)**

Omit “East Timor” (first and second occurring), substitute “Timor-Leste”.

**21 Subsection 6B(1)**

Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise special regime area”.

1     **22 Subparagraphs 6B(1)(b)(iii) and (iv)**

2             Omit “East Timor”, substitute “Timor-Leste”.

3     **23 Section 6C (heading)**

4             Omit “Joint Petroleum Development Area”, substitute “Greater  
5             Sunrise special regime area”.

6     **24 Subsection 6C(1)**

7             Omit “East Timor”, substitute “Timor-Leste”.

8     **25 Subsection 6C(1)**

9             Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise  
10            special regime area”.

11    **26 Paragraph 6C(2)(a)**

12            Omit “East Timor”, substitute “Timor-Leste”.

13    **27 Subparagraph 6C(2)(b)(i)**

14            Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise  
15            special regime area”.

16    **28 Subparagraph 6C(2)(b)(i)**

17            Omit “East Timor”, substitute “Timor-Leste”.

18    **29 Subparagraphs 6C(2)(b)(ii) and (c)(i)**

19            Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise  
20            special regime area”.

21    **30 Subparagraph 6C(2)(c)(i)**

22            Omit “East Timor”, substitute “Timor-Leste”.

23    **31 Subparagraph 6C(2)(c)(ii)**

24            Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise  
25            special regime area”.

26    **32 Subparagraph 6C(2)(c)(ii)**

27            Omit “East Timor”, substitute “Timor-Leste”.

### 33 Subsection 6C(3)

Omit “East Timor”, substitute “Timor-Leste”.

### 34 Subclause 1(1) of Schedule 1 (definition of *Joint Petroleum Development Area*)

Repeal the definition.

### 35 Clause 10 of Schedule 1

Repeal the clause.

### 36 Subclause 14(3) of Schedule 1

Repeal the subclause, substitute:

(3) The *adjacent area* for Western Australia is:

(a) so much of the area described in Schedule 1 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Commonwealth) in relation to Western Australia as is within the outer limits of the continental shelf; and

(b) the space above and below the area described in paragraph (a).

**37 Paragraph 14(4)(a) of Schedule 1**

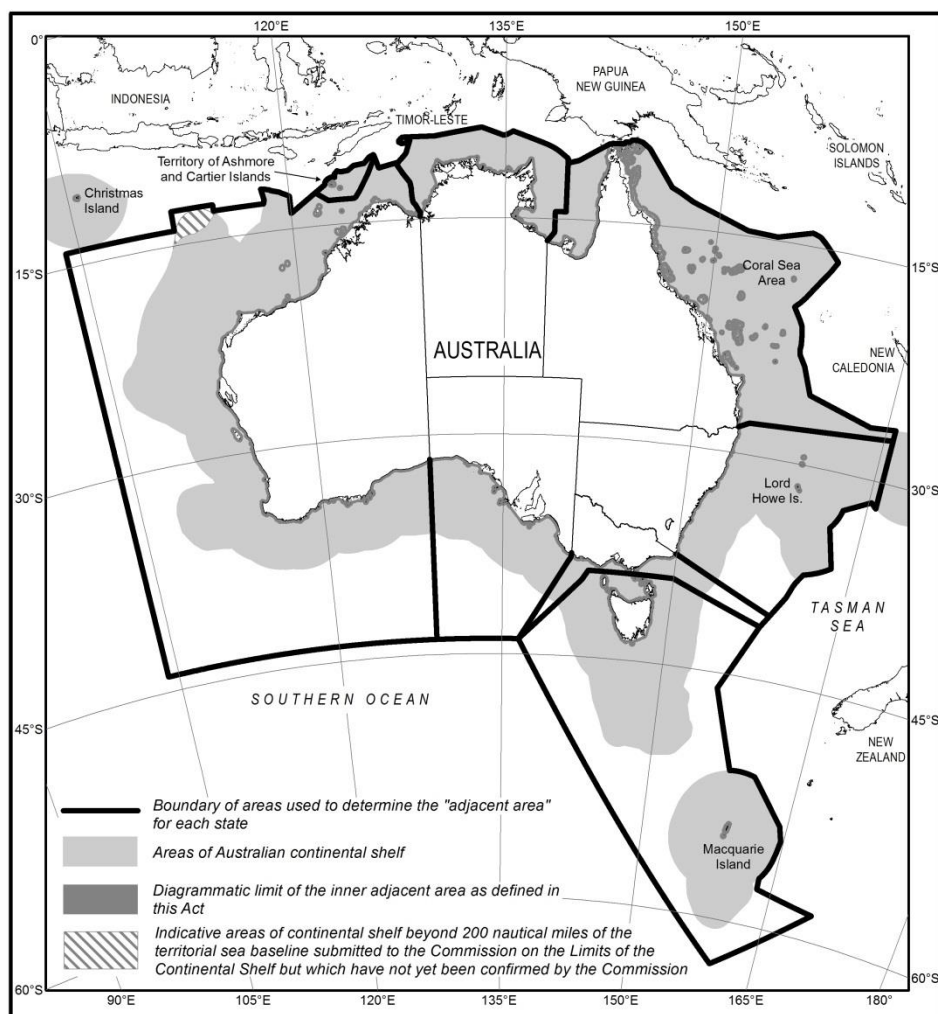
Repeal the paragraph, substitute:

(a) so much of the area described in Schedule 1 to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Commonwealth) in relation to the Northern Territory as is within the outer limits of the continental shelf; and

### 38 Appendix 1 to Schedule 1

Repeal the Appendix, substitute:

## Appendix 1—Indicative map



## Division 2—Application provisions

### 39 Application of amendments

The amendments of the *Crimes at Sea Act 2000* made by this Part apply in relation to acts that:

- (a) occur on or after the commencement of this Part; and

**Schedule 1** Provisions commencing when new treaty comes into force  
**Part 7** Amendment of the Crimes at Sea Act 2000

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1 (b) contravene a law, may contravene a law or would if they  
2 occurred in a particular place contravene a law, whether the  
3 law is a law of the Commonwealth, a State, a Territory or  
4 Timor-Leste.

5 Note: In this item, the word “acts” includes omissions (see the definitions of *act* in the *Crimes*  
6 *at Sea Act 2000*, including Schedule 1 to that Act, which apply to this item because of  
7 section 11B of the *Acts Interpretation Act 1901*).

1 **Part 8—Amendment of the Customs Act 1901**

2 ***Customs Act 1901***

3 **40 Subsection 4(1) (definition of *Australian seabed*)**

4 Omit “(other than the seabed within the Joint Petroleum Development  
5 Area)”.

6 **41 Subsection 4(1)**

7 Insert:

8 *Greater Sunrise special regime area* has the same meaning as in  
9 the *Seas and Submerged Lands Act 1973*.

10 **42 Subsection 4(1) (definition of *Joint Petroleum***  
11 ***Development Area*)**

12 Repeal the definition.

13 **43 Subsection 4(1) (paragraphs (a) and (b) of the definition of**  
14 ***place outside Australia*)**

15 Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise  
16 special regime area”.

17 **44 Subsection 4(1)**

18 Insert:

19 *resources installation in the Greater Sunrise special regime area*  
20 means a resources installation that is attached to the seabed in the  
21 Greater Sunrise special regime area.

22 **45 Subsection 4(1) (definition of *resources installation in the***  
23 ***Joint Petroleum Development Area*)**

24 Repeal the definition.

25 **46 Subsection 4(1)**

26 Insert:

***Timor Sea Maritime Boundaries Treaty*** means the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018, as in force from time to time.

Note: The Treaty could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

***Timor Sea petroleum activities purpose***, in relation to goods, means the purpose of the goods being:

- (a) taken to a resources installation that is attached to the seabed:
  - (i) in the Greater Sunrise special regime area; or
  - (ii) in the Greater Sunrise pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*; or
  - (iii) above the Bayu-Undan Gas Field within the meaning of the Timor Sea Maritime Boundaries Treaty; or
  - (iv) in the Bayu-Undan pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*; or
  - (v) above the Kitan Oil Field within the meaning of the Timor Sea Maritime Boundaries Treaty; and
- (b) used at the resources installation for a purpose related to Petroleum Activities within the meaning of the Timor Sea Maritime Boundaries Treaty.

#### **47 Subsection 4(9A)**

Repeal the subsection, substitute:

- (9A) If it is necessary to determine whether a resources installation is attached to the seabed (the ***relevant seabed***):
- (a) in the Greater Sunrise special regime area; or
  - (b) in the Greater Sunrise pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*; or
  - (c) above the Bayu-Undan Gas Field within the meaning of the Timor Sea Maritime Boundaries Treaty; or
  - (d) in the Bayu-Undan pipeline international offshore area within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*; or



1 (e) above the Kitan Oil Field within the meaning of the Timor  
2 Sea Maritime Boundaries Treaty;  
3 subsection (9) has effect as if a reference in that subsection to the  
4 Australian seabed were a reference to the relevant seabed.

5 **48 Subsection 58B(1) (definition of *external place*)**

6 Omit “East Timor”, substitute “Timor-Leste”.

7 **49 Subsection 58B(2)**

8 Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise  
9 special regime area”.

10 **50 Subsection 58B(2)**

11 Omit “East Timor”, substitute “Timor-Leste”.

12 **51 Subsection 58B(3)**

13 Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise  
14 special regime area”.

15 **52 Subsection 58B(3)**

16 Omit “East Timor”, substitute “Timor-Leste”.

17 **53 Subsection 58B(4)**

18 Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise  
19 special regime area”.

20 **54 Subsection 58B(4)**

21 Omit “East Timor”, substitute “Timor-Leste”.

22 **55 Subsection 58B(5)**

23 Omit “Joint Petroleum Development Area”, substitute “Greater Sunrise  
24 special regime area”.

25 **56 Subsection 58B(5)**

26 Omit “East Timor”, substitute “Timor-Leste”.

27 **57 Section 131AA**

28 Repeal the section, substitute:

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**131AA No duty on goods for Timor Sea petroleum activities purpose**

- 2 (1) Goods taken out of Australia for the Timor Sea petroleum activities  
3 purpose are not liable to any duty of Customs in relation to the  
4 taking of the goods out of Australia.
- 5 (2) Goods brought into Australia for the Timor Sea petroleum  
6 activities purpose are not liable to any duty of Customs in relation  
7 to the bringing of the goods into Australia.

**Part 9—Amendment of the Customs Tariff Act 1995**

***Customs Tariff Act 1995***

**58 Subsection 3(1) (definition of *petroleum activity*)**

Repeal the definition.

**59 Subsection 3(1)**

Insert:

***Timor Sea Maritime Boundaries Treaty*** means the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018, as in force from time to time.

Note: The Timor Sea Maritime Boundaries Treaty could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

**60 Schedule 4 (table item 14)**

Repeal the item, substitute:

- 14 Goods, as prescribed by by-law, that are for use Free  
in an activity that is one of the Petroleum  
Activities within the meaning of the Timor Sea  
Maritime Boundaries Treaty and takes place in:
- (a) the Greater Sunrise special regime area  
within the meaning of the *Seas and  
Submerged Lands Act 1973*; or
  - (b) the Greater Sunrise pipeline international  
offshore area within the meaning of the  
*Offshore Petroleum and Greenhouse Gas  
Storage Act 2006*; or
  - (c) the area in or above the Bayu-Undan Gas  
Field within the meaning of the Timor Sea  
Maritime Boundaries Treaty; or
  - (d) the Bayu-Undan pipeline international  
offshore area within the meaning of the  
*Offshore Petroleum and Greenhouse Gas  
Storage Act 2006*; or

(e) the area in or above the Kitan Oil Field  
within the meaning of the Timor Sea  
Maritime Boundaries Treaty

**Part 10—Amendment of the Environment Protection  
and Biodiversity Conservation Act 1999**

***Environment Protection and Biodiversity Conservation Act  
1999***

**61 Paragraphs 5(3)(a), (b) and (c)**

Repeal the paragraphs, substitute:

- (a) Australian nationals; and
- (b) Australian permanent residents; and

**62 After subsection 5(4)**

Insert:

*Application in Greater Sunrise special regime area*

- (4A) Despite subsections (2) and (4), a provision of this Act that has effect in relation to a place that is in or above the Greater Sunrise special regime area applies only in relation to:
- (a) Australian nationals who are not nationals or permanent residents of Timor-Leste; and
  - (b) Australian permanent residents who are not nationals or permanent residents of Timor-Leste; and
  - (c) the Commonwealth; and
  - (d) Commonwealth agencies; and
  - (e) the States; and
  - (f) the self-governing Territories; and
  - (g) agencies of the States or self-governing Territories; and
  - (h) Australian aircraft; and
  - (i) Australian vessels; and
  - (j) members of crews of Australian aircraft and Australian vessels (including persons in charge of aircraft or vessels); and
  - (k) persons, aircraft or vessels declared under subsection (4B) to be subject to the provision.

(4B) The Minister may, by notifiable instrument, declare all or any of one or more of the following to be subject to a provision of this Act, if the Minister is satisfied that Timor-Leste has agreed to them being subject to the provision as it has effect in relation to a place that is in or above the Greater Sunrise special regime area:

- (a) nationals of a foreign country who are not nationals or permanent residents of Timor-Leste;
- (b) aircraft with the nationality of a foreign country other than Timor-Leste;
- (c) vessels with the nationality of a foreign country other than Timor-Leste;
- (d) members of crews (including persons in charge) of aircraft or vessels described in paragraph (b) or (c).

(4C) Despite subsections (2), (4) and (4A), a provision of this Act that has effect in relation to a place that is in or above the Greater Sunrise special regime area does not apply in relation to an act, omission, matter or thing that relates to any of the Petroleum Activities within the meaning of the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018, as in force from time to time.

Note: The Treaty could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

(4D) Subsection 13AB(1) of the *Seas and Submerged Lands Act 1973* does not affect the application of a provision of this Act.

Note: Subsection 13AB(1) of the *Seas and Submerged Lands Act 1973* provides that a law of the Commonwealth does not apply in relation to an act, omission, matter or thing directly or indirectly connected with the exploration of, or exploitation of the natural resources of, the continental shelf in the Greater Sunrise special regime area.

## **63 Subsection 5(5)**

Insert:

***Australian national*** means:

- (a) an Australian citizen; or
- (b) a corporation incorporated in Australia or an external Territory.

***Australian permanent resident*** means a person who:

- (a) is not an Australian citizen; and
- (b) holds a permanent visa under the *Migration Act 1958*; and
- (c) is domiciled in Australia or an external Territory.

***Greater Sunrise special regime area*** has the same meaning as in the *Seas and Submerged Lands Act 1973*.

***national*** of a foreign country means:

- (a) a citizen of the country; or
- (b) a corporation incorporated in the country.

#### **64 Paragraphs 224(2)(a), (b) and (c)**

Repeal the paragraphs, substitute:

- (a) Australian nationals; and
- (b) Australian permanent residents; and

#### **65 Section 528**

Insert:

***Australian national*** has the meaning given by subsection 5(5).

***Australian permanent resident*** has the meaning given by subsection 5(5).

#### **66 Section 528 (definition of *continental shelf*)**

Repeal the definition, substitute:

***continental shelf*** means:

- (a) the continental shelf (as defined in the *Seas and Submerged Lands Act 1973*) of Australia (including its external Territories); or
- (b) the Greater Sunrise special regime area.

#### **67 Section 528**

Insert:

***Greater Sunrise special regime area*** has the meaning given by subsection 5(5).

**Part 10** Amendment of the Environment Protection and Biodiversity Conservation Act 1999

2



**Part 11—Amendment of the Environment Protection  
(Sea Dumping) Act 1981**

***Environment Protection (Sea Dumping) Act 1981***

**68 Subsection 4(1)**

Insert:

***Australian platform*** means a platform in Australian waters that is:

(a) owned by:

(i) an Australian citizen; or

(ii) a person who holds a permanent visa under the  
*Migration Act 1958* and is domiciled in Australia or an  
external Territory; or

(iii) a corporation incorporated in Australia or an external  
Territory; or

(iv) the Commonwealth, a State, a Territory or an authority  
of the Commonwealth, a State or a Territory; or

(b) operated by:

(i) a corporation incorporated in Australia or an external  
Territory; or

(ii) the Commonwealth, a State, a Territory or an authority  
of the Commonwealth, a State or a Territory; or

(c) prescribed by regulations made for the purposes of this  
paragraph as being an Australian platform;

except a platform prescribed by the regulations as not being an  
Australian platform.

Note: For prescription by class, see subsection 13(3) of the *Legislation Act 2003*.

***Greater Sunrise special regime area*** has the same meaning as in  
the *Seas and Submerged Lands Act 1973*.

**69 After section 4B**

Insert:

**4C Application of Act in relation to Greater Sunrise special regime area**

*Limit on issuing permits*

- (1) The Minister must not issue a permit in relation to the Greater Sunrise special regime area unless:
- (a) the Minister has first consulted Timor-Leste about issuing the permit; or
  - (b) a declaration is in force under subsection (2) and the issue of the permit is within the scope of the agreement to which the declaration relates.
- (2) The Minister may, by notifiable instrument, declare that Timor-Leste has notified Australia that Timor-Leste agrees to the issue of permits under this Act in relation to the Greater Sunrise special regime area, either generally or in particular circumstances.

Note: The declaration can be revoked: see subsection 33(3) of the *Acts Interpretation Act 1901*.

*Limit on inspectors exercising powers*

- (3) An inspector must not exercise powers under this Act in or above the Greater Sunrise special regime area in relation to:
- (a) a vessel other than an Australian vessel; or
  - (b) an aircraft other than an Australian aircraft; or
  - (c) a platform other than an Australian platform;
- unless:
- (d) the Minister has first consulted Timor-Leste about the exercise of powers by inspectors in the Greater Sunrise special regime area in relation to that vessel, aircraft or platform; or
  - (e) a declaration is in force under subsection (4) and the exercise of the powers is within the scope of the agreement to which the declaration relates.
- (4) The Minister may, by notifiable instrument, declare that Timor-Leste has notified Australia that Timor-Leste agrees to the exercise by inspectors of powers under this Act in or above the

Greater Sunrise special regime area, either generally or in particular circumstances.

Note: The declaration can be revoked: see subsection 33(3) of the *Acts Interpretation Act 1901*.

- (5) The validity of the exercise of a power is not affected by a failure to comply with subsection (3).

*Act not limited by the Seas and Submerged Lands Act 1973*

- (6) Subsection 13AB(1) of the *Seas and Submerged Lands Act 1973* does not affect the application of a provision of this Act.

Note: Subsection 13AB(1) of the *Seas and Submerged Lands Act 1973* provides that a law of the Commonwealth does not apply in relation to an act, omission, matter or thing directly or indirectly connected with the exploration of, or exploitation of the natural resources of, the continental shelf in the Greater Sunrise special regime area.

## **70 Section 5**

Before “This Act”, insert “(1)”.

## **71 At the end of section 5**

Add:

- (2) This Act does not apply in relation to the disposal or storage, in the Greater Sunrise special regime area or the waters above it, of a vessel, aircraft or platform directly arising from, or related to, the exploration, exploitation and associated off-shore processing, of seabed mineral resources.

1 **Part 12—Amendment of the Fair Work Act 2009**

2 ***Fair Work Act 2009***

3 **72 Section 12 (definition of *continental shelf*)**

4 Repeal the definition, substitute:

5 ***continental shelf*** means:

- 6 (a) the continental shelf (as defined in the *Seas and Submerged*  
7 *Lands Act 1973*) of Australia (including its external  
8 Territories); and  
9 (b) the Greater Sunrise special regime area (as defined in the  
10 *Seas and Submerged Lands Act 1973*).

11 **73 At the end of section 33**

12 Add:

13 *Extension relating to Greater Sunrise special regime area*

- 14 (6) Despite subsection 13AB(1) of the *Seas and Submerged Lands Act*  
15 *1973*:

- 16 (a) an extension of this Act under subsection (1) of this section  
17 has effect; and  
18 (b) an extension of this Act, or a provision of this Act, because  
19 of regulations made for the purposes of subsection (3) of this  
20 section may (subject to those regulations) have effect;

21 in relation to acts, omissions, matters and things directly or  
22 indirectly connected with the exploration of, or exploitation of the  
23 natural resources of, the continental shelf in the Greater Sunrise  
24 special regime area. This subsection has effect whether or not the  
25 extension is affected by subsection (4) of this section.

1 **Part 13—Amendment of the International**  
2 **Organisations (Privileges and Immunities)**  
3 **Act 1963**

4 *International Organisations (Privileges and Immunities) Act*  
5 *1963*

6 **74 Section 5B**

7 Repeal the section.

1       **Part 14—Amendment of the Migration Act 1958**

2       *Migration Act 1958*

3       **75 Subsection 5(1) (definition of *Australian seabed*)**

4               Omit “(other than the seabed within the Joint Petroleum Development  
5               Area)”.

6       **76 Subsection 5(1) (definition of *Joint Petroleum***  
7               *Development Area*)

8               Repeal the definition.

1 **Part 15—Amendment of the National Greenhouse**  
2 **and Energy Reporting Act 2007**

3 **Division 1—Amendments**

4 *National Greenhouse and Energy Reporting Act 2007*

5 **77 Subsection 6A(2)**

6 Repeal the subsection, substitute:

7 (2) Despite subsection 13AB(1) of the *Seas and Submerged Lands Act*  
8 *1973*, this Act extends to acts, omissions, matters and things  
9 directly or indirectly connected with the exploration of, or  
10 exploitation of the natural resources of, the continental shelf in the  
11 Greater Sunrise special regime area.

12 (3) Subsection (2) does not limit subsection (1).

13 (4) Despite subsections (1) and (2), the safeguard provisions do not  
14 apply to a facility in the Greater Sunrise special regime area.

15 **78 Section 6B**

16 Repeal the section.

17 **79 Section 7**

18 Insert:

19 *Greater Sunrise special regime area* has the same meaning as in  
20 the *Seas and Submerged Lands Act 1973*.

21 **80 Section 7**

22 Repeal the following definitions:

23 (a) definition of *Greater Sunrise unit area*;

24 (b) definition of *Joint Petroleum Development Area*.

1 **Division 2—Transitional provisions**

2 **81 Transitional provisions for reporting on facilities in Joint**  
3 **Petroleum Development Area if this Part does not**  
4 **commence on 1 July**

- 5 (1) This item applies in relation to a facility and a financial year if:
- 6 (a) this Part commences at a time in the financial year after the
- 7 start of the financial year; and
- 8 (b) during the part of the financial year before the
- 9 commencement of this Part (the *pre-commencement period*),
- 10 the facility was operated in the Joint Petroleum Development
- 11 Area and outside the Greater Sunrise unit area.
- 12 (2) A report by a corporation under section 19 of the *National Greenhouse*
- 13 *and Energy Reporting Act 2007* relating to the facility and the financial
- 14 year must relate to the:
- 15 (a) greenhouse gas emissions; and
- 16 (b) energy production; and
- 17 (c) energy consumption;
- 18 from the operation of the facility for only so much of the
- 19 pre-commencement period as the facility was under the operational
- 20 control of the corporation and entities that are members of the
- 21 corporation's group.
- 22 (3) A report by a corporation under section 22G of the *National*
- 23 *Greenhouse and Energy Reporting Act 2007* relating to the facility and
- 24 the financial year must relate to the:
- 25 (a) greenhouse gas emissions; and
- 26 (b) energy production; and
- 27 (c) energy consumption;
- 28 from the operation of the facility for only so much of the
- 29 pre-commencement period as the corporation was the holder of a
- 30 reporting transfer certificate in relation to the facility.
- 31 (4) A report by the responsible member under section 22X of the *National*
- 32 *Greenhouse and Energy Reporting Act 2007* relating to the facility and
- 33 the financial year must relate to the:
- 34 (a) greenhouse gas emissions; and



- 1 (b) energy production; and
- 2 (c) energy consumption;
- 3 from the operation of the facility for only so much of the
- 4 pre-commencement period as the facility was under the operational
- 5 control of the responsible member.

## Part 16—Amendment of the Navigation Act 2012

### *Navigation Act 2012*

#### 82 Subsection 14(1)

Insert:

*Australian-based foreign Greater Sunrise vessel* means a foreign Greater Sunrise vessel that operates from an Australian port.

*foreign-based foreign Greater Sunrise vessel* means a foreign Greater Sunrise vessel that operates from a port in a foreign country other than Timor-Leste.

*foreign Greater Sunrise vessel* means a foreign vessel that:

- (a) does not have the nationality of Timor-Leste; and
- (b) is engaged in Petroleum Activities (within the meaning of the Timor Sea Maritime Boundaries Treaty) in the Greater Sunrise special regime area; and
- (c) is at, or travelling to or from, a Special Regime Installation (within the meaning of that treaty).

*Greater Sunrise special regime area* has the same meaning as in the *Seas and Submerged Lands Act 1973*.

*Timor Sea Maritime Boundaries Treaty* means the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018, as in force from time to time.

Note: The Timor Sea Maritime Boundaries Treaty could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

#### 83 Subsection 139(2)

Omit “Division 2” (wherever occurring), substitute “Division 2 or 3A”.

#### 84 At the end of subsection 139(3)

Add:

; or (h) an Australian-based foreign Greater Sunrise vessel.

1 **85 After Division 3 of Part 3 of Chapter 4**

2 Insert:

3 **Division 3A—Australian-based foreign Greater sunrise**  
4 **vessels polluting or damaging the marine**  
5 **environment in the Greater Sunrise special**  
6 **regime area**

7 **143A Operating an Australian-based foreign Greater Sunrise vessel**  
8 **so as to pollute or damage the marine environment in the**  
9 **Greater Sunrise special regime area**

- 10 (1) The master of an Australian-based foreign Greater Sunrise vessel  
11 must not operate the vessel in a manner that causes:  
12 (a) pollution to the marine environment in seas that are above the  
13 Greater Sunrise special regime area; or  
14 (b) damage to the marine environment in seas that are above the  
15 Greater Sunrise special regime area.

16 *Fault-based offence*

- 17 (2) A person commits an offence if the person contravenes  
18 subsection (1).

19 Penalty: 600 penalty units.

- 20 (3) Recklessness or negligence is the fault element for:  
21 (a) the manner of operation of the vessel; and  
22 (b) the result mentioned in paragraph (1)(a) or (b) occurring.

23 *Civil penalty*

- 24 (4) A person is liable to a civil penalty if the person contravenes  
25 subsection (1).

26 Civil penalty:

- 27 (a) for an aggravated contravention—6,000 penalty units; or  
28 (b) in any other case—600 penalty units.

**143B Failure to ensure Australian-based foreign Greater Sunrise vessel is operated so as not to cause pollution or damage to the marine environment in the Greater Sunrise special regime area**

- (1) The master of an Australian-based foreign Greater Sunrise vessel must ensure that the vessel is operated in a manner that does not cause:
- (a) pollution to the marine environment in seas that are above the Greater Sunrise special regime area; or
  - (b) damage to the marine environment in seas that are above the Greater Sunrise special regime area.

*Fault-based offence*

- (2) A person commits an offence if the person contravenes subsection (1).

Penalty: 600 penalty units.

- (3) Recklessness or negligence is the fault element for:
- (a) the manner of operation of the vessel; and
  - (b) the result mentioned in paragraph (1)(a) or (b) occurring.

*Civil penalty*

- (4) A person is liable to a civil penalty if the person contravenes subsection (1).

Civil penalty:

- (a) for an aggravated contravention—6,000 penalty units; or
- (b) in any other case—600 penalty units.

**86 At the end of subsection 149(2)**

Add:

; or (h) an Australian-based foreign Greater Sunrise vessel.

**87 After paragraph 331(1)(w)**

Insert:

(wa) section 143A;

(wb) section 143B;

**88 After section 337**

Insert:

**337A Compliance of foreign-based foreign Greater Sunrise vessels  
with international safety and operating standards**

(1) The master and owner of a foreign-based foreign Greater Sunrise vessel must each ensure compliance with requirements described in subsection (2) that apply in relation to the vessel or would apply in relation to it if it had the nationality of a party to a convention mentioned in paragraph (2)(a).

(2) For the purposes of subsection (1), the requirements are those that:

(a) are described in any of the following:

- (i) the Prevention of Collisions Convention;
- (ii) the Load Lines Convention;
- (iii) the Prevention of Pollution Convention;
- (iv) the Safety Convention;
- (v) the STCW Convention;
- (vi) the Tonnage Convention;
- (vii) the Maritime Labour Convention;
- (viii) the United Nations Convention on the Law of the Sea;
- (ix) the Container Convention;
- (x) the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001, done at London on 23 March 2001, as amended and in force for Australia from time to time;
- (xi) the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004, done at London on 13 February 2004, as amended and in force for Australia from time to time;
- (xii) the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001, done at London on 5 October 2001, as amended and in force for Australia from time to time; or

(b) both:

**Schedule 1** Provisions commencing when new treaty comes into force  
**Part 16** Amendment of the Navigation Act 2012

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- 1 (i) reflect international safety or operating standards; and  
2 (ii) are prescribed by the regulations.

3 Note 1: The International Convention on Civil Liability for Bunker Oil  
4 Pollution Damage, 2001 is in Australian Treaty Series 2009 No. 14  
5 ([2009] ATS 14) and could in 2019 be viewed in the Australian  
6 Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

7 Note 2: The International Convention for the Control and Management of  
8 Ships' Ballast Water and Sediments, 2004 is in Australian Treaty  
9 Series 2017 No. 15 ([2017] ATS 15) and could in 2019 be viewed in  
10 the Australian Treaties Library on the AustLII website  
11 (<http://www.austlii.edu.au>).

12 Note 3: The International Convention on the Control of Harmful Anti-Fouling  
13 Systems on Ships, 2001 is in Australian Treaty Series 2008 No. 15  
14 ([2008] ATS 15) and could in 2019 be viewed in the Australian  
15 Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

**Part 17—Amendment of the Offshore Minerals Act  
1994**

***Offshore Minerals Act 1994***

**89 Subsection 10(3) (after paragraph (f) of the definition of  
*International Seabed Agreement*)**

Insert:

and (g) the Treaty between Australia and the Democratic Republic of  
Timor-Leste Establishing their Maritime Boundaries in the  
Timor Sea done at New York on 6 March 2018;

**90 Subsection 13(1) (note)**

Omit “Note”, substitute “Note 1”.

**91 Subsection 13(1) (note)**

Omit “5(3)”, substitute “6(3)”.

**92 At the end of subsection 13(1)**

Add:

Note 2: Neither of the following areas described in the *Offshore Petroleum  
and Greenhouse Gas Storage Act 2006* is an offshore area of a State:

- (a) the Bayu-Undan pipeline international offshore area;
- (b) the Greater Sunrise pipeline international offshore area.

**93 After section 35**

Insert:

**35A Act does not apply in relation to Greater Sunrise special regime  
area**

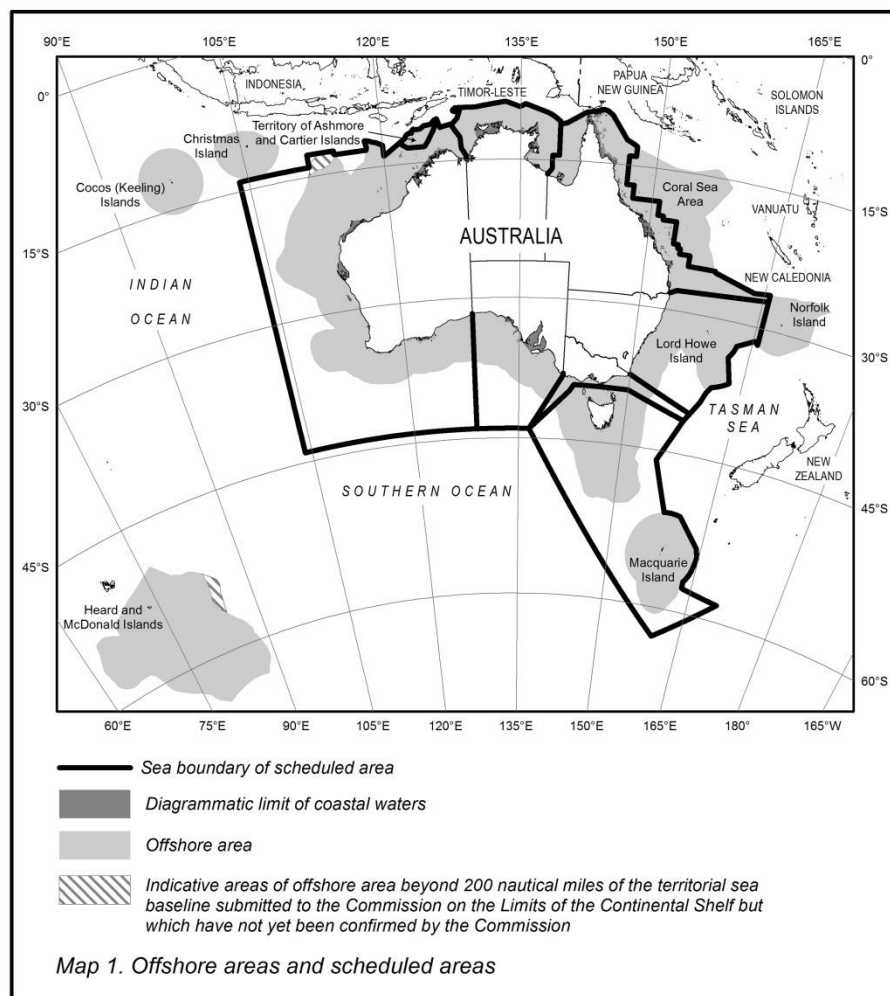
This Act does not apply to the Greater Sunrise special regime area  
within the meaning of the *Seas and Submerged Lands Act 1973*.

## Division 1—Amendments

#### 94 Subsection 6(3) (map 1)

Repeal the map, substitute:





## 95 Subsection 6(3) (note 3)

Repeal the note.

## 96 Section 7

Insert:

***Bayu-Undan pipeline international offshore area*** means the area described in Schedule 8.

1                    ***Greater Sunrise pipeline international offshore area*** means the  
2                    area declared under section 780P.

3                    ***Greater Sunrise special regime area*** has the same meaning as in  
4                    the *Seas and Submerged Lands Act 1973*.

5                    **97 Section 7 (definition of *Greater Sunrise unit area*)**

6                    Repeal the definition.

7                    **98 Section 7 (definition of *Greater Sunrise unitisation***  
8                    ***agreement*)**

9                    After “2003”, insert “, as in force immediately before the  
10                  commencement of Schedule 1 to the *Timor Sea Maritime Boundaries*  
11                  *Treaty Consequential Amendments Act 2019*”.

12                  **99 Section 7 (definition of *Joint Petroleum Development***  
13                  ***Area*)**

14                  Repeal the definition.

15                  **100 Section 7 (at the end of the definition of *offshore area*)**

16                  Add:

17                      Note 3:    Under section 8A, each of the following areas is treated like an  
18                      offshore area for the purposes of many provisions of this Act so far as  
19                      they relate to petroleum pipelines:  
20                      (a)    the Bayu-Undan pipeline international offshore area;  
21                      (b)    the Greater Sunrise pipeline international offshore area (if  
22                      declared).

23                  **101 Section 7**

24                  Insert:

25                      ***Timorese Designated Authority*** means the authority that is the  
26                      Designated Authority under paragraph 2 of Article 6 of Annex B to  
27                      the Timor Sea Maritime Boundaries Treaty.

28                      ***Timor Sea Maritime Boundaries Treaty*** means the Treaty between  
29                      Australia and the Democratic Republic of Timor-Leste  
30                      Establishing their Maritime Boundaries in the Timor Sea done at  
31                      New York on 6 March 2018, as in force from time to time.

Note: The Timor Sea Maritime Boundaries Treaty could in 2019 be viewed  
in the Australian Treaties Library on the AustLII website  
(<http://www.austlii.edu.au>).

**102 Section 7**

Repeal the following definitions:

- (a) definition of *Timor Sea Treaty*;
- (b) definition of *Timor Sea Treaty Designated Authority*.

**103 Section 7 (note to the definition of *Western Greater Sunrise area*)**

Repeal the note.

**104 Subsection 8(1) (table item 3, column headed “is...”, paragraph (b))**

Omit “shelf; and”, substitute “shelf”.

**105 Subsection 8(1) (table item 3, column headed “is...”, paragraph (c))**

Repeal the paragraph.

**106 Subsection 8(1) (cell at table item 4, column headed “is...”)**

Repeal the cell, substitute:

both of the following:

- (a) so much of the scheduled area for the Northern Territory as comprises waters of the sea that are:
  - (i) beyond the outer limits of the coastal waters of the Northern Territory; and
  - (ii) within the outer limits of the continental shelf;
- (b) the Eastern Greater Sunrise offshore area.

**107 Subsection 8(1) (cell at table item 5, column headed “is...”)**

Repeal the cell, substitute:  
so much of the scheduled area for  
that Territory as consists of land and  
water that is within the outer limits of  
the continental shelf.

**108 After section 8**

Insert:

**8A Pipeline international offshore areas treated as offshore areas**

(1) The provisions of this Act listed in subsection (2), and regulations or other instruments made for the purposes of those provisions, apply in relation to each of the following areas as if it were an offshore area:

- (a) the Bayu-Undan pipeline international offshore area (which is described in Schedule 8);
- (b) the Greater Sunrise pipeline international offshore area (if it is declared under section 780P).

(2) The provisions are as follows:

- (a) the following definitions in section 7:
  - (i) definition of *Joint Authority*;
  - (ii) definition of *petroleum pipeline*;
  - (iii) definition of *secondary line*;
- (b) section 9;
- (c) section 16;
- (d) section 30;
- (e) subsection 56(1);
- (f) Division 1 of Part 2.6;
- (g) subsection 221(5) so far as it refers to construction in an offshore area of a petroleum pipeline but not so far as it refers to petroleum recovered from a place beyond the outer limits of any offshore area;
- (h) Division 3 of Part 2.6;
- (i) Division 1 of Part 2.12;

- 1 (j) section 280;
- 2 (k) Parts 4.1 and 4.2;
- 3 (l) Parts 6.1, 6.1A and 6.2;
- 4 (m) Division 1 of Part 6.4;
- 5 (n) Divisions 1, 4, 5 and 6 of Part 6.5;
- 6 (o) Divisions 1 and 2 of Part 6.6;
- 7 (p) section 695R;
- 8 (q) Part 7.1;
- 9 (r) section 778;
- 10 (s) subsection 780A(5);
- 11 (t) items 12 and 13 of the table in subsection 782(1).

12 Note: Although the Greater Sunrise pipeline international offshore area is  
13 treated as an offshore area for the purposes of only one of the  
14 references to offshore area in Division 2 (Obtaining a pipeline licence)  
15 of Part 2.6 (see paragraph (g) of this subsection), that does not prevent  
16 an application for, or the grant of, a pipeline licence for a petroleum  
17 pipeline in the Greater Sunrise pipeline international offshore area.

18 *Other modifications*

- 19 (3) Paragraphs 227(6)(d) and 506(1)(f) apply as if:
- 20 (a) the Bayu-Undan pipeline international offshore area were an
  - 21 offshore area relating to Western Australia; and
  - 22 (b) the Greater Sunrise pipeline international offshore area were
  - 23 an offshore area relating to the Northern Territory.

24 *Other modifications relating to Bayu-Undan pipeline international*  
25 *offshore area*

- 26 (4) Despite subsection 217(1), a person cannot apply for the grant of a  
27 pipeline licence authorising construction of a pipeline in the  
28 Bayu-Undan pipeline international offshore area.

29 Note: On the commencement of this section, a pipeline licence is  
30 automatically granted authorising the pipeline that existed in the  
31 Bayu-Undan pipeline international offshore area immediately before  
32 that commencement: see Schedule 1 to the *Timor Sea Maritime*  
33 *Boundaries Treaty Consequential Amendments Act 2019*.

*Other modifications relating to Greater Sunrise pipeline  
international offshore area*

- (5) Subsections 223(2) and (3) apply to an application for a pipeline licence relating to the construction of a petroleum pipeline in the Greater Sunrise pipeline international offshore area as if:
- (a) references in paragraphs 223(2)(a) and (3)(a) to a petroleum production licence area were references to the Greater Sunrise special regime area; and
  - (b) references in paragraphs 223(2)(b) and (3)(b) to the petroleum production licensee were references to a person covered by the definition of ***Greater Sunrise Contractor*** in paragraph 1(i) of Article 1 of the Timor Sea Maritime Boundaries Treaty; and
  - (c) the reference in subparagraph 223(2)(c)(i) to the petroleum production licence were a reference to the Greater Sunrise Production Sharing Contract within the meaning of that treaty.
- (6) Item 5 of the table in subsection 262(1) applies in relation to a pipeline licence relating to the construction of a petroleum pipeline in the Greater Sunrise pipeline international offshore area as if the references to a petroleum production licensee and the licensee were a reference to a person who:
- (a) applied for the pipeline licence; and
  - (b) is a person covered by the definition of ***Greater Sunrise Contractor*** in paragraph 1(i) of Article 1 of the Timor Sea Maritime Boundaries Treaty.

**109 After paragraph 40(1)(d)**

Insert:

or (e) the area described in Schedule 8;

**110 Subsection 40(1) (note 3A)**

Repeal the note, substitute:

Note 3A: Schedule 7 describes the Eastern Greater Sunrise offshore area and the Western Greater Sunrise area.

Note 3B: Schedule 8 describes the Bayu-Undan pipeline international offshore area.

1 **111 Subsection 49(3) (at the end of the definition of**  
2 ***International Seabed Agreement*)**

3 Add:

4 ; or (f) the Timor Sea Maritime Boundaries Treaty.

5 **112 At the end of section 56**

6 Add:

7 *Bayu-Undan pipeline international offshore area*

- 8 (10) The responsible Commonwealth Minister is the Joint Authority for  
9 the Bayu-Undan pipeline international offshore area. That Joint  
10 Authority is to be known as the Bayu-Undan Offshore Petroleum  
11 Joint Authority.

12 Note: Under section 8A, the Bayu-Undan pipeline international offshore  
13 area is treated like an offshore area for the purposes of many  
14 provisions of this Act so far as they relate to petroleum pipelines.

15 *Greater Sunrise pipeline international offshore area*

- 16 (11) The responsible Commonwealth Minister is the Joint Authority for  
17 the Greater Sunrise pipeline international offshore area. That Joint  
18 Authority is to be known as the Greater Sunrise Pipeline Offshore  
19 Petroleum Joint Authority.

20 Note: Under section 8A, the Greater Sunrise pipeline international offshore  
21 area (if declared) is treated like an offshore area for the purposes of  
22 many provisions of this Act so far as they relate to petroleum  
23 pipelines.

24 **113 At the end of section 57**

25 Add:

- 26 (4) The Joint Authority for the Bayu-Undan pipeline international  
27 offshore area has, in relation to that area, the functions and powers  
28 relating to petroleum pipelines that the provisions of this Act  
29 mentioned in subsection (6), or regulations made for the purposes  
30 of those provisions, confer on a Joint Authority.

- 31 (5) The Joint Authority for the Greater Sunrise pipeline international  
32 offshore area has, in relation to that area, the functions and powers  
33 relating to petroleum pipelines that the provisions of this Act

1                   mentioned in subsection (6), or regulations made for the purposes  
2                   of those provisions, confer on a Joint Authority.

3                   (6) For the purposes of subsections (4) and (5), the provisions are as  
4                   follows:

- 5                   (a) this Part;  
6                   (b) Part 2.6;  
7                   (c) Part 2.10;  
8                   (d) section 264 so far as it applies because of item 2 of the table  
9                   in subsection 264(1);  
10                  (e) Division 1 of Part 2.12;  
11                  (f) Division 1 of Part 2.13;  
12                  (g) Part 2.14 except section 279;  
13                  (h) section 511;  
14                  (i) Part 6.1;  
15                  (j) Part 6.2;  
16                  (k) Part 6.10;  
17                  (l) Part 6.11;  
18                  (m) Part 9.4;  
19                  (n) Part 9.6A;  
20                  (o) Part 9.8;  
21                  (p) Part 9.9.

22                   **114 After paragraph 61(2A)(b)**

23                   Insert:

- 24                   or (c) the Bayu-Undan pipeline international offshore area; or  
25                   (d) the Greater Sunrise pipeline international offshore area;

26                   **115 After subsection 64(3)**

27                   Insert:

28                   *Joint Authority for a pipeline international offshore area*

29                   (3A) All courts must take judicial notice of:

- 30                   (a) the signature of a person who is, or has been:  
31                   (i) the Joint Authority for the Bayu-Undan pipeline  
32                   international offshore area; or



- 1 (ii) the Joint Authority for the Greater Sunrise pipeline  
2 international offshore area; or  
3 (iii) a delegate of the Joint Authority mentioned in  
4 subparagraph (i) or (ii); and  
5 (b) the fact that the person is, or was at a particular time:  
6 (i) the Joint Authority for that area; or  
7 (ii) a delegate of the Joint Authority for that area.

8 **116 After section 68**

9 Insert:

10 **68A Delegation by Joint Authority for pipeline international**  
11 **offshore area**

- 12 (1) The Joint Authority for the Bayu-Undan pipeline international  
13 offshore area or the Joint Authority for the Greater Sunrise pipeline  
14 international offshore area may, by written instrument, delegate to  
15 an SES employee or acting SES employee any or all of the  
16 functions or powers of the Joint Authority under this Act or the  
17 regulations.

18 Note 1: The expressions *SES employee* and *acting SES employee* are defined  
19 in section 2B of the *Acts Interpretation Act 1901*.

20 Note 2: See also sections 34AA and 34AB of the *Acts Interpretation Act 1901*.

- 21 (2) If the Joint Authority delegates a function or power under this  
22 section, the delegation continues in force despite:  
23 (a) a vacancy in the office of Joint Authority; or  
24 (b) a change in the identity of the holder of the office of Joint  
25 Authority.
- 26 (3) Despite subsection (2), a delegation under this section may be  
27 revoked by the Joint Authority in accordance with subsection 33(3)  
28 of the *Acts Interpretation Act 1901*.
- 29 (4) A copy of each instrument making, varying or revoking a  
30 delegation under this section must be published in the Gazette.

1 **117 Section 69**

2 Omit “Timor Sea Treaty Designated Authority”, substitute “Timorese  
3 Designated Authority”.

4 **118 At the end of Division 1 of Part 1.3**

5 Add:

6 **70 Cooperation with Timorese Designated Authority by Joint**  
7 **Authority for pipeline international offshore area**

8 *Joint Authority for Bayu-Undan pipeline international offshore*  
9 *area*

- 10 (1) The Joint Authority for the Bayu-Undan pipeline international  
11 offshore area may cooperate with the Timorese Designated  
12 Authority for the effective management and regulation of the  
13 Bayu-Undan Gas Field (within the meaning of the Timor Sea  
14 Maritime Boundaries Treaty).

15 *Joint Authority for Greater Sunrise pipeline international offshore*  
16 *area*

- 17 (2) The Joint Authority for the Greater Sunrise pipeline international  
18 offshore area may cooperate with the Timorese Designated  
19 Authority for the effective management and regulation of the  
20 Greater Sunrise special regime area.

21 **119 Paragraphs 172(a) and (c)**

22 Omit “Timor Sea Treaty Designated Authority”, substitute “Timorese  
23 Designated Authority”.

24 **120 Subsection 173(5) (heading)**

25 Omit “*Timor Sea Treaty Designated Authority*”, substitute “*Timorese*  
26 *Designated Authority*”.

27 **121 Paragraph 173(5)(b)**

28 Omit “Timor Sea Treaty Designated Authority”, substitute “Timorese  
29 Designated Authority”.

1 **122 Section 643 (definition of *Commonwealth waters*)**

2 Omit “Territory.”, substitute “Territory, the Bayu-Undan pipeline  
3 international offshore area and the Greater Sunrise pipeline international  
4 offshore area.”.

5 **123 Section 695AA**

6 Repeal the section.

7 **124 After section 695X**

8 Insert:

9 **695XA CEO of NOPSEMA may share offshore information or**  
10 **things with Timorese Designated Authority**

11 The CEO may make available offshore information or a thing to  
12 the Timorese Designated Authority for it to use in the course of the  
13 exercise of its powers or the performance of its functions.

14 **125 After Part 9.10C**

15 Insert:

16 **Part 9.10D—Greater Sunrise special regime area**

17 **Division 1—Bodies exercising Australia’s rights and**  
18 **responsibilities**

19 **780M Bodies exercising Australia’s rights and responsibilities**  
20 **relating to the Greater Sunrise special regime area**

21 The following exercise Australia’s rights and responsibilities  
22 relating to Petroleum Activities, within the meaning of the Timor  
23 Sea Maritime Boundaries Treaty, in the Greater Sunrise special  
24 regime area in accordance with the treaty:

- 25 (a) the Timorese Designated Authority;  
26 (b) the Governance Board provided for by Annex B to the treaty;  
27 (c) the Dispute Resolution Committee provided for by Annex B  
28 to the treaty.

1 **Division 2—Limits on Australian law in Greater Sunrise**  
2 **special regime area**

3 **780N Australian law subject to legislation made under the Timor**  
4 **Sea Maritime Boundaries Treaty**

5 So far as a law of the Commonwealth, a State or a Territory applies  
6 in or in relation to the Greater Sunrise special regime area, the law  
7 has effect subject to the following:

- 8 (a) regulations issued by the Timorese Designated Authority  
9 under paragraph 3(n) or (o) of Article 6 of Annex B to the  
10 Timor Sea Maritime Boundaries Treaty (about protection of  
11 the marine environment in that area and occupational health  
12 and safety of persons employed on certain installations,  
13 structures and facilities in that area);  
14 (b) the Interim Petroleum Mining Code and interim regulations  
15 for the purposes of that Code while they are in force under  
16 paragraph 1 of Article 11 of Annex B to the Timor Sea  
17 Maritime Boundaries Treaty;  
18 (c) the final Petroleum Mining Code issued by the Governance  
19 Board under paragraph 2 of Article 11 of Annex B to the  
20 Timor Sea Maritime Boundaries Treaty.

21 Note: Laws of the Commonwealth do not apply in relation to an act,  
22 omission, matter or thing directly or indirectly connected with the  
23 exploration of, or exploitation of the natural resources of, the  
24 continental shelf in the Greater Sunrise special regime area unless  
25 there is a contrary intention: see section 13AB of the *Seas and*  
26 *Submerged Lands Act 1973*.

27 **Division 3—Declaration of Greater Sunrise pipeline**  
28 **international offshore area**  
29

30 **780P Declaration of Greater Sunrise pipeline international offshore**  
31 **area**

- 32 (1) If the responsible Commonwealth Minister is satisfied that a  
33 person proposes to construct a petroleum pipeline for conveying  
34 petroleum recovered from the Greater Sunrise special regime area  
35 to a place in Australia, the Minister may, by notifiable instrument,

1 declare an area, through which the pipeline is proposed to extend,  
2 as the Greater Sunrise pipeline international offshore area.

3 (2) The area must:

- 4 (a) consist at least partly of an area in the Greater Sunrise special  
5 regime area; and  
6 (b) adjoin (but not include any of) an offshore area of a State or  
7 Territory.

8 Note: Depending on the proposed route of the pipeline, the area may cover  
9 part of the continental shelf of Timor-Leste between an edge of the  
10 Greater Sunrise special regime area and the offshore area of a State or  
11 Territory.

## 12 **126 Paragraphs 5(zx), (zy) and (zz) of Schedule 1**

13 Repeal the paragraphs, substitute:

- 14 (zx) thence north-easterly along the geodesic to a point of  
15 Latitude 10° 37' 19.03" South, Longitude 126° 03' 07.94"  
16 East; and  
17 (zy) thence south-easterly along the geodesic to a point of  
18 Latitude 11° 24' 00.61" South, Longitude 126° 18' 22.48"  
19 East; and  
20 (zz) thence easterly along the geodesic to a point of Latitude 11°  
21 21' 00.00" South, Longitude 126° 28' 00.00" East; and  
22 (zzaa) thence easterly along the geodesic to a point of Latitude 11°  
23 20' 00.00" South, Longitude 126° 31' 00.00" East; and  
24 (zzab) thence easterly along the geodesic to a point of Latitude 11°  
25 20' 02.90" South, Longitude 126° 31' 58.40" East; and  
26 (zzac) thence easterly along the geodesic to a point of Latitude 11°  
27 07' 14.30" South, Longitude 127° 28' 11.56" East; and

## 28 **127 Paragraphs 7(l), (m), (n) and (o) of Schedule 1**

29 Repeal the paragraphs, substitute:

- 30 (l) thence north-westerly along the geodesic to a point of  
31 Latitude 11° 07' 14.30" South, Longitude 127° 28' 11.56"  
32 East; and  
33 (m) thence north-easterly along the geodesic to a point of  
34 Latitude 11° 04' 37.65" South, Longitude 127° 39' 32.81"  
35 East; and

- 1 (n) thence north-easterly along the geodesic to a point of  
2 Latitude 10° 55' 20.88" South, Longitude 127° 47' 08.37"  
3 East; and  
4 (o) thence north-easterly along the geodesic to a point of  
5 Latitude 10° 53' 36.88" South, Longitude 127° 48' 49.37"  
6 East; and  
7 (oa) thence north-easterly along the geodesic to a point of  
8 Latitude 10° 43' 37.88" South, Longitude 127° 59' 20.36"  
9 East; and  
10 (ob) thence north-easterly along the geodesic to a point of  
11 Latitude 10° 29' 11.87" South, Longitude 128° 12' 28.36"  
12 East; and  
13 (oc) thence north-easterly along the geodesic to a point of  
14 Latitude 9° 42' 21.49" South, Longitude 128° 28' 35.97"  
15 East; and  
16 (od) thence north-easterly along the geodesic to a point of  
17 Latitude 9° 37' 57.54" South, Longitude 128° 30' 07.24"  
18 East; and  
19 (oe) thence north-westerly along the geodesic to a point of  
20 Latitude 9° 36' 28.43" South, Longitude 128° 25' 04.34"  
21 East; and  
22 (of) thence north along the loxodrome to a point of Latitude 9°  
23 29' 54.88" South, Longitude 128° 25' 04.34" East; and  
24 (og) thence west along the loxodrome to a point of Latitude 9° 29'  
25 54.88" South, Longitude 128° 20' 04.34" East; and  
26 (oh) thence north along the loxodrome to a point of Latitude 9°  
27 24' 54.88" South, Longitude 128° 20' 04.34" East; and

## 128 Paragraphs 8(l) and (m) of Schedule 1

Repeal the paragraphs, substitute:

- 30 (l) thence north-easterly along the loxodrome to a point of  
31 Latitude 10° 27' 54.91" South, Longitude 126° 00' 04.40"  
32 East; and  
33 (m) thence south-easterly along the geodesic to a point of  
34 Latitude 10° 37' 19.03" South, Longitude 126° 03' 07.94"  
35 East; and

**129 Clause 1 of Schedule 7**

Repeal the clause.

**130 At the end of the Act**

Add:

**Schedule 8—Bayu-Undan pipeline  
international offshore area**

Note: See the definition of *Bayu-Undan pipeline international offshore area* in section 7.

**1 Bayu-Undan pipeline international offshore area**

The *Bayu-Undan pipeline international offshore area* is the area bounded by the line starting at the point described in item 1 of the following table and running sequentially as described in the table.

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**Bayu-Undan pipeline international offshore area**

---

| Item | Description |
|------|-------------|
|------|-------------|

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|   |   |
|---|---|
| 1 | 11°03'44.4994"S 126°37'6.5192"E                                       |
| 2 | South-westerly along the geodesic to 11°04'03.5791"S 126°36'51.2875"E |
| 3 | South-westerly along the geodesic to 11°04'26.7849"S 126°36'32.7646"E |
| 4 | South-easterly along the geodesic to 11°15'43.6065"S 126°51'02.1405"E |
| 5 | North-easterly along the geodesic to 11°15'34.5559"S 126°51'41.9553"E |
| 6 | North-easterly along the geodesic to 11°15'28.1024"S 126°52'10.3404"E |
| 7 | North-westerly along the geodesic to the starting point               |

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**Division 2—Transitional provisions**

**131 Alteration of permit areas and licence areas to reflect  
new continental shelf boundary**

*Petroleum Exploration Permit WA-523-P permit area*

- (1) On and after the commencement of this subitem, the blocks the subject of Petroleum Exploration Permit WA-523-P, granted under Part 2.2 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* on 27 May 2016, are those constituted by the graticular sections that:

**Schedule 1** Provisions commencing when new treaty comes into force

**Part 18** Amendment of the Offshore Petroleum and Greenhouse Gas Storage Act 2006

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- 1 (a) are shown on map sheet SC52 (Melville Island) in the  
2 1:1,000,000 series prepared and published for the purposes of  
3 that Act; and  
4 (b) are referred to in the following table by reference to the  
5 number shown on that map sheet.  
6

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**Blocks the subject of Petroleum Exploration Permit WA-523-P**

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**Number of graticular section that constitutes block as shown on map sheet SC52**

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2305  
2306  
2377  
2378  
2449  
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2809  
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2811  
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2815  
2881  
2882

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**Blocks the subject of Petroleum Exploration Permit WA-523-P**

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**Number of graticular section that constitutes block as shown on map sheet SC52**

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2883  
2884  
2885  
2886  
2887  
2953  
2954  
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- 1 Note 1: Petroleum Exploration Permit WA-523-P covers some blocks in the offshore area of  
2 Western Australia.
- 3 Note 2: This subitem is to reflect the changes to the offshore area of Western Australia resulting  
4 from the changes to the scheduled area for Western Australia made by the amendment  
5 of clause 5 of Schedule 1 to the *Offshore Petroleum and Greenhouse Gas Storage Act*  
6 *2006* by this Part. That amendment is to give effect to the changes in the boundary of  
7 the continental shelf resulting from the Timor Sea Maritime Boundaries Treaty.
- 8 Note 3: Paragraph 2 of Article 4 of Annex D to the Timor Sea Maritime Boundaries Treaty  
9 provides for the security of title and any other rights held by the holder of Petroleum  
10 Exploration Permit WA-523-P before the commencement of this item to be preserved  
11 through equivalent conditions determined by agreement between the parties to the treaty  
12 and the holder of the permit.
- 13 (2) To avoid doubt, the alteration of the permit area of Petroleum  
14 Exploration Permit WA-523-P by subitem (1) does not otherwise affect:  
15 (a) the continuity of the permit; or  
16 (b) the operation of the *Offshore Petroleum and Greenhouse Gas*  
17 *Storage Act 2006* or the *Offshore Petroleum and Greenhouse*  
18 *Gas Storage (Regulatory Levies) Act 2003*, or regulations or
-

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1 Note 2: That amendment is to give effect to the changes in the boundary of the continental shelf  
2 resulting from the Timor Sea Maritime Boundaries Treaty.

3 *Gazettal not required*

4 (5) Section 708 of the *Offshore Petroleum and Greenhouse Gas Storage*  
5 *Act 2006* does not require the Titles Administrator to cause notice to be  
6 published in the Gazette of an event that occurs because of this item or  
7 is described in this item.

8 (6) Subitem (5) has effect despite subitems (2), (3) and (4).

9 **132 Alteration of Pipeline Licence WA-8-PL to reflect new**  
10 **continental shelf boundary**

11 *Application*

12 (1) This item applies in relation to Pipeline Licence WA-8-PL, granted on  
13 27 April 2001 under Division 4 of Part III of the repealed *Petroleum*  
14 *(Submerged Lands) Act 1967*.

15 Note: The licence relates to the section of the pipeline running from the Bayu-Undan gas field  
16 to Australia that is in the offshore area of Western Australia.

17 *Extension of route of pipeline to new continental shelf boundary*

18 (2) On and after the commencement of this item, the licence has effect as if  
19 the reference, in the description of the route of the pipeline, to  
20 “8751184mN, 280306mE” were a reference to 8754465.49 mN,  
21 266555.28 mE.

22 (3) To avoid doubt, subitem (2) does not, except as otherwise provided by  
23 this item, affect:

24 (a) the continuity of the licence; or

25 (b) the operation of the *Offshore Petroleum and Greenhouse Gas*  
26 *Storage Act 2006* or the *Offshore Petroleum and Greenhouse*  
27 *Gas Storage (Regulatory Levies) Act 2003*, or regulations or  
28 other instruments made for the purposes of either of those  
29 Acts, in relation to the licence.

30 (4) Section 708 of the *Offshore Petroleum and Greenhouse Gas Storage*  
31 *Act 2006* does not require the Titles Administrator to cause notice to be  
32 published in the Gazette of an event relating to the licence that occurs  
33 because of this item.

*Licence continues to be a prior usage right*

(5) To avoid doubt, subitem (2):

(a) does not affect the status of the licence, for the purposes of Subdivision C of Division 4 of Part 15 of the *Environment Protection and Biodiversity Conservation Act 1999*, as a usage right held by a person on 27 April 2001 in relation to seabed included in a Commonwealth reserve after that day; and

(b) does not cause that usage right to be renewed, or have its term extended, for the purposes of subsection 359(3) of that Act.

Paragraph (b) of this subitem has effect despite the second sentence of subsection 359(3) of that Act.

**133 New pipeline licence for part of Bayu-Undan pipeline**

*Grant of new pipeline licence*

(1) On the commencement of this item, a pipeline licence (the *new licence*) is taken for all purposes to be granted under Part 2.6 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* by the Joint Authority for the Bayu-Undan pipeline international offshore area to the person who, immediately before that commencement, was the registered holder of Pipeline Licence WA-8-PL, granted on 27 April 2001 under Division 4 of Part III of the repealed *Petroleum (Submerged Lands) Act 1967*.

*Content of new pipeline licence*

(2) The new licence is taken to specify the Bayu-Undan pipeline international offshore area.

(3) The new licence is taken to specify that the design, construction, size and capacity of the pipeline to which the licence relates are based on the parameters in the following table.

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**Parameters**

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| Item | Item description           | Details                             |
|------|----------------------------|-------------------------------------|
| 1    | Diameter of pipe and riser | Pipeline is constant ID controlled. |

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| <b>Parameters</b> |  |   |
|-------------------|--|---|
| <b>Item</b>       | <b>Item description</b>  | <b>Details</b>  |
|                   |  | 668.0 mm (ID) (nominal 28 inch)   |
|                   |  | 619.8 mm (ID) (nominal 26 inch)   |
| 2                 | Wall thickness of pipe inclusive of riser (only for carbon steel)  | 28 inch section: 25.8 mm<br>26 inch pipeline within 500m Zone: 23.5 mm<br>26 inch pipeline (500m Zone to KP34): 20.7 mm<br>26 inch pipeline (KP34 to end): 20.1 mm  |
| 3                 | Length   | 35 km (approximate)   |
| 4                 | Design life  | 25 years  |
| 5                 | Pipeline material  | Carbon steel  |
| 6                 | Pipeline and riser steel grade   | API 5L X65 - Non Sour Service   |
| 7                 | Pipeline specification   | DNV OS-F101:2000  |
| 8                 | Minimum yield strength of pipe steel   | 448 MPa   |
| 9                 | Maximum allowable operating pressure   | 19.4 MPa  |
| 10                | Design capacity  | 750 MMscf/d   |
| 11                | Maximum design temperature   | 90°C  |
| 12                | Minimum design temperature   | 0°C   |
| 13                | Characteristics of substance proposed to be conveyed   | Dry gas   |
| 14                | General plans and descriptions of pump stations, tank stations or valve stations and their equipment   | The subsea isolation valve (the <b>SSIV</b> ) is located on the seabed as part of the tie-in spool, near the lower end of the Gas Export Pipeline Riser. The SSIV operates as a non-return valve and, therefore, closes automatically during reverse flow |
| 15                | General plans and description of pigging facilities  | The pig launcher is located at the DDP platform, and the pig receiver is located at the DLNG plant  |
| 1<br>2<br>3       | (4) The new licence is taken to specify that the route and position of the pipeline to which the licence relates is from the downstream flange of the subsea isolation valve (the <b>SSIV</b> ) in the Bayu-Undan Field to the |   |

1 boundary of the Bayu-Undan pipeline international offshore area (the  
2 ***BUPIOA***) and the offshore area of Western Australia (***WA***), as  
3 described in the following table (using coordinates based on the  
4 Geocentric Datum of Australia (GDA94)).

Provisions commencing when new treaty comes into force **Schedule 1**  
Amendment of the Offshore Petroleum and Greenhouse Gas Storage Act 2006 **Part 18**

| <b>Route and position of pipeline</b> |  |           |                 |                     |                      |                        |                 |                  |
|---------------------------------------|--|-----------|-----------------|---------------------|----------------------|------------------------|-----------------|------------------|
| <b>Item</b>                           | <b>Feature name</b>  | <b>KP</b> | <b>UTM zone</b> | <b>Easting (mE)</b> | <b>Northing (mN)</b> | <b>Bend radius (m)</b> | <b>Latitude</b> | <b>Longitude</b> |
| 1                                     | Point immediately adjacent to downstream side of the SSIV flange | -0.483    | 52              | 239360.50           | 8775497.11           |                        | 11°04'03.5791"S | 126°36'51.2875"E |
| 2                                     | Transition flange 28 inch to 26 inch                             | -0.199    | 52              | 239626.13           | 8775525.97           |                        | 11°04'02.7090"S | 126°37'00.0430"E |
| 3                                     | Start of 26 inch pipeline  | -0.199    | 52              | 239626.13           | 8775525.97           |                        | 11°04'02.7090"S | 126°37'00.0430"E |
| 4                                     | Tangent point ( <b>TP</b> ) 1A                                   | 0.421     | 52              | 239885.54           | 8774963.95           |                        | 11°04'21.0590"S | 126°37'08.4380"E |
| 5                                     | Intersection point ( <b>IP</b> ) 1                               |           | 52              | 240283.57           | 8774101.41           | -2,600                 | 11°04'49.2210"S | 126°37'21.3200"E |
| 6                                     | TP1B   | 2.242     | 52              | 241143.91           | 8773698.64           |                        | 11°05'02.5460"S | 126°37'49.5490"E |
| 7                                     | TP2A   | 4.176     | 52              | 242895.91           | 8772878.44           |                        | 11°05'29.6800"S | 126°38'47.0380"E |
| 8                                     | IP2  |           | 52              | 243154.32           | 8772757.46           | 2,600                  | 11°05'33.6820"S | 126°38'55.5170"E |

**Schedule 1** Provisions commencing when new treaty comes into force**Part 18** Amendment of the Offshore Petroleum and Greenhouse Gas Storage Act 2006

| <b>Route and position of pipeline</b> |  |           |                 |                     |                      |                        |                 |                  |
|---------------------------------------|--|-----------|-----------------|---------------------|----------------------|------------------------|-----------------|------------------|
| <b>Item</b>                           | <b>Feature name</b>                                | <b>KP</b> | <b>UTM zone</b> | <b>Easting (mE)</b> | <b>Northing (mN)</b> | <b>Bend radius (m)</b> | <b>Latitude</b> | <b>Longitude</b> |
| 9                                     | TP2B   | 4.744     | 52              | 243380.34           | 8772583.42           |                        | 11°05'39.4010"S | 126°39'02.9160"E |
| 10                                    | TP3A   | 28.101    | 52              | 261889.69           | 8758323.17           |                        | 11°13'27.9320"S | 126°49'09.1240"E |
| 11                                    | IP3  |           | 52              | 262229.18           | 8758061.62           | 3,000                  | 11°13'36.5230"S | 126°49'20.2480"E |
| 12                                    | TP3B   | 28.952    | 52              | 262481.86           | 8757715.45           |                        | 11°13'47.8460"S | 126°49'28.4910"E |
| 13                                    | TP4A   | 29.095    | 52              | 262566.10           | 8757600.08           |                        | 11°13'51.6200"S | 126°49'31.2390"E |
| 14                                    | IP4  |           | 52              | 262818.77           | 8757253.92           | -3,000                 | 11°14'02.9430"S | 126°49'39.4820"E |
| 15                                    | TP4B   | 29.946    | 52              | 263158.27           | 8756992.36           |                        | 11°14'11.5340"S | 126°49'50.6070"E |
| 16                                    | TP5A   | 30.948    | 52              | 263952.30           | 8756380.61           |                        | 11°14'31.6270"S | 126°50'16.6270"E |
| 17                                    | IP5  |           | 52              | 263979.42           | 8756359.71           | -3,000                 | 11°14'32.3140"S | 126°50'17.5160"E |
| 18                                    | TP5B   | 31.017    | 52              | 264007.02           | 8756339.43           |                        | 11°14'32.9800"S | 126°50'18.4200"E |
| 19                                    | Boundary of the BUPIOA and the offshore area of WA | 34.200    | 52              | 266555.28           | 8754465.49           |                        | 11°15'34.5559"S | 126°51'41.9553"E |



1                   *Affecting new licence*

- 2       (5)       To avoid doubt, the new licence may be terminated, varied, surrendered  
3               or cancelled, and the conditions to which it is subject may be varied,  
4               under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.
- 5       (5A)      However, the Joint Authority must not consent under section 270 of the  
6               *Offshore Petroleum and Greenhouse Gas Storage Act 2006* to the  
7               surrender, in whole or in part, of the new licence unless the pipeline to  
8               which the licence relates has been removed from the surrender area to  
9               the satisfaction of NOPSEMA. This has effect despite  
10              subparagraph 270(3)(c)(ii) and subsection 270(5) of that Act.

11                   *Dealings relating to new licence*

- 12       (6)       Any dealings that:  
13               (a) related to Pipeline Licence WA-8-PL, granted on 27 April  
14               2001 under Division 4 of Part III of the repealed *Petroleum*  
15               *(Submerged Lands) Act 1967*; and  
16               (b) were of a kind to which Part 4.6 of the *Offshore Petroleum*  
17               *and Greenhouse Gas Storage Act 2006* applies; and  
18               (c) were in force immediately before the commencement of this  
19               item;  
20               are taken for all purposes also to be in force in relation to the new  
21               licence.
- 22       (7)       The Titles Administrator must make an entry of each of the dealings  
23               mentioned in subsection (6) on the memorial of the new licence in the  
24               Register kept under section 469 of the *Offshore Petroleum and*  
25               *Greenhouse Gas Storage Act 2006* for the Bayu-Undan pipeline  
26               international offshore area.
- 27       (8)       To avoid doubt, dealings relating to the new licence because of  
28               subitem (6) may be affected by dealings occurring after the  
29               commencement of this item, subject to Part 4.6 of the *Offshore*  
30               *Petroleum and Greenhouse Gas Storage Act 2006*.

31                   *Grant of new licence need not be gazetted*

- 32       (9)       Despite subitem (1), section 708 of the *Offshore Petroleum and*  
33               *Greenhouse Gas Storage Act 2006* does not require the Titles

1 Administrator to cause notice to be published in the Gazette of the grant  
2 of the new licence.

3 **134 Extension of environment plan and safety case for**  
4 **Bayu-Undan pipeline**

5 *Application*

6 (1) This item applies in relation to Pipeline Licence WA-8-PL granted on  
7 27 April 2001 under Division 4 of Part III of the repealed *Petroleum*  
8 (*Submerged Lands*) Act 1967 (the **old licence**).

9 Note: The old licence relates to the section of the pipeline running from the Bayu-Undan gas  
10 fields to Australia that is in the offshore area of Western Australia.

11 *Extension of environment plan for pipeline*

12 (2) An environment plan (within the meaning of section 572C of the  
13 *Offshore Petroleum and Greenhouse Gas Storage Act 2006*) in force,  
14 immediately before the commencement of this item, for an activity  
15 relating to the old licence:

- 16 (a) continues in force in relation to that activity relating to the  
17 old licence as affected by this Part; and  
18 (b) has effect in relation to that activity relating to the pipeline  
19 licence taken under this Part to have been granted in relation  
20 to the Bayu-Undan pipeline international offshore area.

21 (3) To avoid doubt, subitem (2) does not prevent any of the following:

- 22 (a) revision of the plan;  
23 (b) withdrawal of acceptance of the plan;  
24 (c) end of the operation of the plan.

25 *Extension of safety case for pipeline*

26 (4) A safety case in force in relation to a facility that is the pipeline to  
27 which the old licence relates immediately before the commencement of  
28 this item:

- 29 (a) continues to be a safety case in force in relation to a facility  
30 that is the pipeline to which the old licence as affected by this  
31 Part relates; and  
32 (b) is a safety case in force in relation to a facility that is the  
33 pipeline to which the pipeline licence taken under this Part to

1                                have been granted in relation to the Bayu-Undan pipeline  
2                                international offshore area relates.

3                                For this purpose, *safety case in force in relation to a facility* has the  
4                                same meaning as in section 7 of the *Offshore Petroleum and*  
5                                *Greenhouse Gas Storage (Regulatory Levies) Act 2003*.

- 6        (5)        To avoid doubt, subitem (4) does not prevent any of the following:  
7                                (a) revision of the safety case;  
8                                (b) withdrawal of acceptance of the safety case.

**Part 19—Amendment of the Passenger Movement  
Charge Collection Act 1978**

***Passenger Movement Charge Collection Act 1978***

**135 Section 3**

Repeal the following definitions:

- (a) definition of *Joint Petroleum Development Area*;
- (b) definition of *petroleum*;
- (c) definition of *petroleum activities*;
- (d) definition of *Timor Sea Treaty*.

**136 Paragraph 5(l)**

Omit “Joint Petroleum Development Area in connection with the prospecting for petroleum or the undertaking of petroleum operations”, substitute “Greater Sunrise special regime area (within the meaning of the *Seas and Submerged Lands Act 1973*) in connection with Petroleum Activities (within the meaning of the Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea done at New York on 6 March 2018, as in force from time to time)”.

**137 At the end of section 5**

Add:

Note: The Treaty between Australia and the Democratic Republic of Timor-Leste Establishing their Maritime Boundaries in the Timor Sea could in 2019 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

1 **Part 20—Amendment of the Petroleum and Other**  
2 **Fuels Reporting Act 2017**

3 *Petroleum and Other Fuels Reporting Act 2017*

4 **138 At the end of paragraph 11(1)(c)**

5 Add:

6 ; (iii) in the Greater Sunrise special regime area (within the  
7 meaning of the *Seas and Submerged Lands Act 1973*),  
8 in connection with business carried on in that area by  
9 the regulated entity.

1 **Part 21—Amendment of the Petroleum (Timor Sea**  
2 **Treaty) Act 2003**

3 **Division 1—Amendments**

4 *Petroleum (Timor Sea Treaty) Act 2003*

5 **139 Sections 3 and 4**

6 Repeal the sections.

7 **140 Subsection 5(1) (definition of *Petroleum Mining Code*)**

8 Repeal the definition.

9 **141 Subsection 5(1) (definition of *Treaty*)**

10 Repeal the definition, substitute:

11 *Treaty* means the Timor Sea Treaty between Australia and East  
12 Timor done at Dili on 20 May 2002, as in force immediately before  
13 the commencement of Schedule 1 to the *Timor Sea Maritime*  
14 *Boundaries Treaty Consequential Amendments Act 2019*.

15 Note: The Timor Sea Treaty is in Australian Treaty Series 2003 No. 13  
16 ([2003] ATS 13) and could in 2019 be viewed in the Australian  
17 Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

18 **142 Part 2**

19 Repeal the Part.

20 **Division 2—Saving provisions**

21 **143 Continued jurisdiction of courts and application of law**

22 Despite the repeal of sections 9 and 10 of the *Petroleum (Timor Sea*  
23 *Treaty) Act 2003* by this Part, those sections continue to apply in  
24 relation to civil matters that:

- 25 (a) were described in subsection 9(1) of that Act (as in force  
26 before that repeal); and  
27 (b) relate to an act or omission that occurred before that repeal;  
28 and

- 1 (c) involve damage suffered, or expenses incurred, before that  
2 repeal.

**Part 22—Amendment of the Radiocommunications  
Act 1992**

***Radiocommunications Act 1992***

**144 Section 17A (heading)**

Repeal the heading, substitute:

**17A Greater Sunrise special regime area, Greater Sunrise pipeline  
international offshore area and Bayu-Undan pipeline  
international offshore area**

**145 Subsection 17A(1)**

Omit “Western Greater Sunrise area” (wherever occurring), substitute  
“Greater Sunrise special regime area, the Greater Sunrise pipeline  
international offshore area and the Bayu-Undan pipeline international  
offshore area”.

**146 Subsections 17A(2) and (3)**

Repeal the subsections, substitute:

- (2) The extended application given to this Act by subsection (1)  
extends only in relation to:
- (a) acts, matters and things directly or indirectly connected with:
    - (i) Petroleum Activities (within the meaning of the Timor  
Sea Maritime Boundaries Treaty) relating to the Greater  
Sunrise Fields (within the meaning of that treaty); or
    - (ii) construction, operation, maintenance or  
decommissioning of a pipeline in the Greater Sunrise  
pipeline international offshore area; or
    - (iii) operation, maintenance or decommissioning of the  
Bayu-Undan Pipeline (within the meaning of that  
treaty); and
  - (b) acts done by or in relation to, and matters, circumstances and  
things affecting, any person who is:



- 1 (i) in the Greater Sunrise special regime area for a reason  
2 directly or indirectly connected with such Petroleum  
3 Activities; or  
4 (ii) in the Greater Sunrise pipeline international offshore  
5 area for a reason directly or indirectly connected with  
6 the construction, operation, maintenance or  
7 decommissioning of a pipeline in the area; or  
8 (iii) in the Bayu-Undan pipeline international offshore area  
9 for a reason directly or indirectly connected with the  
10 operation, maintenance or decommissioning of the  
11 Bayu-Undan Pipeline.

12 (3) In this section:

13 ***Bayu-Undan pipeline international offshore area*** has the same  
14 meaning as in the *Offshore Petroleum and Greenhouse Gas*  
15 *Storage Act 2006*.

16 ***Greater Sunrise pipeline international offshore area*** has the same  
17 meaning as in the *Offshore Petroleum and Greenhouse Gas*  
18 *Storage Act 2006*.

19 ***Greater Sunrise special regime area*** has the same meaning as in  
20 the *Seas and Submerged Lands Act 1973*.

21 ***Timor Sea Maritime Boundaries Treaty*** means the Treaty between  
22 Australia and the Democratic Republic of Timor-Leste  
23 Establishing their Maritime Boundaries in the Timor Sea done at  
24 New York on 6 March 2018, as in force from time to time.

25 Note: The Timor Sea Maritime Boundaries Treaty could in 2019 be viewed  
26 in the Australian Treaties Library on the AustLII website  
27 (<http://www.austlii.edu.au>).

**Part 23—Amendment of the Sea Installations Act  
1987**

***Sea Installations Act 1987***

**147 Subsection 4(1) (at the end of the definition of *adjacent area*)**

Add:

Note: This Act applies as described in section 11A in relation to the Greater Sunrise special regime area as if that area were part of the adjacent area in respect of the Northern Territory.

**148 Subsection 4(1)**

Insert:

***Australian aircraft*** means:

- (a) an aircraft that is owned, possessed or controlled by:
  - (i) the Commonwealth, a State or a Territory; or
  - (ii) an authority of the Commonwealth, a State or a Territory; or
- (b) an aircraft that is registered in Australia.

***Australian national*** means:

- (a) an Australian citizen; or
- (b) a corporation incorporated in Australia or an external Territory.

***Australian permanent resident*** means a person who:

- (a) is not an Australian citizen; and
- (b) holds a permanent visa under the *Migration Act 1958*; and
- (c) is domiciled in Australia or an external Territory.

***Australian vessel*** means:

- (a) a vessel that is owned, possessed or controlled by:
  - (i) the Commonwealth, a State or a Territory; or
  - (ii) an authority of the Commonwealth, a State or a Territory; or

(b) a vessel that is registered in Australia; or

(c) a vessel that is flying the Australian flag.

***Greater Sunrise special regime area*** has the same meaning as in the *Seas and Submerged Lands Act 1973*.

***national*** of a foreign country means:

(a) a citizen of the country; or

(b) a corporation incorporated in the country.

## **149 After section 11**

Insert:

### **11A Application of Act in relation to Greater Sunrise special regime area**

(1) This Act applies, in accordance with this section, in relation to the Greater Sunrise special regime area as if that area were part of the adjacent area in respect of the Northern Territory.

(2) A provision of this Act applying because of subsection (1) applies (despite section 11) only in relation to:

(a) Australian nationals who are not nationals or permanent residents of Timor-Leste; and

(b) Australian permanent residents who are not nationals or permanent residents of Timor-Leste; and

(c) the Commonwealth; and

(d) persons who are authorities of the Commonwealth; and

(e) the States; and

(f) the Territories; and

(g) persons who are authorities of the States or Territories; and

(h) Australian aircraft; and

(i) Australian vessels; and

(j) members of crews (including persons in charge) of Australian aircraft and Australian vessels; and

(k) persons, aircraft or vessels declared under subsection (3) to be subject to the provision.

- 1 (3) The Minister may, by notifiable instrument, declare all or any of  
2 one or more of the following to be subject to a provision of this  
3 Act, if the Minister is satisfied that Timor-Leste has agreed to them  
4 being subject to the provision as it has effect in relation to a place  
5 that is in or above the Greater Sunrise special regime area:  
6 (a) nationals of a foreign country who are not nationals or  
7 permanent residents of Timor-Leste;  
8 (b) aircraft with the nationality of a foreign country other than  
9 Timor-Leste;  
10 (c) vessels with the nationality of a foreign country other than  
11 Timor-Leste;  
12 (d) members of crews (including persons in charge) of aircraft or  
13 vessels described in paragraph (b) or (c).

- 14 (4) Despite subsection (2), a provision of this Act applying because of  
15 subsection (1) does not apply in relation to a matter that relates to  
16 any of the Petroleum Activities within the meaning of the Treaty  
17 between Australia and the Democratic Republic of Timor-Leste  
18 Establishing their Maritime Boundaries in the Timor Sea done at  
19 New York on 6 March 2018, as in force from time to time.

20 Note: The Treaty could in 2019 be viewed in the Australian Treaties Library  
21 on the AustLII website (<http://www.austlii.edu.au>).

- 22 (5) Subsection 13AB(1) of the *Seas and Submerged Lands Act 1973*  
23 does not affect the application of a provision of this Act.

24 Note: Subsection 13AB(1) of the *Seas and Submerged Lands Act 1973*  
25 provides that a law of the Commonwealth does not apply in relation to  
26 an act, omission, matter or thing directly or indirectly connected with  
27 the exploration of, or exploitation of the natural resources of, the  
28 continental shelf in the Greater Sunrise special regime area.

1 **Part 24—Amendment of the Seas and Submerged**  
2 **Lands Act 1973**

3 *Seas and Submerged Lands Act 1973*

4 **150 Subsection 3(1)**

5 Insert:

6 *Greater Sunrise special regime area* means the area described in  
7 clause 1 of Schedule 2.

8 **151 Subsection 3(1) (definition of *the Convention*)**

9 Omit “the Schedule”, substitute “Schedule 1”.

10 **152 Subsection 3(1)**

11 Insert:

12 *Timor Sea Maritime Boundaries Treaty* means the Treaty between  
13 Australia and the Democratic Republic of Timor-Leste  
14 Establishing their Maritime Boundaries in the Timor Sea done at  
15 New York on 6 March 2018, as in force from time to time.

16 Note: The Timor Sea Maritime Boundaries Treaty could in 2019 be viewed  
17 in the Australian Treaties Library on the AustLII website  
18 (<http://www.austlii.edu.au>).

19 **153 At the end of subsection 3(3)**

20 Add:

21 Note: Division 2AA of Part 2 affects the operation of laws in the part of the  
22 continental shelf of Australia in the Greater Sunrise special regime  
23 area.

24 **154 After Division 2 of Part II**

25 Insert:

**Division 2AA—Greater Sunrise special regime area**

**13AA Joint exercise of rights in Greater Sunrise special regime area**

Within the Greater Sunrise special regime area, Australia is to exercise its rights as a coastal state pursuant to Article 77 of the Convention jointly with Timor-Leste.

Note: Under section 780M of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, Australia's rights may be exercised by the Designated Authority, the Governance Board or the Dispute Resolution Committee provided for by the Timor Sea Maritime Boundaries Treaty.

**13AB Operation of Commonwealth law in relation to Greater Sunrise special regime area**

(1) A law of the Commonwealth, a State or a Territory does not apply in relation to an act, omission, matter or thing directly or indirectly connected with the exploration of, or exploitation of the natural resources of, the continental shelf in the Greater Sunrise special regime area.

(2) Subsection (1) is subject to a contrary intention.

**13AC Cessation of effect of this Division**

(1) This Division ceases to have effect at the start of the day after the Greater Sunrise Special Regime, within the meaning of the Timor Sea Maritime Boundaries Treaty, ceases to be in force under the treaty.

(2) The Minister must announce, by notifiable instrument, the day that regime ceases to be in force under that treaty.

**155 Schedule (heading)**

After “Schedule”, insert “1”.

**156 At the end of the Act**

Add:

## Schedule 2—Greater Sunrise special regime area

Note: See the definition of *Greater Sunrise special regime area* in subsection 3(1).

### 1 Greater Sunrise special regime area

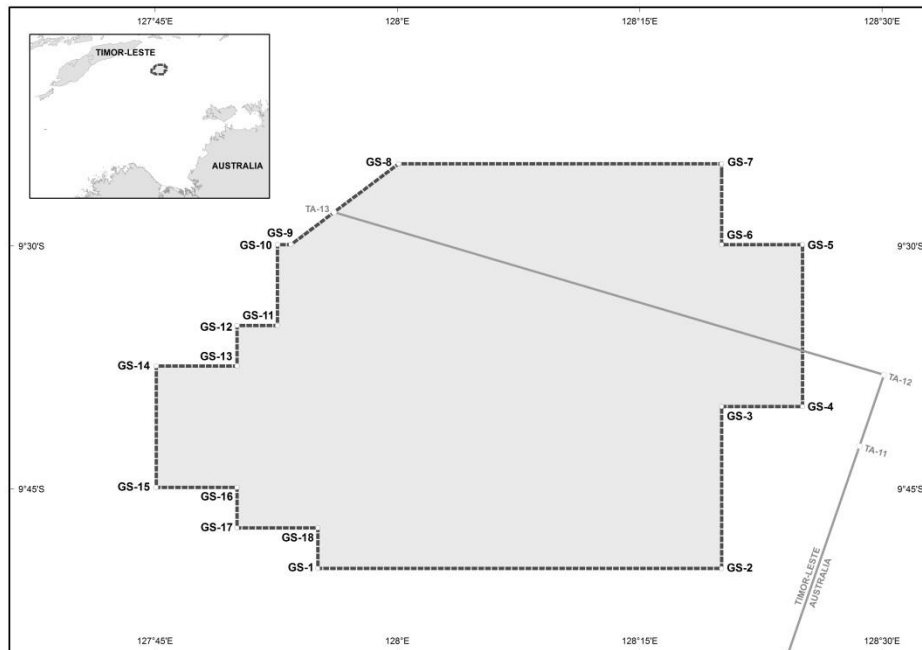
- (1) The *Greater Sunrise special regime area* is the area of the continental shelf contained within the rhumb lines connecting the points described in the following table.

| Corners of boundary of Greater Sunrise special regime area |       |                   |                    |
|--|-------|-------------------|--------------------|
| Item   | Point | Latitude of point | Longitude of point |
| 1  | GS-1  | 09°49'54.88"S     | 127°55'04.35"E     |
| 2  | GS-2  | 09°49'54.88"S     | 128°20'04.34"E     |
| 3  | GS-3  | 09°39'54.88"S     | 128°20'04.34"E     |
| 4  | GS-4  | 09°39'54.88"S     | 128°25'04.34"E     |
| 5  | GS-5  | 09°29'54.88"S     | 128°25'04.34"E     |
| 6  | GS-6  | 09°29'54.88"S     | 128°20'04.34"E     |
| 7  | GS-7  | 09°24'54.88"S     | 128°20'04.34"E     |
| 8  | GS-8  | 09°24'54.88"S     | 128°00'04.34"E     |
| 9  | GS-9  | 09°29'54.88"S     | 127°53'24.35"E     |
| 10   | GS-10 | 09°29'54.88"S     | 127°52'34.35"E     |
| 11   | GS-11 | 09°34'54.88"S     | 127°52'34.35"E     |
| 12   | GS-12 | 09°34'54.88"S     | 127°50'04.35"E     |
| 13   | GS-13 | 09°37'24.88"S     | 127°50'04.35"E     |
| 14   | GS-14 | 09°37'24.89"S     | 127°45'04.35"E     |
| 15   | GS-15 | 09°44'54.88"S     | 127°45'04.35"E     |
| 16   | GS-16 | 09°44'54.88"S     | 127°50'04.35"E     |
| 17   | GS-17 | 09°47'24.88"S     | 127°50'04.35"E     |
| 18   | GS-18 | 09°47'24.88"S     | 127°55'04.35"E     |

- (2) The position on the surface of the Earth of the Greater Sunrise special regime area is to be determined by reference to the Geocentric Datum of Australia as defined in Gazette No. 35 of 6 September 1995 (GDA94 geocentric data set).

**2 Illustrative map of the Greater Sunrise special regime area**

The following map illustrates the Greater Sunrise special regime area and its location relative to Australia and Timor-Leste.



Note: The lines on the map that connect points TA-13, TA-12 and TA-11 reflect Article 2 of the Timor Sea Maritime Boundaries Treaty.



1 **Part 25—Amendment of the Telecommunications Act**  
2 **1997**

3 *Telecommunications Act 1997*

4 **157 After clause 2A of Schedule 3A**

5 Insert:

6 **2AA Operation in Greater Sunrise special regime area**

7 Subsection 13AB(1) of the *Seas and Submerged Lands Act 1973*  
8 does not affect the application of a provision of this Schedule.

9 Note: Subsection 13AB(1) of the *Seas and Submerged Lands Act 1973*  
10 provides that a law of the Commonwealth does not apply in relation to  
11 an act, omission, matter or thing directly or indirectly connected with  
12 the exploration of, or exploitation of the natural resources of, the  
13 continental shelf in the Greater Sunrise special regime area.

**Schedule 2** Provisions commencing once Greater Sunrise Production Sharing Contract comes into force

**Part 1** Amendment of the Australian Jobs Act 2013

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1 **Schedule 2—Provisions commencing once**  
2 **Greater Sunrise Production Sharing**  
3 **Contract comes into force**

4 **Part 1—Amendment of the Australian Jobs Act 2013**

5 *Australian Jobs Act 2013*

6 **1 Subparagraphs 7(1)(d)(i) and 117(1)(b)(i)**

7 Omit “and outside the Greater Sunrise special regime area (within the  
8 meaning of the *Seas and Submerged Lands Act 1973*)”.

1 **Part 2—Amendment of the Australian Postal**  
2 **Corporation Act 1989**

3 *Australian Postal Corporation Act 1989*

4 **2 Subsection 9(4) (definition of *offshore area*)**

5 Repeal the definition, substitute:

6 *offshore area* of a State or a Territory has the same meaning as in  
7 the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*.

**Schedule 2** Provisions commencing once Greater Sunrise Production Sharing Contract comes into force

**Part 3** Amendment of the Offshore Minerals Act 1994

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1 **Part 3—Amendment of the Offshore Minerals Act**  
2 **1994**

3 *Offshore Minerals Act 1994*

4 **3 Section 35A**

5 Repeal the section.

1 **Part 4—Amendment of the Offshore Petroleum and**  
2 **Greenhouse Gas Storage Act 2006**

3 **Division 1—Amendments**

4 ***Offshore Petroleum and Greenhouse Gas Storage Act 2006***

5 **4 Section 4**

6 Omit “Principal”.

7 **5 Section 7**

8 Repeal the following definitions:

- 9 (a) definition of *Eastern Greater Sunrise offshore area*;  
10 (b) definition of *Greater Sunrise unitisation agreement*;  
11 (c) definition of *Greater Sunrise unit reservoir petroleum*  
12 *production licence*;  
13 (d) definition of *Greater Sunrise visiting inspector*.

14 **6 Section 7 (paragraph (g) of the definition of offshore area)**

15 Omit “Principal Northern Territory offshore area”, substitute “offshore  
16 area of the Northern Territory”.

17 **7 Section 7 (paragraph (h) of the definition of offshore area)**

18 Repeal the paragraph.

19 **8 Section 7 (definition of offshore area)**

20 Omit “(h),”.

21 **9 Section 7 (definition of Principal Northern Territory**  
22 ***offshore area*)**

23 Repeal the definition.

24 **10 Subsection 8(1) (cell at table item 4, column headed**  
25 **“is...”)**

26 Repeal the cell, substitute:

so much of the scheduled area for the Northern Territory as comprises waters of the sea that are:

- (a) beyond the outer limits of the coastal waters of the Northern Territory; and
- (b) within the outer limits of the continental shelf.

1     **11 Subsection 40(1) (note 3A)**

2             Omit “the Eastern Greater Sunrise offshore area and”.

3     **12 Subsection 56(4) (heading)**

4             Repeal the heading, substitute:

5                     *Northern Territory*

6     **13 Subsection 56(4)**

7             Omit “Principal Northern Territory offshore area”, substitute “offshore  
8             area of the Northern Territory”.

9     **14 Subsections 56(6) and (7)**

10            Repeal the subsections.

11    **15 Subsection 57(1)**

12            Omit “(other than the Northern Territory)”.

13    **16 Subsections 57(2) and (3)**

14            Repeal the subsections.

15    **17 Paragraph 61(2A)(a)**

16            Repeal the paragraph.

17    **18 Subsection 64(2)**

18            Repeal the subsection.

19    **19 Section 67**

20            Repeal the section.

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1 **20 Section 69**

2 Repeal the section.

3 **21 Subsections 168(7) and 170(4)**

4 Repeal the subsections (not including the notes).

5 **22 Paragraph 171(1)(c)**

6 Repeal the paragraph.

7 **23 Section 172**

8 Repeal the section.

9 **24 Subsection 173(5)**

10 Repeal the subsection.

11 **25 Subsection 173A(1)**

12 Omit “(other than a Greater Sunrise unit reservoir petroleum production  
13 licence)”.

14 **26 Paragraph 191(1)(a)**

15 Omit “(other than either of the Greater Sunrise unit reservoirs)”.

16 **27 Subsection 227(9)**

17 Repeal the subsection.

18 **28 Section 285 (heading)**

19 Omit “**not recovered from a Greater Sunrise unit reservoir**”.

20 **29 Subsection 285(1)**

21 Omit “(other than petroleum from the Greater Sunrise unit reservoirs)”.

22 **30 Section 286 (heading)**

23 Repeal the heading, substitute:

**286 Current apportionment percentage of petroleum recovered  
from a Greater Sunrise unit reservoir**

### 31 Subsections 286(1), (2) and (3)

Repeal the subsections, substitute:

## Scope

(1) For the purposes of subsection 2C(1) of the *Petroleum Resource Rent Tax Assessment Act 1987*, this section:

- (a) applies in relation to an amount of petroleum that is recovered at a particular time from a Greater Sunrise unit reservoir; and
- (b) defines the current apportionment percentage for the amount.

**32 Subsection 286(4) (definition of *current apportionment percentage*)**

Repeat the definition, substitute:

***current apportionment percentage***, in relation to an amount of petroleum recovered at a particular time, means 79.9%.

### 33 Subsections 506(7) and 555(7)

Repeal the subsections.

### 34 Paragraph 602(4)(b)

Omit “limitation; and”, substitute “limitation.”.

### 35 Paragraph 602(4)(c)

Repeal the paragraph.

## 36 Section 602H

Repeal the section.

### 37 Section 776 (heading)

Omit “external”.



1 **38 Paragraph 776(1)(b)**

2 Omit “external”.

3 **39 Section 777**

4 Repeal the section.

5 **40 Paragraph 780F(1)(a)**

6 Omit “(other than a Greater Sunrise visiting inspector)”.

7 **41 Paragraph 780F(1)(b)**

8 Repeal the paragraph.

9 **42 Paragraph 780F(2)(a)**

10 Omit “(other than a Greater Sunrise visiting inspector)”.

11 **43 Paragraph 780F(2)(b)**

12 Repeal the paragraph.

13 **44 Paragraph 780F(7)(a)**

14 Omit “(other than a Greater Sunrise visiting inspector)”.

15 **45 Paragraph 780F(7)(b)**

16 Repeal the paragraph.

17 **46 Paragraph 780F(8)(a)**

18 Omit “(other than a Greater Sunrise visiting inspector)”.

19 **47 Paragraph 780F(8)(b)**

20 Repeal the paragraph.

21 **48 Paragraph 780F(9)(a)**

22 Omit “(other than a Greater Sunrise visiting inspector)”.

23 **49 Paragraph 780F(9)(b)**

24 Repeal the paragraph.

Repeal the paragraph.

Omit “(other than the Joint Authority for the Principal Northern Territory offshore area or the Joint Authority for the Eastern Greater Sunrise offshore area)”.

Repeal the subclauses.

Omit “(1)”.

Omit “(other than the Designated Authority for the Principal Northern Territory offshore area or the Designated Authority for the Eastern Greater Sunrise offshore area)”.

Repeal the subclauses.

Repeal the subclause.

Omit “(other than the Register for the Principal Northern Territory offshore area or the Register for the Eastern Greater Sunrise offshore area)”.

Repeal the subclauses.

Repeal the heading, substitute:

## **Schedule 7—Western Greater Sunrise area**

### **60 Clause 2 of Schedule 7**

Repeal the clause.

### **Division 2—Saving and transitional provisions**

#### **61 Revocation of petroleum retention leases in Greater Sunrise special regime area**

- (1) A petroleum retention lease that was in force under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* over a block in the Eastern Greater Sunrise offshore area immediately before the commencement of this item is wholly revoked by this item on its commencement.

Note 1: This item commences only once the Greater Sunrise Production Sharing Contract under the Timor Sea Maritime Boundaries Treaty has come into force. Under Article 4 of Annex B to the treaty, the conditions of the contract must be equivalent to the legal rights held under the retention leases.

Note 2: Division 4 of Part 2.3 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* does not apply in relation to the revocation, because it occurs by force of this item.

Note 3: Under section 471 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, the Titles Administrator must enter in the relevant Register a memorial of the revocation.

- (2) To avoid doubt, the following provisions of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* do not apply as a result of the revocation:

- (a) section 14;
- (b) section 115;
- (c) subsection 132(3);
- (d) section 178;
- (e) section 708.

1     **62 Saving of paragraph 61(2A)(a) and subsection 64(2) of the**  
2             ***Offshore Petroleum and Greenhouse Gas Storage Act***  
3             **2006**

4             Despite the repeal of paragraph 61(2A)(a) and subsection 64(2) of the  
5             *Offshore Petroleum and Greenhouse Gas Storage Act 2006* by this Part,  
6             that paragraph and subsection continue to apply for the purposes of  
7             proceedings occurring after that repeal (whether the proceedings started  
8             before, on or after that repeal).

9     **63 Saving of Schedule 6 to the *Offshore Petroleum and***  
10            ***Greenhouse Gas Storage Act 2006***

11            Despite the amendments of Schedule 6 to the *Offshore Petroleum and*  
12            *Greenhouse Gas Storage Act 2006* by this Part, that Schedule continues  
13            to have effect as if it had not been amended.

1       **Schedule 3—Compensation for acquisition of**  
2                               **property**  
3

4       **1 Compensation for acquisition of property**

- 5       (1)     If the operation of this Act would result in an acquisition of property  
6               (within the meaning of paragraph 51(xxxi) of the Constitution) from a  
7               person otherwise than on just terms (within the meaning of that  
8               paragraph), the Commonwealth is liable to pay a reasonable amount of  
9               compensation to the person.
- 10      (2)     If the Commonwealth and the person do not agree on the amount of the  
11               compensation, the person may institute proceedings in the Federal Court  
12               of Australia or the Supreme Court of a State or Territory for the  
13               recovery from the Commonwealth of such reasonable amount of  
14               compensation as the court determines.  
15

(98/19)