



PETROLEUM (PIPELINE LICENCES) AMENDMENT ACT 1993

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ANNO TRICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1993

No. 82 of 1993

An Act to amend the Petroleum Act 1940.

[Assented to 27 October 1993]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Petroleum (Pipeline Licences) Amendment Act 1993*.
- (2) The *Petroleum Act 1940* is referred to in this Act as “the principal Act”.

Amendment of s. 80ca—Interpretation

2. Section 80ca of the principal Act is amended—

(a) by inserting before the definition of “pipeline” the following definitions:

“to construct” includes to cause to be constructed;

“to operate” includes to cause to be operated;;

(b) by inserting “and includes tanks, machinery and appurtenances integral to the pipeline” in the definition of “pipeline” after “outside the State”;

(c) by inserting after its present contents (as amended by paragraphs (a) and (b) and now to be designated as subsection (1)) the following subsection:

(2) For the purposes of this Part—

(a) a reference to a pipeline includes, unless the contrary intention appears, a reference to part of a pipeline; and

(b) a reference to an extension to a pipeline means an extension in order to convey petroleum to or from a place which has not previously been on the route of the pipeline.

Substitution of s. 80d

3. Section 80d of the principal Act is repealed and the following section is substituted:

Pipelines not to be constructed or operated except in pursuance of licence

80d. (1) A person must not—

(a) construct a pipeline;

or

(b) operate a pipeline,

except in pursuance of a pipeline licence granted under this Act.

Penalty: Division 1 fine.

(2) A pipeline licence may be granted in respect of—

(a) all of a pipeline;

or

(b) any part of a pipeline.

(3) Subject to subsection (5), a licensee may apply for the variation of an existing pipeline licence in order to construct or operate an extension to the pipeline (but this provision does not prevent application being made for a separate licence in respect of the extension).

(4) An application under subsection (3) will, subject to such modifications or variations as may be necessary or appropriate, or as may be prescribed, to the extent of the proposed variation, be treated in the same way as an application for a licence under this Act.

(5) The Minister may require that application be made for a separate licence in respect of an extension to an existing pipeline.

(6) A person must not carry out or cause to be carried out any survey in connection with a proposed pipeline except with the authority of the Minister or in pursuance of a pipeline licence granted under this Act.

Amendment of s. 80e—Mode of application for licence

4. Section 80e of the principal Act is amended by inserting “tanks,” after “location of all” in subsection (1)(c).

Amendment of s. 80g—Factors relevant to the grant of a licence

5. Section 80g of the principal Act is amended by inserting after paragraph (a) of subsection (1) the following paragraph:

- (ab) in the case of an application in respect of part of a pipeline, the interests of any other licensee in respect of the pipeline;.

Amendment of s. 80m—Alteration of pipeline

6. Section 80m of the principal Act is amended by striking out “extend”.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor