

WESTERN AUSTRALIA

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**NORTH WEST GAS  
DEVELOPMENT (WOODSIDE)  
AGREEMENT AMENDMENT  
ACT 1996**

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**No. 25 of 1996**

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**AN ACT to amend the *North West Gas Development  
(Woodside) Agreement Act 1979*.**

[Assented to 15 July 1996.]

The Parliament of Western Australia enacts as follows:

**Short title**

**1.** This Act may be cited as the *North West Gas Development  
(Woodside) Agreement Amendment Act 1996*.

**Commencement**

2. This Act comes into operation on the day on which it receives the Royal Assent.

**Principal Act**

3. In this Act the *North West Gas Development (Woodside) Agreement Act 1979\** is referred to as the principal Act.

[\* Act No. 104 of 1979.  
For subsequent amendments see 1995 Index to  
Legislation of Western Australia, Table 1, p. 154.]

**Section 2 amended**

4. Section 2 of the principal Act is amended —

- (a) by deleting the full stop at the end of the section and substituting a semicolon; and
- (b) by inserting at the end of the section the following definition —

“  
**“the Third Supplementary Agreement”**  
means the agreement a copy of which  
is set out in Schedule 4.  
”.

**Section 5A inserted**

5. After section 5 of the principal Act the following section is inserted —

“

**Third Supplementary Agreement**

**5A.** (1) The Third Supplementary Agreement is ratified.

(2) The implementation of the Third Supplementary Agreement is authorized.

(3) Without limiting or otherwise affecting the application of the *Government Agreements Act 1979*, the Third Supplementary Agreement shall operate and take effect notwithstanding any other Act or law.

”.

**Schedule 4 added**

6. After Schedule 3 to the principal Act the following Schedule is added —

“

**SCHEDULE 4**

**THIS AGREEMENT** is made the 29th day of May 1996

B E T W E E N

**THE HONOURABLE RICHARD FAIRFAX COURT**, B.Com., M.L.A., Premier of the State of Western Australia, acting for and on behalf of the Government of the said State and its instrumentalities from time to time (hereinafter called the "State") of the one part

AND

**WOODSIDE PETROLEUM DEVELOPMENT PTY. LTD.** ACN 006 325 631 a company incorporated in Victoria and having its registered office at Level 40, 385 Bourke Street, Melbourne, **WOODSIDE OIL LTD.** ACN 005 482 986 a company incorporated in Victoria and having its registered office at Level 40, 385 Bourke Street, Melbourne, **MID-EASTERN OIL LTD.** ACN 004 538 210 a company incorporated in Victoria and having its registered office at Level 40, 385 Bourke Street, Melbourne, **SHELL DEVELOPMENT (AUSTRALIA) PROPRIETARY LIMITED** ACN 009 663 576 a company incorporated in Queensland and having its registered office in Victoria at Level 18, Shell House, 1 Spring Street, Melbourne, **BHP PETROLEUM (NORTH WEST SHELF) PTY. LTD.** ACN 004 514 489 a company incorporated in Victoria and having its registered office at Level 19, BHP Petroleum Plaza, 120 Collins Street, Melbourne, **BP DEVELOPMENTS AUSTRALIA LTD.** ARBN 007 507 959 a company organised and existing under the laws of the State of Louisiana, United States of America and registered in Australia as a foreign company and having its registered office in Victoria at care of BP Australia Limited, 32nd Floor, The Tower Melbourne Central, 360 Elizabeth Street, Melbourne, **CHEVRON ASIATIC LIMITED** ARBN 009 473 090 a corporation organised and existing under the laws of the State of Delaware, United States of America and registered in Australia as a foreign company and having its registered office in Western Australia at 27th Floor, 44 St George's Terrace, Perth and **JAPAN AUSTRALIA LNG (MIMI) PTY. LTD.** ACN 006 303 180 a company incorporated in Victoria and having its registered office at Level 33, 385 Bourke Street, Melbourne of the other part.

**WHEREAS:**

- (a) the parties hereto are now the parties to the agreement (hereinafter called the "1979 Agreement") dated 27 November 1979 which was ratified by and is scheduled to the North West Gas Development (Woodside) Agreement Act 1979 as varied by -
  - (i) the agreement dated 15 September 1982 entered into pursuant to the provisions of clause 27 of the 1979 Agreement;

- (ii) the agreement dated 3 July 1985 which was ratified by and is scheduled to the North West Gas Development (Woodside) Agreement Amendment Act 1985; and
  - (iii) the agreement dated 23 November 1994 which was ratified and is scheduled to the North West Gas Development (Woodside) Agreement Amendment Act 1994;
- (b) the 1979 Agreement as so varied is hereinafter referred to as the "Principal Agreement"; and
- (c) the parties hereto desire to vary the Principal Agreement in manner hereinafter set out.

**NOW THIS AGREEMENT WITNESSES:**

1. Unless the context otherwise requires the words and expressions used in this Agreement have the same meanings respectively as they have in and for the purpose of the Principal Agreement.
2. The State shall introduce and sponsor a Bill in the Parliament of Western Australia to ratify this Agreement and shall endeavour to secure its passage as an Act on or before 31 December 1996.
3. The provisions of this Agreement other than this clause and clauses 1 and 2 shall not come into operation unless and until the Bill referred to in clause 2 has been passed by the Parliament of Western Australia and comes into operation as an Act.
4. The Principal Agreement is hereby varied by inserting after Clause 41 the following clause -
  - "41A.(1) In this Clause -  
"**BHP DRI Contract**" means the agreement entered into on 23 August 1995 by the Domgas Joint Venturers as sellers and BHP Direct Reduced Iron Pty. Ltd. ACN 058 025 960 ("BHP DRI") as buyer, as varied from time to time, for

the sale of natural gas by the Domgas Joint Venturers to BHP DRI, for a term of approximately 15 years, and for a maximum daily contract quantity of 147 TJ per day.

- (2) In accordance with and for the purposes only of section 51 (1) (b) of the Trade Practices Act 1974 of the Commonwealth, the State authorises each Domgas Joint Venturer to sell natural gas to BHP DRI pursuant to the BHP DRI Contract on such terms, including as to price, and subject to such conditions as may be agreed between the Domgas Joint Venturers and BHP DRI."

IN WITNESS WHEREOF this Agreement has been executed by or on behalf of the parties hereto the day and year first hereinbefore mentioned.

SIGNED by the said )  
**THE HONOURABLE RICHARD** ) R.F. Court  
**FAIRFAX COURT** in the )  
presence of: )

MINISTER FOR RESOURCES DEVELOPMENT C. Barnett

THE COMMON SEAL of )  
**WOODSIDE PETROLEUM** ) C.S.  
**DEVELOPMENT PTY. LTD.** )  
is affixed in accordance with its )  
articles of association in the )  
presence of: )

Director D. Larke

Secretary M. Morrison

THE COMMON SEAL of )  
**WOODSIDE OIL LTD.** is affixed ) C.S.  
in accordance with its articles of )  
association in the presence of: )

Director D. Larke

Secretary M. Morrison

THE COMMON SEAL of )  
**MID-EASTERN OIL LTD.** ) C.S.  
is affixed in accordance with its )  
articles of association in the )  
presence of: )

Director D. Larke

Secretary M. Morrison

THE COMMON SEAL of )  
**SHELL DEVELOPMENT** ) C.S.  
**(AUSTRALIA) PROPRIETARY** )  
**LIMITED** was hereunto affixed by )  
authority of the directors and in the )  
presence of: )

Director B. Wheelahan

Secretary S. McCarthy

THE COMMON SEAL of **BHP** )  
**PETROLEUM (NORTH WEST** ) C.S.  
**SHELF) PTY. LTD.** was hereunto )  
affixed by authority of the Board of )  
Directors: )

Director A. Howell

Secretary A. James

THE COMMON SEAL of **BP** )  
**DEVELOPMENTS AUSTRALIA** ) C.S.  
**LTD.** was hereunto affixed: )

by: )  
President D. Roemmich

attest: )  
Director R. McGimpsey

THE COMMON SEAL of **CHEVRON** )  
**ASIATIC LIMITED** was hereunto ) C.S.  
affixed by authority of the Board of )  
Directors in the presence of: )

Director J. Gass

Assistant Secretary J. Welch



*North West Gas Development (Woodside)  
Agreement Amendment Act 1996*

[No. 25

**s. 6**

THE COMMON SEAL of **JAPAN** )  
**AUSTRALIA LNG (MIMI) PTY.** ) C.S.  
**LTD.** was hereunto affixed by authority )  
of the Board of Directors in the )  
presence of: )

Director

J. Okada

Secretary

M. Sweeney

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