

**Authorised Version**

**Greenhouse Gas Geological Sequestration  
(Exemption) Regulations 2018**

**S.R. No. 41/2018**

**TABLE OF PROVISIONS**

<i>Regulation</i>		<i>Page</i>
1	Objectives	1
2	Authorising provision	1
3	Commencement	2
4	Revocation	2
5	Definitions	2
6	Exemption from provisions of Greenhouse Gas Geological Sequestration Act 2008	3
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<b>Endnotes</b>		<b>4</b>

## Authorised Version

STATUTORY RULES 2018

S.R. No. 41/2018

*Greenhouse Gas Geological Sequestration Act 2008*

### **Greenhouse Gas Geological Sequestration (Exemption) Regulations 2018**

The Governor in Council makes the following Regulations:

Dated: 27 March 2018

Responsible Minister:

TIM PALLAS  
Minister for Resources

ANDREW ROBINSON  
Clerk of the Executive Council

#### **1 Objectives**

The objectives of these Regulations are—

- (a) to revoke the Greenhouse Gas Geological Sequestration (Exemption) Regulations 2009; and
- (b) to exempt the Otway National Research Facility, related activities and persons carrying out related activities from certain provisions of the **Greenhouse Gas Geological Sequestration Act 2008**.

#### **2 Authorising provision**

These Regulations are made under section 303 of the **Greenhouse Gas Geological Sequestration Act 2008**.

### 3 Commencement

These Regulations come into operation on  
31 March 2018.

### 4 Revocation

The Greenhouse Gas Geological Sequestration  
(Exemption) Regulations 2009<sup>1</sup> are **revoked**.

### 5 Definitions

In these Regulations—

***greenhouse gas sequestration activities*** means—

- (a) activities which constitute greenhouse gas sequestration formation exploration; or
- (b) greenhouse gas substance injection and monitoring; or
- (c) any greenhouse gas geological sequestration research or demonstration activities including exploration, modelling, extraction, processing, separation, capture, transport, injection, monitoring, verification or educational activities;

***Otway facility area*** means—

- (a) the area of land to which petroleum production licence 11 granted under the **Petroleum Act 1998** and dated 14 May 2002 and petroleum production licence 13 granted under the **Petroleum Act 1998** and dated 7 February 2006 apply; and
- (b) a 5 kilometre radius from the outer boundaries of the area of land referred to in paragraph (a);

*resources law* means—

- (a) the **Environment Protection Act 1970**; or
- (b) the **Petroleum Act 1998**; or
- (c) the **Water Act 1989**.

**6 Exemption from provisions of Greenhouse Gas Geological Sequestration Act 2008**

- (1) Subject to subregulation (2), the following persons or things are exempt from all the provisions (except sections 14, 15 and 303) of the **Greenhouse Gas Geological Sequestration Act 2008**—
  - (a) the Otway National Research Facility;
  - (b) greenhouse gas sequestration activities in respect of the Otway National Research Facility;
  - (c) any person carrying out greenhouse gas sequestration activities in relation to the Otway National Research Facility when carried out in the Otway facility area.
- (2) An exemption under subregulation (1)(b) or (c) only applies if the greenhouse gas sequestration activity is authorised by an approval or other authority under a resources law.

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## Endnotes

<sup>1</sup> Reg. 4: S.R. No. 150/2009.

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### Table of Applied, Adopted or Incorporated Matter

Note that the following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

<b>Statutory rule provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 5, paragraph (a) of the definition of <i>Otway facility area</i>	Petroleum production licence 11 granted under the <b>Petroleum Act 1998</b> and dated 14 May 2002	The whole
	Petroleum production licence 13 granted under the <b>Petroleum Act 1998</b> and dated 7 February 2006	The whole