

## LEGISLATIVE COUNCIL

## PETROLEUM LEGISLATION AMENDMENT BILL 2020

(Amendments and New Clauses to be proposed in Committee by Mr RICH-PHILLIPS)

1. Clause 1, line 9, after "2021" insert "or other date approved by the Minister".
2. Clause 6, lines 25 to 27, omit all words and expressions on these lines and insert—  
'For the definition of *moratorium period* in section 17A(5) of the Principal Act **substitute**—  
*"moratorium period* means the period beginning on the day on which the **Resources Legislation Amendment (Fracking Ban) Act 2017** comes into operation and ending on the earlier of the following days—  
(a) 30 June 2021;  
(b) if the Minister approves another day as the final day of the moratorium period and notifies the holders of all relevant authorities, that day;"

## NEW CLAUSES

3. Insert the following New Clause to follow clause 17—  
**'17A New section 101A inserted**  
After section 101 of the Principal Act **insert**—  
**"101A Statutory condition relating to natural gas**  
(1) Despite anything to the contrary in this Act or any condition of an authority, an authority is subject to the condition that the holder of the authority must not extract or recover natural gas from private land as part of a petroleum operation under the authority unless the holder obtains written consent from the owner of that land for the extraction or recovery.  
(2) Despite anything to the contrary in this Act, this condition cannot be varied.  
(3) In this section—  
*natural gas* means—  
(a) any naturally occurring hydrocarbon in a gaseous state; or  
(b) any naturally occurring mixture of hydrocarbons in a gaseous state."

4. Insert the following New Clauses to follow clause 19—

**'19A Liability for, and rate of, royalty**

(1) In section 149(1) of the Principal Act, after "Minister" **insert** "and, in the case of natural gas extracted or recovered from private land, the owner of the land".

(2) After section 149(2) of the Principal Act **insert**—

"(3) In this section—

*natural gas* means—

- (a) any naturally occurring hydrocarbon in a gaseous state; or
- (b) any naturally occurring mixture of hydrocarbons in a gaseous state."

**19B Rate of royalty**

At the end of section 150 of the Principal Act **insert**—

"(2) If a royalty is to be paid under this Part in respect of natural gas extracted or recovered from private land, the holder of the petroleum licence must pay—

- (a) 90% of the royalty to the Minister; and
- (b) 10% of the royalty to the owner of that land."