



MINISTER FOR MINING AND ENERGY

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Mr Russell Keith
Clerk
Legislative Assembly of the Northern Territory
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Dear Mr Keith

Thank you for your letter dated 1 May 2026, referring recommendations 2 and 3 of the Legislative Scrutiny Committee Report, *Inquiry into the Pipelines and Petroleum Legislation Amendment (Industry Development) Bill 2026* (the Report) for Government's consideration. I am writing to advise of the Government's response in accordance with Standing Order 201(1).

I note that recommendations 1, 4 and 5 of the Report were for consideration of the Legislative Assembly of the Northern Territory (legislative Assembly). Recommendation 1 was for the Legislative Assembly to pass the *Pipelines and Petroleum Legislation Amendment (Industry Development) Bill 2026* (the Bill) with the proposed amendments set out in recommendations 4 and 5.

On 14 May 2026, the Legislative Assembly passed the Bill without making the proposed amendments to provide that the Chief Executive Officer (CEO) and the Minister for Mining and Energy may only delegate their functions and powers to 'a suitably qualified and experienced person'. These proposed amendments would have been inconsistent with equivalent provisions in similar legislation within the Northern Territory (NT) Statute Book including the *Petroleum Act 1984*, the *Energy Pipelines Act 1981* and the *Geothermal Energy Act 2009*. These types of restrictions are not typically included for delegation powers and create additional legal risks.

Decisions to delegate functions and powers are discretionary decisions that must be made in accordance with obligations under the *Public Sector Employment and Management Act 1993* (for the CEO) and the Ministerial Code of Conduct for me as Minister for Mining and Energy, ensuring that I make decisions in the best interests of the NT.

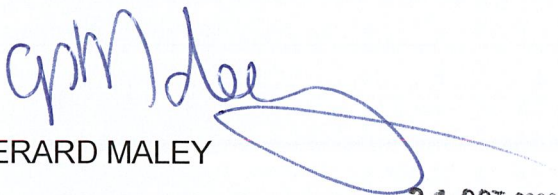
Recommendations 2 and 3 each propose amendments to the Explanatory Statement tabled on 18 March 2026 to detail the skills, training and experience required by a person to be appointed as an inspector, and to clarify that an inspector cannot use reasonable force against a person. The Government has not accepted these recommendations and therefore will not amend or table any Addendum to the Explanatory Statement.

The qualifications and experience of an inspector is an operational matter for the CEO of the Department of Mining and Energy (DME) to manage to ensure that the inspectorate possess an appropriate mix of knowledge, skills and training to effectively perform its functions under legislation. While DME has invested in Certificate IV in Government Investigations training for inspectors, it is acknowledged that there is no one set of skills, training and experience required for an inspector. This may mean that different inspectors hold different qualifications and bring with them skills and experience from different industry or regulatory-focused areas.

In relation to the use of reasonable force against a person by an inspector, there was no provision of the Bill that would grant an inspector power to use force against a person. Legislation that does grant the power to use force against a person does so with absolute clarity, setting out the circumstances in which the power can be used and any limitations associated with the use of reasonable force against a person.

I thank the Committee for its detailed consideration of the Pipelines and Petroleum Legislation Amendment (Industry Development) Bill 2026, and the provision of its Report.

Yours sincerely



GERARD MALEY

cc: Legislative Scrutiny Committee
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21 OCT 2026