

Serial 57
Pipelines and Petroleum Legislation Amendment (Industry Development)
Bill 2026
Mr Maley

A Bill for an Act to amend the *Energy Pipelines Act 1981*, the *Petroleum Act 1984* and the *Petroleum (Submerged Lands) Act 1981* and for related purposes

NORTHERN TERRITORY OF AUSTRALIA

PIPELINES AND PETROLEUM LEGISLATION AMENDMENT (INDUSTRY DEVELOPMENT) ACT 2026

Act No. [] of 2026

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2026

5

An Act to amend the amend the *Energy Pipelines Act 1981*, the *Petroleum Act 1984* and the *Petroleum (Submerged Lands) Act 1981* and for related purposes

[Assented to [] 2026]
[Introduced [] 2026]

10

The Legislative Assembly of the Northern Territory enacts as follows:

Part 1 Preliminary matters

1 Short title

This Act may be cited as the *Pipelines and Petroleum Legislation Amendment (Industry Development) Act 2026*.

15

2 Commencement

- (1) Subject to subsection (2), this Act commences on the day fixed by the Administrator by *Gazette* notice.
- (2) If a provision of this Act does not commence before 6 March 2028, it commences on that day.

20

Part 2 Amendment of Energy Pipelines Act 1981

3 Act amended

This Part amends the *Energy Pipelines Act 1981*.

4 Long title replaced

Long title

repeal, insert

5

An Act to provide for the construction, operation, maintenance and decommissioning of pipelines for the conveyance of certain substances and for related purposes

5 Section 1 amended (Short title)

Section 1

omit

10

Energy

6 Section 3 amended (Interpretation)

(1) Section 3(1)

omit

, unless the contrary intention appears

15

(2) Section 3(1), definitions ***apparatus or works, energy-producing hydro-carbon, inspector, licence*** and ***pipeline***

omit

(3) Section 3(1)

insert

20

Aboriginal land, see section 3(1) of the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth).

apparatus and works, in relation to a pipeline, means a thing that is connected to or associated with the pipeline that is necessary for its operation.

25

Examples for definition apparatus and works

1 *Meter stations, scraper stations, valve stations, compressor stations and pumping stations.*

2 *Corrosion protection apparatus.*

3 *Communications equipment and towers.*

30

approved form means a form approved under section 67D.

CEO means the Chief Executive Officer.

compliance direction means a compliance direction issued under section 58L.

5 **energy-producing hydrocarbon** means a naturally occurring or refined hydrocarbon or mixture of hydrocarbons, whether in a liquid, solid or gaseous state, whether or not it is mixed with other substances.

guideline means a guideline issued under section 67E.

infrastructure includes structures, plant and equipment.

10 **inspector** means a person appointed to be an inspector under section 58R.

licence means a pipeline licence.

15 **pipeline** means a pipe or system of pipes that is used, or intended to be used, for the conveyance of a regulated substance, whether or not the regulated substance is mixed with any other substance, including all apparatus and works for the pipeline.

Note for definition pipeline

A pipeline includes a duplicated or looped pipeline that is connected to it.

pipeline licence means a licence granted under Part 3 or section 43.

20 **pipeline management plan**, see section 18A.

regulated substance means any of the following:

- 25
- (a) an energy-producing hydrocarbon;
 - (b) hydrogen;
 - (c) any hydrogen compound, precursor or hydrogen carrier that is used for the transmission of hydrogen;
 - (d) carbon dioxide;
 - (e) a gas or other substance prescribed by regulation.

stop work notice means a stop work notice issued under section 58P.

30 (4) Section 3(1), definition **affected land or waters**, paragraph (b)

omit

licence,

insert

pipeline licence, or a permit sought or obtained in relation to a possible pipeline licence,

(5) Section 3(1), definition ***Native Title Act***

5 *omit*

of the Commonwealth.

insert

(Cth).

(6) Section 3(1), definition ***partly cancelled***

10 *omit*

licence, means cancelled as to part of the pipeline or some of the apparatus or works

insert

pipeline licence, means cancelled as to part of the pipeline

15 (7) Section 3(1), definition ***permit***

omit

Part II

insert

Part 2

20 (8) Section 3(1), definition ***relinquished area***

omit

a licence

insert

a pipeline licence

(9) Section 3(1), at the end

insert

Note for subsection (1)

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

5

7 Section 4 amended (Application etc.)

(1) Section 4, heading

omit

etc.

10

insert

of Act

(2) Section 4(1)(a)

omit, insert

15

(a) a pipeline that forms part of a gas distribution line or network;
or

(ab) a pipeline of a class that is prescribed by regulation; or

(ac) a pipeline constructed or to be constructed under the
Petroleum and Pipelines (Submerged Lands) Act 1981; or

(3) Section 4(1)(b) and (c), at the end

20

insert

or

(4) Section 4(1)(e)(i) to (iv)

omit (all references)

hydro-carbon

25

insert

hydrocarbon

(5) Section 4(1A) and (1B)

omit

(6) Section 4(2)

omit

declared

insert

5 declare

(7) Section 4(3)

omit

of the Commonwealth,

insert

10 (Cth),

(8) After section 4(3)

insert

(4) For this section, a **gas distribution line or network** is a pipeline that:

15 (a) is located downstream of a city gate station; and

(b) has a maximum allowable operating pressure of no more than 1050 kPa and a hoop stress that is equal to or less than 20% of the specified maximum yield stress of the pipe.

8 Sections 4A and 4B inserted

20 After section 4, in Part I

insert

4A Application of provisions of *Dangerous Goods Act 1998*

(1) Subject to subsection (2), the *Dangerous Goods Act 1998* does not apply to or in relation to:

25 (a) a pipeline in respect of which a pipeline licence is in force; or

(b) a substance that is being conveyed by a pipeline mentioned in paragraph (a).

(2) Nothing in subsection (1) exempts a person from the need to comply with the *Dangerous Goods Act 1998* in relation to the

storage, conveyance or use of dangerous goods, within the meaning of that Act, in or in connection with the construction, maintenance or repair of a pipeline referred to in that subsection.

4B Fit and proper person

5 (1) In considering whether a person is or is not a fit and proper person to hold a permit or licence under this Act, the Minister:

(a) may have regard to whether there are reasonable grounds to believe that the person:

10 (i) has contravened a law of the Territory or another jurisdiction that relates to the regulation of pipelines or the physical or biological environment, including matters relating to pollution, biodiversity, natural resources, planning, development or waste; or

15 (ii) has contravened a law of the Territory or another jurisdiction that relates to heritage, health or cultural matters, including matters relating to sacred sites; or

(iii) has contravened a law of the Territory or another jurisdiction that relates to work health and safety; or

20 (iv) has contravened a law of the Territory under which a tax or royalty is payable to the Territory; or

(v) has committed an offence against any law of the Territory or another jurisdiction that involves an element of fraud or dishonesty; or

25 (vi) has behaved or is likely to behave in a way that is inconsistent with the person's duties as a licence holder or permit holder; and

(b) may have regard to any matters prescribed by regulation; and

(c) may have regard to any other matters the Minister considers relevant.

30 (2) The Minister is not required to conduct an investigation to determine whether a person is a fit and proper person.

9 Part II heading and section 5 replaced

Part II, heading and section 5

repeal, insert

Part 2 Permits**5 5 Application for permit**

(1) A person may apply to the Minister for a permit to enter land for the purpose of determining the following:

(a) the route of a proposed pipeline and the location of proposed apparatus and works;

10 (b) any land that may need to be used to gain access to the proposed pipeline.

(2) An application under subsection (1):

(a) must be in the approved form; and

15 (b) must identify the start and end points of the proposed pipeline; and

(c) must specify the land the applicant wishes to enter under the permit by reference to the title numbers of the land; and

(d) must be accompanied by maps showing the location on the land specified under paragraph (c) of the following:

20 (i) the approximate proposed route of the pipeline and the approximate proposed location of apparatus and works, if known;

25 (ii) land the applicant wishes to enter to determine the land that might be used for the purpose of gaining access to the pipeline;

(e) must be accompanied by details of any agreement entered into, or proposed to be entered into, by the applicant relating to the entry to the land specified under paragraph (c); and

30 (f) must include details of the applicant's financial resources and technical competence; and

(g) may set out other matters that the applicant wishes the Minister to consider; and

(h) must be accompanied by the fee prescribed by regulation.

- (3) The Minister may, at any time, by written notice served on an applicant, require the applicant to give the Minister, within the time specified in the notice, further information in writing in connection with the application.

5 **10 Section 6 amended (Notice of application)**

Section 6(2)

omit (all references)

prescribed form

insert

10 approved form

11 Section 8 amended (Grant of permit)

(1) Section 8(1)

omit, insert

15 (1) After considering any representations and comments lodged in accordance with the statement mentioned in section 6(2)(b), the Minister may grant a permit if the Minister is satisfied that:

(a) the applicant for the permit has complied with the requirements of section 5; and

20 (b) 28 days have elapsed since the date on which the last of the notices required to be served by section 6 was served; and

(c) subject to subsection (1A), the applicant is a fit and proper person to hold a permit.

Note for subsection (1)(c)

See section 4B.

25 (1A) The Minister is not required to comply with subsection (1)(c) if the applicant was considered to be a fit and proper person to hold a permit, licence or other interest under another Act that is prescribed by regulation, within the period prescribed by regulation.

30 (1B) The Minister may grant the permit in relation to the land specified in the application under section 5(1), subject to:

(a) exclusion of land the applicant requested be excluded in an application made under section 7; and

(b) the inclusion of additional land specified in an application made under section 7 that the Minister thinks appropriate.

(2) Section 8(2)

omit

5 to:

insert

to the following:

(3) Before section 8(2)(a)

insert

10 (aa) the financial and technical ability of the applicant to carry out the activities under the permit;

(4) Section 8(2)(a)

omit

with:

15 *insert*

with the following:

(5) Section 8(2)(a)(ii)

omit

land; or

20 *insert*

land;

(6) Section 8(2)(a)(iii)

omit

and

12 Section 11 amended (Rights conferred by permit)

(1) Section 11(1)

omit

authorizes

5

insert

authorises

(2) Section 11(1)(a) and (b)

omit, insert

10

(a) the proposed route of the pipeline, including the location of proposed apparatus and works, referred to in the application for the permit; and

(b) any land to be used for the purpose of gaining access to the pipeline, including the proposed apparatus and works.

13 Section 12 amended (Construction, &c., of pipelines)

15

(1) Section 12, heading

omit, insert

12 Licence required to construct, alter and operate pipeline

(2) Section 12(1), penalty provision

omit, insert

20

Maximum penalty: 200 penalty units.

(3) Section 12(2)

omit, insert

(2) A person commits an offence if the person operates a pipeline:

(a) without a pipeline licence; or

25

(b) in contravention of the conditions of a pipeline licence.

Maximum penalty: 200 penalty units.

(4) Section 12(3)(a)

omit

of loss or injury

insert

5 of injury or loss of a regulated substance from the pipeline

(5) Section 12(3)(a)

omit

the loss or injury

insert

10 the injury or loss

14 Section 13 amended (Application for licence)

(1) Section 13, heading, after "**for**"

insert

pipeline

15 (2) Section 13(1), (2) and (6)

omit

a licence

insert

a pipeline licence

20 (3) Section 13(1)(b)

omit, insert

25 (b) is able to satisfy the Minister that, despite not having held a permit within the 6 month period before making the application, the person has obtained sufficient data relating to the route of the proposed pipeline to submit an application that complies with subsection (2).

(4) Section 13(2)(a)

omit

shall be made in a form and manner approved by the Minister

insert

5 must be in the approved form

(5) Section 13(2)(c)

omit

, drawn in the prescribed manner

(6) Section 13(2)(c)(i)(A), after "pipeline"

10 *insert*

, including the start and end points of the pipeline

(7) Section 13(2)(c)(i)(B) and (C)

omit

or

15 *insert*

and

(8) Section 13(2)(e)

omit

20 land, within the meaning of the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth,

insert

land

(9) Section 13(3)

omit, insert

25 (3) The Minister may, at any time, by written notice served on an applicant, require the applicant to give the Minister, within the time specified in the notice, further information in writing in connection with the application.

(10) Section 13(4)

omit

a licence, the applicant shall serve a notice in the prescribed form on:

5

insert

a pipeline licence, the applicant must serve a notice in the approved form that the application has been made on:

(11) Section 13(4)(baa), (4A)(c)(i) and (ii)

omit

10

the licence

insert

the pipeline licence

(12) Section 13(4)(baa)

omit

15

act,

insert

act.

(13) Section 13(4)(baa)

renumber as paragraph (bb)

20

(14) Section 13(4)

omit

that an application has been made.

(15) Section 13(5)

omit, insert

5 (5) The Minister must, as soon as practicable after receiving an application for a pipeline licence, and at the expense of the applicant, publish a notice meeting the requirements of subsection (5A):

(a) in the *Gazette*; and

(b) on the Agency's website; and

(c) in a daily newspaper circulating generally in the Territory; and

10 (d) in any other newspapers as the Minister thinks appropriate.

(5A) The notice must include the following statements:

(a) that the Minister has received the application;

15 (b) that a map showing the proposed route of the proposed pipeline may be examined at the place or places, and at the times, specified in the notice.

(5B) For subsections (4A)(b) and (5A)(b), the place may be a website or another publicly accessible electronic format.

15 Section 15 amended (Grant of licence)

(1) Section 15, heading, after "of"

20 *insert*

pipeline

(2) Section 15(1)

omit, insert

25 (1) After considering the matters mentioned in subsection (2) and any representations and comments lodged in accordance with the statement mentioned in section 13(4A)(c), the Minister may grant a pipeline licence if the Minister is satisfied that:

30 (a) 28 days have elapsed since the date on which the last of the notices required to be published under section 13(5) was published; and

(b) subject to subsection (1A), the applicant is a fit and proper person to hold a pipeline licence.

Note for subsection (1)(b)

See section 4B.

5 (1A) The Minister is not required to comply with subsection (1)(b) if the applicant was considered to be a fit and proper person to hold a permit, licence or other interest under an Act that is prescribed by regulation, within the period prescribed by regulation.

(3) Section 15(2)

10 *omit*

licence the Minister shall have regard to:

insert

pipeline licence the Minister must have regard to the following:

(4) Section 15(2)(c) and (d)

15 *omit*

apparatus or

insert

apparatus and

(5) Section 15(2)(d)

20 *omit*

application; and

insert

application;

16 Section 16 replaced

Section 16

repeal, insert

16 Application for renewal of pipeline licence

- 5 (1) The licensee of a pipeline licence that was granted before the commencement of the *Energy Pipelines Amendment Act 2003* may make an application to renew the pipeline licence.

Note for subsection (1)

10 *Pipeline licences granted after the commencement of the Energy Pipelines Amendment Act 2003 remain in force indefinitely.*

- (2) An application must:
- (a) subject to subsection (3), be made no later than 6 months before the day the licence will otherwise cease to be in force; and
 - 15 (b) be made in the approved form; and
 - (c) be accompanied by particulars of the following:
 - (i) the technical qualifications of the applicant and the applicant's employees;
 - (ii) the technical advice available to the applicant;
 - 20 (iii) the financial resources available to the applicant; and
 - (d) be accompanied by the fee prescribed by regulation; and
 - (e) if the period for which the renewal is sought is less than 21 years – specify the period for which the applicant seeks to renew the licence and include reasons for seeking a renewal for that period.
 - 25 (3) The Minister may, if the Minister considers it appropriate, accept an application for the renewal of a pipeline licence less than 6 months before it will otherwise cease to be in force, but not in any case after the day on which the licence ceases to be in force.

16A Decision on application to renew pipeline licence

- 5 (1) The Minister may, on receiving an application under section 16, renew the pipeline licence to which the application relates if, subject to subsection (2), the Minister is satisfied the applicant is a fit and proper person to hold a licence.

Note for subsection (1)

See section 4B.

- 10 (2) The Minister is not required to consider whether an applicant is a fit and proper person under subsection (1) if the applicant was considered to be a fit and proper person to hold a permit, licence or other interest under an Act that is prescribed by regulation, within the period prescribed by regulation.

- 15 (3) In considering an application under section 16, the Minister must have regard to the financial and technical ability of the applicant to carry out the activities under the licence.

- (4) The Minister may renew a pipeline licence under subsection (1) subject to the conditions the Minister considers appropriate and that are specified on the renewed licence.

- 20 (5) Before renewing a pipeline licence on one or more conditions that are additional to or varied from the conditions that applied to the licence immediately before its renewal, the Minister must consult with the licensee and have regard to representations made by the licensee in relation to the proposed additional or varied conditions.

- 25 (6) The Minister must not refuse an application for the renewal of a pipeline licence unless the Minister has:

(a) by written notice served on the licensee, given at least 90 days notice of the Minister's intention to refuse the application; and

30 (b) served a copy of the notice on any other person the Minister thinks appropriate; and

(c) in the notice:

(i) given the reason for the intention to refuse the application; and

35 (ii) specified a date on or before which the licensee or a person on whom a copy of the notice is served may, by written notice served on the Minister, submit matters for the Minister's consideration; and

(d) taken into account the matters submitted to the Minister under paragraph (c)(ii) on or before the specified date.

5 (7) If an application for the renewal of a pipeline licence is made under section 16 but has not been decided by the date on which the licence is due to expire, the licence continues to remain in force until the application for renewal is decided.

17 Section 17 amended (Conditions of licence)

(1) Section 17, heading, after "**of**"

insert

10

pipeline

(2) Section 17(1)

omit

A licence

insert

15

A pipeline licence

(3) Section 17(2)

omit

that the licensee shall:

insert

20

requiring the licensee to do any of the following:

(4) After section 17(2)(a)

insert

(ab) take out and maintain an insurance policy of a kind approved by the Minister:

25

(i) against claims resulting from any injury to a person or to land (including the licence area) or personal property as a result of anything done or purportedly done under the licence or a direction or other authority under this Act; and

30

(ii) to insure and indemnify the Minister and the Territory against any such claims;

(5) Section 17(2)(c)

omit

licensee; and

insert

5

licensee;

18 Section 18A inserted

After section 18

insert

18A Pipeline management plans

10

(1) A ***pipeline management plan*** is a plan prepared by a pipeline licensee that demonstrates to the Minister that a pipeline will be designed, constructed, operated, modified and decommissioned in accordance with good industry practice and the standards specified in the plan to ensure the integrity of the pipeline is maintained throughout its operating life and the pipeline is appropriately decommissioned.

15

(2) The regulations may provide for the preparation, submission, acceptance, revision and withdrawal of acceptance of pipeline management plans.

20

(3) A regulation made under subsection (2) may provide for circumstances in which the Minister may, on conditions specified by the Minister:

(a) determine that particular operations under a pipeline licence do not need to be covered by a pipeline management plan; or

25

(b) exempt a licensee from the requirement to comply with a pipeline management plan in a particular respect; or

(c) agree to the modification of a requirement under a pipeline management plan.

19 Section 20 repealed (Variation of conditions of licence etc.)

30

Section 20

repeal

20 Sections 21A to 21D replaced

Sections 21A to 21D

repeal, insert

21A Variation, suspension or waiver of condition of pipeline licence

- 5 (1) The licensee of a pipeline licence may apply to the Minister to vary, suspend or waive a condition of the licence.

Example for subsection (1)

An application may be made to reduce the licence area following construction of a pipeline.

- 10 (2) An application under subsection (1) must be accompanied by the following:

- (a) details of the proposed variation, suspension or waiver;
- (b) the reasons for the proposed variation, suspension or waiver;
- (c) the fee prescribed by regulation.

- 15 (3) The Minister may, at any time, by written notice served on an applicant, require the applicant to:

- (a) give notice of the application to a person the Minister thinks appropriate; and
- (b) give the Minister, within the time specified in the notice, further
20 information in writing in connection with the application.

- (4) The applicant for a variation that would result in a new area of land being included in the licence area must, as soon as practicable after making the application, give a notice containing the information mentioned in subsection (5) to:

- 25 (a) each local government council within whose local government area the land is situated; and
- (b) each owner and occupier of the land; and
- (c) the registered native title claimants and registered native title bodies corporate (if any) in relation to any affected land or
30 waters; and
- (d) each representative Aboriginal/Torres Strait Islander body in relation to any of the affected land or waters, unless the variation is not a future act; and

-
- (e) any person who holds a right of way or other easement over any part of the land; and
- (f) any permittee or licensee who holds a permit or licence in respect of any part of the land.
- 5 (5) A notice under subsection (4) must include:
- (a) details of the proposed variation; and
- (b) a statement to the effect that:
- 10 (i) the local government council, person or body may, within 7 days after the date of service of the notice or the further time allowed in writing by the Minister, lodge in writing with the Minister representations about the variation of the licence; and
- 15 (ii) if there are no registered native title claimants or registered native title bodies corporate in relation to any of the affected land or waters, the representative Aboriginal/Torres Strait Islander body in relation to any of the affected land or waters may, within 7 days after being served with the notice or the further time allowed in writing by the Minister, lodge in writing with the
- 20 Minister comments on the variation of the licence.
- (6) In determining an application to which subsection (4) applies, the Minister must have regard to any representations and comments lodged in accordance with the statement referred to in subsection (5)(b).
- 25 (7) The Minister must not approve an application under this section unless satisfied of the following matters:
- (a) if the application is for a variation to the area subject to the licence or to the route of the pipeline under the licence, that if the variation is approved:
- 30 (i) the pipeline under the licence will be located within the licence area; and
- (ii) the licence area will not be in any place narrower than 25 m, having as its centre line an imaginary line connecting markers erected in accordance with
- 35 section 39(1)(a); and

(iii) the applicant has made suitable arrangements for the acquisition of land, or easements or other interests over land, sufficient to accommodate any variation of the licence area;

5 (b) the variation, suspension or waiver is justified in the circumstances and reflects good pipeline construction and operating practice.

(8) The Minister may, by notice served on the applicant, determine an application under this section by:

10 (a) approving the application to the extent and subject to the conditions the Minister considers appropriate; or

(b) refusing the application.

21 Section 22 amended (Easements over Crown lands)

(1) Section 22

15 *omit*

a licence

insert

a pipeline licence

(2) Section 22, after "easement,"

20 *insert*

easement in gross,

22 Section 32A repealed (Licence not personal property)

Section 32A

repeal

23 Section 37 replaced (Ceasing to operate pipeline)

Section 37

repeal, insert

37 Continuous operation of pipeline

5 The licensee of a pipeline licence under which a pipeline is in operation commits an offence if the pipeline is not kept continuously operating, unless the cessation of operations occurs in one or more of the following circumstances:

- (a) in the ordinary course of operating the pipeline;
- 10 (b) for the purpose of repairing or maintaining the pipeline;
- (c) in an emergency in which there is a likelihood of injury or loss of a regulated substance from the pipeline;
- (d) in accordance with a written consent given by the Minister.

Maximum penalty: 200 penalty units.

15 24 Sections 38 to 41 replaced

Sections 38 to 41

repeal, insert

39 Duties of licensee in relation to pipeline

(1) The licensee of a pipeline licence must:

- 20 (a) mark and keep marked, in the prescribed manner, the route of the pipeline specified in the licence; and
- (b) maintain the pipeline in good condition and repair; and
- (c) not permit or suffer the waste or escape of any substance from the pipeline; and
- 25 (d) remove from the licence area all structures, equipment and other property that are neither being used nor proposed to be used in connection with the operation of the pipeline.

(2) A licensee must:

- 30 (a) identify and assess any hazard or risk that might compromise the integrity of the pipeline specified in the licence; and

(b) implement and maintain measures to eliminate or, if that is not reasonably practicable, control, any hazard or risk that might compromise the integrity of the pipeline.

5

(3) A licensee commits an offence if the licensee fails to comply with subsection (1) or (2).

Maximum penalty: 200 penalty units.

(4) It is a defence to a prosecution for an offence against subsection (3) if the defendant took reasonable steps and exercised due diligence to prevent the commission of the offence.

10

25 Section 43 amended (Power of Minister to ensure continued use of pipeline)

(1) Section 43(1), (2), (5)(a) and (b), (7)(c) and (d), (8) and (11)(a) and (b)

omit (all references)

15

licence

insert

pipeline licence

(2) Section 43(2)(a)

omit

20

a form and manner approved by the Minister

insert

the approved form

(3) After section 43(2)(b)(i)

insert

25

(ia) the technical qualifications of the applicant and the applicant's employees;

(ib) the technical advice available to the applicant;

(4) Section 43(2)(b)(ii)

omit

30

of

insert

available to

(5) Section 43(5A) and (6)

omit, insert

5 (5A) The Minister must not grant a licence under subsection (5) unless the Minister is satisfied that the applicant:

(a) has made suitable arrangements for the acquisition of land, or easements or other interests over land, sufficient to accommodate the pipeline; and

10 (b) subject to subsection (5B), is a fit and proper person to hold a licence.

Note for subsection (5A)(b)

See section 4B.

15 (5B) The Minister is not required to comply with subsection (5A)(b) if the applicant was considered to be a fit and proper person to hold a permit, licence or other interest under an Act that is prescribed by regulation, within the period prescribed by regulation.

20 (5C) In considering an application under this section, the Minister must have regard to the financial and technical ability of the applicant to carry out the activities under the licence.

(6) A pipeline licence granted under this section may be subject to the conditions applicable to a pipeline licence granted under Part 3 as the Minister thinks appropriate and specifies in the licence.

(6) Section 43(10), penalty provision

25 *omit, insert*

Maximum penalty: 40 penalty units and 2 penalty units for each day during which the offence continues.

26 Section 44 amended (Register of licences)

(1) Section 44(2)(a), (b) and (c), at the end

30 *insert*

and

(2) Section 44(2)(c)

omit

situation of all fittings, pumps, tanks, appurtenances and appliances used or to be used in connection with each

5

insert

location of all apparatus and works for the

(3) After section 44(2)(d)

insert

10

(da) setting out any further matters related to the permit or licence or permittee or licensee as the Minister thinks appropriate; and

27 Sections 45 and 46 replaced

Sections 45 and 46

repeal, insert

46 Approval and registration of transfer of licence

15

(1) A transfer of a licence is of no effect until it has been approved by the Minister and is registered under this section.

(2) The registered holder of a licence may apply to the Minister to approve the transfer of the licence to another person or to the holder of the licence and another person jointly.

20

(3) The application:

(a) must be made in the approved form; and

(b) must be served on the Registrar; and

(c) must be accompanied by the following:

25

(i) an instrument of transfer of the licence, in the approved form, that has been executed by the transferor and transferee;

(ii) details of the technical qualifications of the transferee and the transferee's employees;

(iii) details of the technical advice available to the transferee;

(iv) details of the financial resources available to the transferee.

(4) On receipt of an application under this section, the Registrar must enter in the register:

5 (a) the date on which the application was served on the Registrar; and

(b) other notations in the register as requested by the Minister.

10 (5) As soon as practicable after the Registrar receives an application under this section, the Registrar must forward it to the Minister for the Minister's consideration.

(6) The Minister must not approve the transfer of a licence unless it is an absolute transfer of the whole of the transferor's interest in the licence.

15 (7) Subject to subsection (8), the Minister must not approve the transfer of a licence unless the Minister is satisfied the transferee is a fit and proper person to hold the licence.

Note for subsection (7)

See section 4B.

20 (8) The Minister is not required to comply with subsection (7) if the applicant was considered to be a fit and proper person to hold a permit, licence or other interest under an Act that is prescribed by regulation, within the period prescribed by regulation.

25 (9) In considering an application for approval under this section, the Minister must have regard to the financial and technical ability of the transferee to carry out the activities under the licence.

(10) Subject to subsections (6) and (7), the Minister may:

(a) approve an application under this section; or

30 (b) by written notice served on the transferor, inform the transferor that the Minister is prepared to approve the application if the transferee does one or both of the following, as specified in the notice:

(i) lodges with the Minister security in the specified amount and form;

35 (ii) takes out and maintains an insurance policy as required under a condition of the licence; or

(c) refuse the application.

(11) If the transferee complies with the requirements specified in a notice given under subsection (10)(b), the Minister must approve the application.

5 (12) If the Minister approves an application under this section, the Registrar must:

(a) endorse the approval on the instrument of transfer; and

(b) on payment of the fee prescribed by regulation, enter in the register the details of the transfer and the name of the transferee.

10 (13) The transferee becomes the registered holder of the licence when the entry mentioned in subsection (12)(b) is made.

15 (14) A copy of the instrument of transfer endorsed with the approval is to be retained by the Registrar and made available for inspection in accordance with this Part and any original instrument of transfer endorsed with the approval is to be returned to the person who made the application for approval.

(15) If the Minister refuses an application under this section, the Registrar must enter a notation of the refusal in the register.

20 **28 Section 49 amended (Approval and registration of instrument creating, &c., interests)**

(1) Section 49, heading

omit

creating, &c.,

insert

25 **creating other**

(2) Section 49(4), (5) and (6)

omit, insert

(4) An application under this section:

(a) must be served on the Registrar; and

30 (b) must be accompanied by the instrument; and

(c) may be accompanied by an instrument (a **supplementary instrument**) setting out any details that are prescribed by regulation for an application under this section.

(5) On receipt of an application under this section, the Registrar must enter in the register:

(a) the date on which the application was served on the Registrar;
and

5

(b) other details required by the Minister.

(6) As soon as practicable after the Registrar receives an application under this section, the Registrar must forward it to the Minister for the Minister's consideration.

(3) Section 49(8), (9) and (10)

10

omit, insert

(8) If the Minister approves an application under this section, the Registrar must:

(a) endorse the approval on the instrument; and

15

(b) on payment of the fee prescribed by regulation, enter the approval of the instrument in the register on the memorial relating to the licence to which the instrument relates.

(9) After the entry mentioned in subsection (8) is made in the register:

(a) if the application for approval of the instrument was not accompanied by a supplementary instrument – a copy of the instrument endorsed with the approval is to be retained by the Registrar and made available for inspection in accordance with this Part; and

20

(b) if the application for approval of the instrument was accompanied by a supplementary instrument:

(i) a copy of the supplementary instrument endorsed with the approval is to be retained by the Registrar and made available for inspection in accordance with this Part; and

25

(ii) a copy of the instrument must not be made available for inspection in accordance with this Part; and

30

(c) the instrument endorsed with the approval and the supplementary instrument (if any) must be returned to the person who made the application for approval.

29 Section 54 replaced

Section 54

repeal, insert

54 Inspection of register and documents

5 The register and instruments registered under this Part must, during normal business hours, be made available for inspection at the Agency's head office by any person on payment of the fee (if any) prescribed by regulation.

30 Parts 5B, 5C and 5D inserted

10 After section 58H

insert

Part 5B Compliance matters

Division 1 Minister's directions

58J Directions

15 (1) The Minister may, by written notice served on a licensee, give the licensee directions as to any matter in respect of which regulations may be made under this Act.

(2) Despite anything to the contrary in the Regulations:

20 (a) a licensee must comply with a direction issued under subsection (1); and

(b) to the extent to which the Regulations are inconsistent with the direction, the licensee to whom the direction is given is not obliged to comply with the Regulations.

25 (3) A licensee to whom a direction under subsection (1) is given commits an offence if the licensee fails to comply with the direction.

Maximum penalty: 1 300 penalty units.

(4) A licensee to whom a direction under subsection (1) is given commits a regulatory offence if the licensee fails to comply with the direction.

30 Maximum penalty: 200 penalty units.

- (5) It is a defence to a prosecution for an offence against subsection (3) or (4) if the defendant took reasonable steps and exercised due diligence to prevent the commission of the offence.

58K Compliance with directions

5 If an action required by a direction given by the Minister under this Act is not taken, the Minister may:

- (a) cause that action to be taken; and
- (b) recover the cost of taking that action from any person subject to the direction in a court of competent jurisdiction as a debt due and payable to the Territory.
- 10

Division 2 Compliance directions

58L Compliance directions

- (1) The CEO may issue a compliance direction to a permittee or licensee for the purpose of securing compliance with:

- 15 (a) a condition of a permit or licence; or
- (b) a pipeline management plan; or
- (c) any authorisation or direction that relates to an activity conducted under a permit or licence; or
- (d) any requirement or obligation imposed by or under this Act.

- 20 (2) A compliance direction must:

- (a) be in writing; and
- (b) specify the grounds on which it is issued.

- (3) A compliance direction may impose any requirement reasonably required for the purpose for which the direction is issued.

- 25 (4) Without limiting subsection (3), a compliance direction may include any of the following:

- (a) a requirement that the permittee or licensee discontinue, or not commence, a specified activity indefinitely or for a specified period or until further notice from an inspector or the CEO;
- 30

- (b) a requirement that the permittee or licensee not carry on a specified activity except at specified times or subject to specified conditions;
- 5 (c) a requirement that the permittee or licensee take specified action in a specified way, and within a specified period or at specified times, or in specified circumstances (including a requirement that a specified work practice be altered or discontinued);
- 10 (d) a requirement that the permittee or licensee comply with any specified code or standard prepared or published by a body or authority referred to in the direction;
- (e) a requirement that the permittee or licensee give to the CEO specified results or reports;
- (f) a requirement that a licensee:
- 15 (i) undertake specified tests or monitoring; or
- (ii) appoint or engage a person with specified qualifications to prepare a plan or report or to undertake tests or monitoring required by the direction.
- 20 (5) The CEO may include in a compliance direction a requirement for an act or omission that might otherwise constitute a contravention of this Act if:
- (a) the CEO considers that it is reasonably necessary in the circumstances to do so; and
- (b) the CEO is acting with the approval of the Minister.
- 25 (6) A person is not liable for an offence or penalty under this Act for an act or omission made in compliance with a requirement mentioned in subsection (5).
- 30 (7) The CEO may, by written notice given to the permittee or licensee to whom a compliance direction is issued, vary or revoke the direction.
- (8) A compliance direction:
- (a) applies to the permittee or licensee and may also be expressed to apply to an employee, agent or contractor of the permittee or licensee; and
- 35 (b) may be given to a permittee or licensee by giving it to an employee, agent or contractor of the permittee or licensee.

- (9) If a compliance direction is expressed to apply to an employee, agent or contractor of the permittee or licensee, a reference in subsection (1) or (4) to a permittee or licensee extends to the other person or persons to whom the direction applies.

5 **58M Effect of compliance direction on need for further authorisation**

- (1) This section applies to a person who is required by a compliance direction to carry out an action and an authorisation of a kind prescribed by regulation is required for that action under this Act.

- 10 (2) The person may carry out the action without obtaining the authorisation.

- (3) A person is not liable for an offence or penalty under this Act in acting under subsection (2).

58N Offence to contravene direction

- 15 (1) A person subject to a compliance direction commits an offence if the person contravenes the direction.

Maximum penalty: 2 600 penalty units.

- (2) A person subject to a compliance direction commits a regulatory offence if the person contravenes the direction.

20 Maximum penalty: 500 penalty units.

- (3) It is a defence to a prosecution for an offence against subsection (1) or (2) if the defendant proves the defendant took reasonable steps and exercised due diligence to prevent the commission of the offence.

25 **Division 3 Stop work notices**

58P Stop work notices

- (1) The CEO may issue a stop work notice if:
- (a) the CEO believes on reasonable grounds that circumstances exist that would allow the cancellation or revocation of:
- 30 (i) a permit or licence; or
- (ii) the acceptance of a pipeline management plan; or

- (b) the CEO considers that action should be taken to prevent or minimise environmental harm, or harm to any person, infrastructure or other property while:
- (i) an investigation is carried out or concluded; or
 - (ii) a decision is made about the steps that should be taken in the circumstances; or
 - (iii) action is taken to address the circumstances or any related matter.
- (2) A stop work notice must:
- (a) be in writing given to the permittee or licensee; and
 - (b) specify the grounds on which it is issued.
- (3) A stop work notice may direct the permittee or licensee to do one or more of the following:
- (a) to discontinue, or not commence, a specified activity indefinitely or for a specified period or until further notice from the CEO;
 - (b) to not carry on a specified activity except in accordance with any conditions specified in the notice;
 - (c) to take action to prevent, minimise, manage or remediate any:
 - (i) environmental harm including by rehabilitating any aspect of the environment; or
 - (ii) harm to a person, infrastructure or property, or any potential harm (including the risk of harm and future harm) to or potential adverse effect on a person, infrastructure or property;
 - (d) without limiting paragraph (c), to take action to address any matter that the CEO considers to be a significant threat to:
 - (i) the environment; or
 - (ii) any person, infrastructure or property;
 - (e) to take action for a purpose that is connected with, or ancillary to, action directed under a preceding paragraph or to deal with any other matter that may be relevant in the circumstances.
- (4) The CEO may, by written notice given to the person to whom a stop work notice is issued, vary or revoke the notice.

(5) A stop work notice:

(a) applies to the permittee or licensee and may also be expressed to apply to an employee, agent or contractor of the permittee or licensee; and

5 (b) may be given to a permittee or licensee by giving it to an employee, agent or contractor of the permittee or licensee.

10 (6) If a stop work notice is expressed to apply to an employee, agent or contractor of a permittee or licensee, a reference in subsection (3) to the permittee or licensee extends to the other person or persons to whom the stop work notice applies.

58Q Offence to contravene stop work notice

(1) A person subject to a stop work notice commits an offence if the person contravenes the notice.

Maximum penalty: 2 600 penalty units.

15 (2) A person subject to a stop work notice commits a regulatory offence if the person contravenes the notice.

Maximum penalty: 500 penalty units.

20 (3) It is a defence to a prosecution for an offence against subsection (1) or (2) if the defendant proves the defendant took reasonable steps and exercised due diligence to prevent the commission of the offence.

Division 4 Inspectors

Subdivision 1 Appointment of inspectors

58R Appointment

25 (1) The CEO may appoint a person to be an inspector.

(2) The appointment may be made subject to the conditions or limitations that the CEO thinks appropriate.

58S Identity card

30 (1) The CEO must give an inspector an identity card stating the inspector's name and that the person is an inspector.

(2) The identity card must:

(a) display a recent photograph of the inspector; and

- (b) state the card's date of issue; and
 - (c) be signed by the inspector.
- (3) This section does not prevent the issue of a single identity card to a person for this and another Act.
- 5 (4) An inspector must, on request, produce the inspector's identity card before exercising the powers of an inspector under this Act in relation to a person or entering land or premises on a particular occasion.

58T Return of identity card

- 10 (1) A person who ceases to be an inspector must return the person's identity card to the CEO within 21 days after the cessation.
- (2) A person commits a regulatory offence if the person ceases to be an inspector and fails to return the person's identity card to the CEO within 21 days after the cessation.
- 15 Maximum penalty: 20 penalty units.
- (3) It is a defence to a prosecution for an offence against subsection (2) if the defendant has a reasonable excuse.

Subdivision 2 Functions and powers of inspectors

58U Functions

- 20 (1) An inspector has the following functions under this Act:
- (a) to provide information and advice about compliance with this Act;
 - (b) to monitor compliance with this Act and to take action to require or secure compliance with this Act through the exercise of powers under this Act;
 - (c) to investigate contraventions of this Act and assist in the prosecution of offences;
 - (d) to do anything else necessary or required for the administration, operation or enforcement of this Act, including gathering information.
- 25
- 30 (2) An inspector has the powers necessary to perform the inspector's functions under this Act.

- (3) This section does not limit a function or power of an inspector under another provision of this Act.

58V General powers of inspectors

- (1) An inspector may enter the following land and premises:

- 5 (a) any land comprised in, proposed to be comprised in, or previously comprised in, the area of a permit or licence;
- (b) any land affected, or apparently or potentially affected, by operations or activities for which a permit or licence is, or was, required under this Act;
- 10 (c) any premises used for or in connection with any operations or activities for which a permit or licence is, or was, required under this Act;
- (d) any land or premises if the entry is authorised by a search warrant.

- 15 (2) On entering land or premises under this Act an inspector may do any of the following:

- (a) inspect or examine the land or premises and anything on the land or premises;
- (b) make inquiries of a person present on the land or premises;
- 20 (c) search the land or premises and anything found there;
- (d) inspect any operations or activities conducted on the land or premises;
- (e) take photographs and make sketches or other records;
- (f) make recordings in any medium, including audio, visual and audio-visual recordings;
- 25 (g) dig up land;
- (h) operate or test any equipment;
- (i) examine or test any infrastructure or other thing;
- (j) measure anything, or take and remove for analysis a sample of any substance or thing;
- 30 (k) bring equipment or materials onto the land or premises and use, install and maintain equipment or materials.

(3) An inspector may do any of the following:

- 5
- (a) require a person on land or premises entered under subsection (1) to give the inspector reasonable assistance to perform or exercise the inspector's functions or powers including:
- (i) to operate any computer or other equipment; and
- (ii) to provide any access or assistance to access any computer or other equipment or any service;
- 10
- (b) require a person to produce any document that may be relevant to operations or activities for which a permit or licence is required under this Act, or a copy of such a document, for inspection;
- (c) inspect and take copies of a document;
- 15
- (d) seize any documents and any equipment required to access any documents;
- (e) require a person to provide the person's name, address and date of birth and evidence of these if:
- (i) the person is on, or in the vicinity of, land or premises that may be inspected under this section; or
- 20
- (ii) the inspector reasonably suspects the person is travelling to or from land or premises that may be inspected under this section; or
- (iii) the inspector reasonably suspects the person is the owner or occupier of any land or premises; or
- 25
- (iv) the inspector reasonably suspects the person is under investigation for a suspected contravention of this Act;
- (f) require a person at the land or premises to answer reasonable questions related to an inspection of the land or premises;
- 30
- (g) authorise a person to provide assistance to an inspector in the performance or exercise of the inspector's functions or powers;
- (h) operate a drone or other device over any land comprised in, proposed to be comprised in, or previously comprised in, a licence area or the area of a permit;

-
- (i) do any other act or thing necessary for, or incidental to, the exercise of a power mentioned in this section.

(4) An inspector may, with the approval of the CEO:

- (a) by notice signed by the inspector, require the attendance of a person at a time and place specified in the notice; and
- (b) require a person who appears as the result of the notice to produce any document and to answer any questions that may be relevant to the administration, operation or enforcement of this Act.

Note for subsection (4)

See section 58ZC in relation to self-incrimination.

(5) Without limiting any other power, if an inspector is satisfied that there are reasonable grounds for suspecting that an offence against this Act was, is being or is about to be committed, the inspector may without warrant, and with such assistance as the inspector thinks necessary:

- (a) seize or secure any thing that the inspector believes on reasonable grounds, was, is being or is about to be used in connection with the commission of that offence or proposed offence; and
- (b) take such other action as is reasonably necessary to prevent the commission of an offence against this Act.

(6) An inspector may, in relation to an item seized under subsection (5)(a), do any of the following:

- (a) move the item from the land or premises where it was seized;
- (b) take reasonable measures to restrict access to the item;
- (c) if the item is equipment – make the equipment inoperable.

Example for subsection (6)(b)

Marking a piece of equipment to show that access to it is restricted.

Example for subsection (6)(c)

Removing a component of equipment without which it cannot be used.

Note for subsection (6)

An item seized under this section may be tested under section 58W.

(7) An entry may be made under subsection (1) with, or without, the consent of the owner or occupier of the land or premises.

(8) An inspector may use reasonable force in exercising a power under subsection (1) or (2).

5 (9) Despite anything to the contrary in this Division, an inspector must not enter or exercise inspection or search powers in relation to any part of premises that are used for residential purposes except in the following circumstances:

(a) the owner or occupier of the residential premises consents to the entry, inspection or search;

(b) the entry is authorised by a search warrant under this Division.

10 **58W Testing of seized thing**

(1) The CEO, or an inspector authorised by the CEO, may carry out, or arrange to carry out, scientific or other tests on an item seized under section 58V.

(2) The testing may have the effect of destroying the thing if:

15 (a) the item is a sample of a regulated substance; or

(b) otherwise:

(i) the destruction is necessary to carry out the test; and

(ii) there is no other reasonable course available to achieve the purpose of the test; and

20 (iii) subsections (3) to (5) are complied with.

(3) For subsection (2)(b)(iii), the CEO must give the owner of the seized item written notice of the proposed test.

(4) The notice must state:

25 (a) that the owner may make a written submission as to why the item should be preserved within the period specified in the notice; and

(b) the address, including an electronic address, where the submission may be given to the CEO.

30 (5) Before destroying the item, the CEO must consider any submission given to the CEO under subsection (4).

58X Duty of inspector in relation to seized thing

- (1) As soon as practicable but within 7 days after an inspector seizes a thing under section 58V, the inspector must give a receipt for it to the person from whom it was seized.
- 5 (2) The receipt must describe generally each thing seized and its condition.
- (3) If for any reason it is not practicable to comply with subsection (1), the inspector must:
- (a) leave the receipt at the place of seizure; and
- 10 (b) ensure the receipt is left in a reasonably secure way and in a conspicuous position.
- (4) The inspector must allow a person who would be entitled to the seized thing if it were not in the inspector's possession to inspect it and, if it is a document, to take extracts from it or make copies of it.
- 15 (5) The inspector must return the seized thing to its owner at the end of the later of:
- (a) 3 years from the date it was seized; or
- (b) if a prosecution for an offence involving the seized thing is started within the 3 years from the date it was seized –
- 20 12 months after the end of the prosecution for the offence and any appeal from the prosecution.
- (6) Despite subsection (5), the inspector must return the seized thing to the person from whom it was seized if the inspector no longer considers its retention as evidence is necessary.
- 25 (7) Despite subsections (5) and (6), the inspector may keep the seized thing if the inspector believes on reasonable grounds that it is necessary to continue to keep it to prevent its use in committing an offence.
- 30 (8) An inspector must give written notice to the owner of a seized thing as soon as practicable if the inspector decides under subsection (7) to keep the thing.

58Y Forfeiture of seized thing

- 35 (1) Despite section 58X, the court may order the forfeiture of a seized thing to the Territory if the owner of the seized thing is found guilty of an offence for which the thing was retained as evidence.

-
- (2) The forfeited thing becomes the property of the Territory and may be destroyed or disposed of as directed by the CEO.
- (3) This section does not limit a court's powers under any other law of the Territory.

5 **58Z Offence to contravene requirement**

- (1) A person required to do something under section 58V commits a regulatory offence if the person fails to comply with the requirement.

Maximum penalty: 200 penalty units.

- 10 (2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves the defendant took reasonable steps and exercised due diligence to comply with the requirement.

58ZA Obstruction of inspector

- 15 (1) A person commits an offence if the person obstructs an inspector acting in an official capacity.

Maximum penalty: 200 penalty units or imprisonment for 2 years.

- 20 (2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves the defendant has a reasonable excuse.

- (3) In this section:

acting in an official capacity, in relation to an inspector, means the inspector is exercising powers or performing functions under, or otherwise related to the administration of, this Act.

25 ***obstruct*** includes hinder or resist.

58ZB Interference with seized item

A person commits an offence if the person interferes, or attempts to interfere, with an item seized under section 58V without the approval of an inspector.

30 Maximum penalty: 200 penalty units.

58ZC Self-incrimination

- 5 (1) A person required to answer a question, give information or produce a document under this Subdivision is not excused from doing so on the ground that the answer, information or document might tend to incriminate the person or make the person liable to a penalty.
- 10 (2) Despite subsection (1), any answer, information or document given is not admissible in evidence against the person in a civil or criminal proceeding except a proceeding for an offence in which the falsity or misleading nature of the answer, information or document is relevant.

58ZD Entry on Aboriginal land

The power of an inspector to enter land or premises may be exercised under this Act despite:

- 15 (a) the land or premises being Aboriginal land; or
- (b) the inspector not holding a permit under the *Aboriginal Land Act 1978* to enter or remain on Aboriginal land.

Subdivision 3 Search warrants**58ZE Search warrants**

- 20 (1) An inspector may apply to a Local Court Judge for a search warrant for a place.
- (2) The application must be made on oath and state the grounds on which the warrant is sought.
- 25 (3) The Judge may refuse to consider the application until the inspector gives the Judge all the information the Judge requires about the application in the form the Judge requires.
- Example for subsection (3)*
- The Judge may require additional information supporting the application to be given by statutory declaration.*
- 30 (4) The Judge may issue a search warrant for a place only if the Judge is satisfied there are reasonable grounds for suspecting that there is evidence of an offence against this Act at the place.

(5) The search warrant must state:

(a) that an inspector named in the warrant may, with necessary and reasonable assistance and force, enter the place and exercise the inspector's investigation powers; and

5 (b) the suspected offence for which the search warrant is sought; and

(c) the evidence that may be seized under the search warrant; and

10 (d) the hours of the day or night when the place may be entered; and

(e) that the warrant remains in force for 7 days after the date of its issue.

58ZF Announcement before entry and provision of authority

15 (1) Before executing a search warrant, the inspector named in the warrant or a person assisting the inspector must:

(a) announce that entry to the place is authorised by the warrant; and

(b) give any person at the place an opportunity to allow that entry.

20 (2) The announcement is not required if the inspector or person assisting the inspector believes on reasonable grounds that immediate entry to the place is needed to avoid frustration of the warrant.

25 (3) If asked by a person who appears to have management or control of a place where a search warrant is being executed, the inspector must:

(a) produce the inspector's identity card for inspection by the person; and

(b) give the person a copy of the warrant.

Subdivision 4 Directions by inspectors

58ZG Directions by inspectors

- (1) An inspector may issue a direction to a permittee to take action to prevent, minimise, manage or remediate:
- 5 (a) environmental harm including by rehabilitating any aspect of the environment; or
- (b) harm to a person, property or infrastructure arising from activities carried out under the permit.
- (2) An inspector may issue a direction to a licensee to do any of the following:
- 10 (a) take action to prevent, minimise, manage or remediate:
- (i) environmental harm including by rehabilitating any aspect of the environment; or
- 15 (ii) harm to a person, pipeline, property or infrastructure, or any potential harm (including the risk of harm and future harm) to or potential adverse effect on a person, pipeline, property or infrastructure; or
- (iii) a situation that is compromising, or may compromise, the integrity of any pipeline;
- 20 (b) take action in accordance with practices and procedures that are generally accepted as good and safe in the carrying on of the activities permitted under the licence;
- (c) take action for a purpose that is connected with, or ancillary to, action directed under paragraph (a) or (b).
- 25 (3) A direction under this section must specify the grounds on which it is issued.
- (4) A direction under this section may impose any requirement reasonably required for the purpose for which the direction is issued, including one or more of the following requirements:
- 30 (a) a requirement that the permittee or licensee discontinue, or not commence, a specified activity indefinitely or for a specified period or until further notice from an inspector or the CEO;
- 35 (b) a requirement that the permittee or licensee not carry on a specified activity except subject to specified conditions;

- 5 (c) a requirement that the permittee or licensee take specified action in a specified way, and within a specified period or at specified times, or in specified circumstances (including a requirement that a specified work practice be altered or discontinued).
- (5) A direction must allow a reasonable time for compliance with the direction.
- (6) A direction may be given orally but must be confirmed by written notice to the person as soon as practicable.
- 10 (7) An inspector may, by written notice given to the permittee or licensee to whom a direction under this section is issued, vary or revoke the direction.
- (8) A direction given under this section:
- 15 (a) applies to the permittee or licensee and may also be expressed to apply to an employee, agent or contractor of the permittee or licensee; and
- (b) may be given to a permittee or licensee by giving it to an employee, agent or contractor of the permittee or licensee.
- 20 (9) If a direction is expressed to apply to an employee, agent or contractor of the permittee or licensee, a reference in subsection (1), (2) or (5) to a permittee or licensee extends to the other person or persons to whom the direction applies.

58ZH Offence to contravene direction

- 25 (1) A person subject to a direction under section 58ZG commits a regulatory offence if the person contravenes the direction.
- Maximum penalty: 500 penalty units.
- 30 (2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves the defendant took reasonable steps and exercised due diligence to comply with the direction.

Part 5C Entry to land

Division 1 Entry for purpose of complying with direction

58ZI Definition

In this Division:

5 **relevant direction** means a direction issued under any of the following sections of this Act:

- (a) section 28(1) and (2);
- (b) section 58J;
- (c) section 58L.

10 58ZJ Application

This Division applies in relation to a relevant direction issued to a person if:

- (a) the direction requires the person to enter land or premises in order to comply with the direction; and
- 15 (b) the person:
 - (i) is not the owner or occupier of the land or premises required to be entered; or
 - (ii) does not have a right of access to the land or premises required to be entered.

20 58ZK Power to enter land

(1) The following persons may enter land or premises specified in a relevant direction to comply with the direction:

- (a) the person to whom the direction is issued or an employee of that person;
- 25 (b) a person engaged by the person to whom the direction is issued to carry out works on the land or premises (a **contractor**) or an employee of the contractor.

(2) A person permitted to enter land or premises under this section may only enter:

- 30 (a) with the consent of the owner or occupier of the land; or

-
- (b) if the person gives at least 7 days prior written notice to the owner or occupier of the land; or
- (c) in an emergency, if there is a risk of environmental harm if works are not carried out immediately.
- 5 (3) A person entering land or premises under subsection (2)(c) must:
- (a) if possible, give oral notice of the entry to the owner or occupier of the land as soon as possible before, on or after that entry; and
- 10 (b) give written notice of the entry to the owner or occupier within 7 days after that entry or the giving of the oral notice, whichever occurs first.
- (4) The notice under subsection (2)(b) or (3) must:
- (a) be in the approved form; and
- (b) include the information prescribed by regulation.
- 15 (5) The person must give a copy of the notice to the CEO within 7 days after the notice is given under subsection (2)(b) or (3).
- (6) Despite subsection (2), a person must not enter residential premises under this section without the consent of the owner or occupier of the land or premises.
- 20 (7) The power of a person to enter land or premises under this section may be exercised, despite:
- (a) the land being, or the premises being on, Aboriginal land; and
- (b) the person not holding a permit under the *Aboriginal Land Act 1978* to enter or remain on Aboriginal land.

25 **58ZL Powers and duties on entry**

A person who is authorised under section 58ZK to enter land or premises:

- (a) may carry out on the land or premises the activities or actions required to comply with the relevant direction; and
- 30 (b) must take reasonable steps to minimise disruption to the owner or occupier of the land or premises caused by the entry to the land or premises and in the carrying out of activities or actions required to comply with the relevant direction; and

- (c) must not remain on the land or premises any longer than is reasonably necessary to comply with the relevant direction.

58ZM Recovery of costs

5 (1) A person is entitled to be paid reasonable compensation under this section for loss or damage incurred because of action taken under this Division by:

(a) a person to whom a relevant direction is issued or an employee of the person; or

10 (b) a contractor engaged by a person to whom a relevant direction is issued or an employee of a contractor.

(2) The person to whom the relevant direction is issued is liable to pay the compensation for the loss or damage.

(3) The compensation is recoverable as a debt in a court of competent jurisdiction.

15 (4) No action lies against the Territory for the loss or damage.

58ZN Offence to obstruct

(1) A person commits an offence if the person obstructs another person from taking any action that is authorised under this Division to comply with a relevant direction.

20 Maximum penalty: 200 penalty units or imprisonment for 2 years.

25 (2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves the defendant took reasonable steps and exercised due diligence to prevent the commission of the offence.

58ZO Offence to fail to give notice

A person required to give a notice under section 58ZK commits a regulatory offence if the person contravenes the requirement.

Maximum penalty: 50 penalty units.

30 **58ZP Offence to fail to comply with duty on entry**

(1) A person who has a duty under section 58ZL commits an offence if the person contravenes that duty.

Maximum penalty: 100 penalty units.

- (2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves the defendant took reasonable steps and exercised due diligence to prevent the commission of the offence.

5 **Division 2 Entry in emergency**

58ZQ Entry to deal with emergency

- 10 (1) A licensee, or an employee or contractor of a licensee, may enter land in an emergency to ensure public safety, to repair a pipeline or to repair damage to the environment as a result of any incident involving a pipeline.
- (2) The licensee must:
- 15 (a) if possible, give oral notice of the entry to the owner or occupier of the land as soon as reasonably practicable before, on or after that entry; and
- (b) give written notice of the entry to the owner or occupier within 24 hours after that entry or the giving of the oral notice, whichever occurs first.
- (3) The notice under subsection (2)(b) must:
- 20 (a) be in the approved form; and
- (b) include the information prescribed by regulation.
- (4) The licensee must give a copy of the notice to the CEO as soon as practicable after giving the written notice to the owner or occupier of land.

Part 5D Review of decisions

25 **58ZR Review by Tribunal**

- (1) The Tribunal has jurisdiction to review a decision (a **reviewable decision**) specified in the Schedule.
- (2) An **affected person**, for a reviewable decision, is a person specified in the Schedule for the decision.

- (3) An affected person for a reviewable decision may apply to the Tribunal for review of the decision.

Note for section 58ZR

5 *The Northern Territory Civil and Administrative Tribunal Act 2014 sets out the procedure for applying to the Tribunal for review and other relevant matters in relation to reviews.*

31 Part VI heading replaced and section 58ZS inserted

Part VI heading

repeal, insert

10 **Part 6 Miscellaneous matters**

58ZS Licence not personal property

For section 8(1)(k) of the *Personal Property Securities Act 2009* (Cth), a licence is not personal property for that Act.

Note for section 58ZS

15 *A law of the Commonwealth, a State or a Territory may declare a right, licence or authority granted by or under that law not to be personal property for the Personal Property Securities Act 2009 (Cth).*

32 Sections 63, 63A and 64 replaced

Sections 63, 63A and 64

20 *repeal, insert*

63 Delegation by CEO

The CEO may delegate any of the CEO's powers and functions under this Act to a person.

64 Protection from liability

25 (1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function as any of the following:

(a) the CEO;

(b) an inspector;

30 (c) a person who is authorised under section 58V(3)(g) to provide assistance to an inspector.

(2) Subsection (1) does not affect any liability the Territory would, apart from that subsection, have for the act or omission.

(3) In this section:

exercise of a power includes the purported exercise of the power.

5 **performance** of a function includes the purported performance of the function.

33 Section 64A amended (Inspector may cause certain work to stop)

(1) Section 64A(1)

10

omit

directions given under section 40, or as prescribed,

insert

the regulations

(2) Section 64A(1)(b)

15

omit

66A

insert

66

(3) Section 64A(2), penalty provision

20

omit, insert

Maximum penalty: 200 penalty units or imprisonment for 5 years.

34 Section 66 amended (Threat to pipeline)

(1) Section 66(1) and (4)

25

omit

directions given under section 40, or as prescribed,

insert

the regulations

-
- (2) Section 66(1), (3), (4) and (5)
omit
 licence
insert
 5 pipeline licence
- (3) Section 66(1), penalty provision
omit, insert
 10 Maximum penalty: For an offence against paragraph (a) –
 200 penalty units or imprisonment for
 5 years.
 For an offence against paragraph (b) –
 100 penalty units or imprisonment for
 6 months.
- (4) Section 66(2), penalty provision
 15 *omit, insert*
 Maximum penalty: 200 penalty units or imprisonment for
 5 years.
- (5) Section 66(3), penalty provision
omit, insert
 20 Maximum penalty: 50 penalty units or imprisonment for
 2 years.
- (6) Section 66(4)
omit
licence
 25 *insert*
pipeline licence
- (7) Section 66(5), penalty provision
omit, insert
 Maximum penalty: 100 penalty units.

35 Section 67A replaced

Section 67A

*repeal, insert***67A Service of documents**

5 (1) A notice, direction, instrument or other document may be served under this Act:

(a) by serving it on the recipient as authorised by section 25 of the *Interpretation Act 1978*; or

(b) by sending it to the recipient's email address; or

10 (c) by serving it in accordance with the regulations; or

(d) if service cannot be effected in a manner provided for under paragraph (a), (b) or (c) – by attaching it to the place of residence of, or to a conspicuous object on land of which the person to be served is, the owner or occupier.

15 *Note for subsection (1)(a)*

See section 25(2) to (4) of the Interpretation Act 1978 for when documents served as mentioned in subsection (1)(a) are taken to be served.

20 (2) Subject to evidence to the contrary, a notice, direction, instrument or document sent as mentioned in subsection (1)(b) is taken to be given to the recipient when it is sent to the recipient's email address.

36 Sections 67C, 67D and 67E inserted

After section 67B

*insert***25 67C Proceedings for offences**

(1) A prosecution for an offence against this Act must be commenced within 3 years after the later of:

(a) the date on which the alleged offence was committed; or

30 (b) the date on which evidence of the offence first came to the attention of the CEO.

(2) Proceedings for an offence against this Act may only be commenced by:

- (a) the CEO; or
- (b) an inspector or another person authorised by the CEO.

5 **67D Approved forms**

- (1) The CEO may approve forms for this Act.
- (2) The CEO must publish the approved forms on the Agency's website.

67E Guidelines

- 10
- (1) The Minister may issue guidelines for this Act.
 - (2) Any guidelines must be published on the Agency's website.

37 Section 68 amended (Regulations)

(1) Section 68(2)(a)

omit, insert

15 (a) the construction, maintenance, operation and decommissioning of pipelines and the safety measures to be taken in respect of those pipelines; and

(ab) consents required to operate pipelines under licences; and

(2) Section 68(2)(b), (c) and (d), at the end

20 *insert*

and

(3) Section 68(2)(e)

omit, insert

25 (da) the keeping and inspection of records in connection with any activity or work undertaken under a permit or licence; and

(db) reporting in connection with activities and works undertaken under a permit or licence; and

(dc) the reporting of incidents arising from operations or activities carried out under a permit or licence; and

(e) fees or charges that may be payable or imposed by or under this Act; and

(4) After section 68(3)

insert

5 (4) The Regulations may apply, adopt or incorporate (with or without changes) the whole or part of a document as in force or existing at a particular time or from time to time.

10 (5) The CEO must ensure that a document applied, adopted or incorporated by the Regulations is made available for inspection, free of charge, by the public during normal business hours at the Agency's head office or on the Agency's website.

(6) A regulation may, in relation to fees or charges:

(a) prescribe differential fees or charges; or

15 (b) provide for fees or charges to be determined according to prescribed factors or circumstances or by applying any prescribed methodology.

38 Part 9 and Schedule inserted

After section 72

insert

20 **Part 9 Transitional matters for Pipelines and Petroleum Legislation Amendment (Industry Development) Act 2026**

73 Definitions

In this Part:

25 ***amending Act*** means the *Pipelines and Petroleum Legislation Amendment (Industry Development) Act 2026*.

commencement means the commencement of section 3 of the amending Act.

74 Licence becomes pipeline licence

30 On the commencement, a licence, as defined before the commencement, that was in force immediately before the commencement, is taken to be a pipeline licence.

75 Application for permit or variation of permit made before commencement

5 Part 2 of the Act, as in force before the commencement, applies in relation to an application under section 5 or 10, as in force before the commencement, that was made but not decided before the commencement.

76 Application related to licence made before commencement

10 Part 3 of the Act, as in force before the commencement, applies in relation to an application under section 13, 16, 20, 21, 21A, 21B or 21C, as in force before the commencement, that was made but not decided before the commencement.

77 Consents to operate given under repealed section 38 before commencement

15 The regulations may prescribe that a consent given by the Minister before the commencement of the amending Act is taken to be a consent given under the Regulations.

78 Directions given under repealed section 40 before commencement

20 A direction given by the Minister under section 40, as in force before the commencement, that is in effect immediately before the commencement is taken to have been given under section 58J.

79 Application to use constructed pipeline made before commencement

25 Section 43, as in force before the commencement, applies in relation to an application made under that section before the commencement if the application was not determined before the commencement.

80 Application for approval of transfer of pipeline licence made before commencement

30 Section 46, as in force before the commencement, applies in relation to an application for approval made under that section before the commencement if the application was not determined before the commencement.

81 Inspectors

35 A person holding office as an inspector under section 63 of the Act immediately before its repeal is taken to be an inspector appointed under section 58R.

82 Offence provisions – before and after commencement

- (1) The offence provisions, as amended by the amending Act, apply only in relation to offences committed after the commencement.
- 5 (2) The offence provisions, as in force before the commencement, continue to apply in relation to offences committed before the commencement.
- (3) For this section, if any of the conduct constituting an offence occurred before the commencement, the offence is taken to have been committed before the commencement.
- 10 (4) In this section:

offence provisions means the provisions of this Act that create or relate to offences (including in relation to criminal responsibility, defences and penalties).

83 Superseded references

15 On and from the commencement, in any instrument, contract or document of any other kind a reference to the *Energy Pipelines Act 1981* is taken to be a reference to the *Pipelines Act 1981*.

84 Transitional regulations

- 20 (1) A regulation may provide for a matter of a transitional nature because of the enactment of the amending Act.
- (2) The regulation may have retrospective operation to a day not earlier than the commencement.
- 25 (3) To the extent to which the regulation has retrospective operation, it does not operate to the disadvantage of a person (other than the Territory or a Territory authority) by:
- (a) decreasing the person's rights; or
 - (b) imposing liabilities on the person.
- (4) The regulation must declare it is made under this section.
- 30 (5) A regulation that provides for a matter mentioned in subsection (1) cannot be made more than 12 months after the commencement.

Schedule Reviewable decisions

section 58ZR

Item	Reviewable decision	Affected person
1	A decision of the Minister under section 8 to refuse to grant a permit	The applicant for the permit
2	A decision of the Minister to impose a condition on the grant of a permit under section 9(1)(c)	The applicant for the permit
3	A decision of the Minister to refuse an application to extend a permit under section 9(2)	The permittee
4	A decision of the Minister under section 9(3) to cancel a permit	The permittee or former permittee
5	A decision of the Minister to refuse to vary a permit under section 10(3)	The permittee
6	A decision of the Minister to impose conditions on the variation of a permit under section 10(4)	The permittee
7	A decision of the Minister under section 15 to refuse to grant a licence	The applicant for the licence
8	A decision of the Minister to refuse an application for the renewal of a licence under section 16A(6)	The licensee
9	A decision of the Minister under section 17(1) to impose a condition on the grant of a pipeline licence	The applicant for the licence
10	A decision of the Minister under section 21A(8) to refuse to vary, suspend or waive a condition of a pipeline licence	The licensee
11	A decision of the Minister under section 24(1) to refuse to consent to the surrender of the whole or part of a pipeline licence	The licensee

12	A decision of the Minister under section 37A(2) to refuse to approve an application to abandon a pipeline	The licensee
13	A decision of the Minister under section 43(5) or (7) to refuse to grant a pipeline licence	The applicant for the licence
14	A decision of the Minister under section 43(6) to impose a condition on the grant of a pipeline licence	The applicant for the licence
15	A decision of the Minister under section 46(10) to refuse an application for approval to transfer a licence	The registered holder of the licence
16	A decision of the CEO under section 58L to issue a compliance direction	The person to whom the direction was issued
17	A decision of the CEO to issue a stop work notice under section 58P	The person to whom the notice was issued
18	A decision of an inspector to issue a direction under section 58ZG	The person to whom the direction was issued
19	A decision of an inspector to direct work to stop under section 64A	The person to whom the direction was issued
20	A decision under this Act or the regulations that is prescribed by regulation	The person prescribed by regulation in relation to that decision in the regulation.

39 Act further amended

Schedule 1 has effect.

Part 3 Amendment of Petroleum Act 1984

40 Act amended

5 This Part amends the *Petroleum Act 1984*.

41 Section 5 amended (Interpretation)

(1) Section 5(1)

omit

, unless the contrary intention appears

(2) Section 5(1), definitions ***appraisal production infrastructure*** and ***surface infrastructure***

omit

as defined in section 3 of the *Energy Pipelines*

5 *insert*

that is licensed under the *Pipelines*

(3) Section 5(1), definition ***land***, paragraph (a), after "*Petroleum*"

insert

and Pipelines

10 **42 Section 22 amended (Term of exploration permit)**

Section 22, after "sections"

insert

22A,

43 Section 22A inserted

15 After section 22

insert

22A Continuation of term of exploration permit if application for retention licence or production licence is made before expiry

(1) This section applies in relation to an exploration permit if:

20 (a) the exploration permit has been renewed twice; and

(b) before the time the exploration permit would, apart from this section, cease to be in force:

25 (i) an application for a retention licence in respect of all or part of the exploration permit area is accepted by the Minister under section 32(1B) but is not determined under section 34; or

30 (ii) an application for a production licence in respect of all or part of the exploration permit area is accepted by the Minister under section 45(1A) but is not determined under section 47 or 48.

(2) Subject to subsection (3), the permit continues in force in respect of the area to which the application mentioned in subsection (1)(b) relates until the application is determined by the Minister under section 34, 47 or 48, as the case may be.

5 (3) The Minister may, by written notice given to the permit holder, impose the conditions the Minister thinks appropriate on an exploration permit that is continued in force by subsection (2).

44 Section 29 amended (Rights conferred by exploration permit)

After section 29(2)(ca)

10 *insert*

(cb) if approved by the Minister – accept petroleum recovered under another permit or licence for the purpose of processing, refining, storing or transporting the accepted petroleum; and

45 Section 31 replaced

15 Section 31

repeal, insert

31 Entitlement to apply for retention licence

20 A permittee may apply for one or more retention licences in relation to all or part of a permit area, or adjacent permit areas held by the permittee, if notification of a discovery of petroleum within the permit area or areas has been given to the Minister in accordance with section 64.

Example for section 31

25 *Subject to the requirement in section 33, a permittee who holds 2 exploration permits over adjacent exploration permit areas may apply for one retention licence in respect of:*

(a) *the whole of both exploration permit areas; or*

(b) *the whole of one exploration permit area combined with part of the second exploration permit area; or*

30 (c) *part of one exploration permit area combined with part of the second exploration permit area.*

46 Section 32 amended (Application for retention licence)

(1) Section 32(1)(c)

omit

35 the existing

insert

any existing

(2) Section 32(1)(d) and (e)

omit, insert

5 (d) evidence, satisfactory to the Minister, that:

(i) a discovery of petroleum in the applicant's permit area or areas notified to the Minister under 64 is the discovery of a reservoir in the application area; and

10 (ii) the discovery of petroleum is potentially of a commercial quality and quantity; and

(iii) production from the application area is not, at the present time, commercially viable;

15 (e) a proposed technical works programme for the exploration, appraisal and development of petroleum within the application area during the period of the proposed licence, including:

(i) works to be undertaken to appraise the extent of the discovery; and

(ii) the collection, analysis and interpretation of data to assess the commercial viability of the discovery;

20 (3) Section 32(1)(k)(i)

omit

permit

insert

permit or permits

25 (4) After section 32(1)

insert

(1A) If an application relates to a permit that is held by more than one person, the application may be made by one of the holders of the permit with the consent of all other holders.

(1B) The Minister:

- (a) may accept an application made under subsection (1) if the application meets the requirements of that subsection; or
- (b) may refuse to accept the application if it does not meet those requirements.

(1C) A refusal to accept an application does not prevent an applicant from making a new application.

47 Section 34 amended (Grant or refusal of retention licence)

Section 34(1)

omit, insert

(1) The Minister may determine to grant a retention licence in respect of all, or part, of the land to which an application under section 32 relates, subject to the conditions the Minister thinks appropriate if:

- (a) the Minister is satisfied that, as a permittee, the applicant complied with the provisions of this Act relating to the exploration permit or permits and the exploration permit area or areas and any directions given to the applicant by the Minister; or
- (b) despite any non-compliance with the matters mentioned in paragraph (a), the Minister is satisfied that circumstances exist to justify the grant of the retention licence.

48 Section 36 replaced

Section 36

repeal, insert

36 Term of retention licence

A retention licence granted under section 34 may be granted for a term of 5 years commencing on the date on which it was granted.

Note for section 36

Section 38 provides for the term of a renewed licence, section 42A provides for the term of a retention licence that is granted following the division of an existing retention licence and section 42B provides for the term of an amalgamated retention licence.

49 Section 37 amended (Application for renewal of retention licence)

After section 37(2)

insert

5 (2A) An application for the second or subsequent renewal of a retention licence must include the following:

10 (a) an analysis of the work undertaken and expenditure incurred during the term of the licence, details of the results of the work and of how the results will inform further work during the proposed renewal period;

(b) a statement of the reasons why the applicant has not applied for a production licence in relation to the licence area;

15 (c) a detailed technical works programme for the term of the proposed renewal that demonstrates how the applicant will progress towards establishing the commercial viability of the petroleum in the licence area;

20 (d) details of the status of any other petroleum retention licences or production licences held by the applicant in the Territory, including work undertaken, expenditure incurred and volumes of petroleum under each licence that has been produced, sold or otherwise used.

(2B) The Minister may, by written notice served on the applicant, request further information in relation to the applicant or the application.

50 Section 38 amended (Grant or refusal of renewal of retention licence)

25

(1) Section 38(2)

omit, insert

30 (1A) If, under section 37, the Minister accepts an application by a retention licensee for the second or subsequent renewal of the licensee's retention licence, the Minister may, by written notice, inform the licensee that the Minister is prepared to renew the licence if:

35 (a) the licensee has complied with the conditions to which the licence is subject, any lawful directions given to the licensee by the Minister and with this Act; or

-
- (b) despite any non-compliance with the matters mentioned in paragraph (a), the Minister is satisfied that circumstances exist to justify the renewal of the licence.

Example for subsection (1A)(b)

5 *Non-compliance with a licensee's technical works program without sufficient reason to justify the non-compliance may lead to the Minister deciding not to renew the licence.*

- (2) A retention licence may be renewed under this section:

10 (a) if it is the first renewal of the licence – for a further term of 5 years; or

- (b) if it is the second or subsequent renewal of the licence – for a further term of up to 5 years as specified in the notice given under subsection (1A).

- (2) Section 38(3)

15 *omit*

, in the case of an application for the first renewal of the retention licence,

- (3) Section 38(4)

omit, insert

20 (4) Before exercising the Minister's powers under subsection (1) or (3) in relation to an application for a first renewal of a retention licence, the Minister may, by written notice served on the applicant, require the applicant to lodge with the Minister, before the date specified in the notice, the information specified in section 37(2A) in relation to
25 the licence.

- (4) Section 38(6)

omit

Notices under subsections (1) and (2) shall

insert

30 A notice given under subsection (1) or (1A) must

- (5) Section 38(7) and (12)

omit

or (2)

insert

or (1A)

51 Section 42 amended (Rights conferred by retention licence)

(1) Section 42(1), after "jointly"

5

insert

and their agents and employees

(2) After section 42(1A)

insert

10

(1B) A retention licence allows the acceptance of petroleum recovered under another permit or licence for the purpose of processing, refining, storing or transporting the accepted petroleum if approved by the Minister.

52 Sections 42A and 42B inserted

After section 42

15

insert

42A Division of retention licence

(1) A retention licensee may apply to the Minister to divide a retention licence (the **original retention licence**) into 2 or more retention licences.

20

(2) A retention licensee must not make an application under this section unless the size and shape of each proposed divided retention licence area meets the requirements of section 33.

(3) An application under this section must:

(a) be in an approved form; and

25

(b) be made in an approved manner; and

(c) be accompanied by the fee prescribed by regulation; and

(d) include the following:

30

(i) a map that clearly identifies the boundaries of the area of the original retention licence and of each proposed retention licence;

5 (ii) a statement that justifies the division of the original retention licence into 2 or more retention licences and demonstrates to the Minister that the proposed retention licences will facilitate effective evaluation of the development potential of petroleum in the proposed retention licence areas;

10 (iii) a detailed technical works programme for each proposed retention licence that demonstrates how the applicant will progress towards establishing the commercial viability of petroleum production in the proposed retention licence areas.

15 (4) If the Minister decides to divide the original retention licence, the Minister must cancel the original retention licence and grant new retention licences each for the same term as the remaining term of the original retention licence.

(5) The Minister may impose the conditions the Minister thinks appropriate on a retention licence granted under subsection (4).

20 (6) A well operations management plan approved under the original retention licence continues in effect in relation to a well located on a retention licence granted under subsection (4).

Note for subsection (6)

A well operations management plan may be reviewed under section 61B.

25 (7) The retention licensee is not entitled to a refund of part of an annual fee paid in relation to the original retention licence before the division under this section.

42B Amalgamation of retention licences

(1) A retention licensee may apply to the Minister to amalgamate all or part of 2 or more retention licences (the **original retention licences**) if the original retention licences:

30 (a) have at least one common licensee; and

(b) are on adjacent areas of land.

Example for subsection (1)(a)

35 *Retention Licence 1 is owned by A, B and C. Retention Licence 2, the area of which is adjacent to the area of Licence 1, is owned by B and C. An application may be made to amalgamate those retention licences because B and C are licensees of both retention licences.*

(2) A retention licensee must not make an application under this section unless the size and shape of the amalgamated licence and

any remaining area of an original retention licence that is not to form part of the amalgamated licence area meet the requirements of section 33.

(3) An application under this section must:

- 5
- (a) be in an approved form; and
 - (b) be made in an approved manner; and
 - (c) be accompanied by the fee prescribed by regulation; and
 - (d) include the following:
 - 10 (i) a map that clearly identifies the boundaries of the original retention licence areas, the proposed amalgamated licence area, and any remaining area of an original retention licence that is not to form part of the amalgamated licence area;
 - 15 (ii) a statement that justifies the amalgamation and demonstrates to the Minister that the amalgamation will support the efficient and effective evaluation of the development potential of petroleum in the proposed amalgamated licence area and reduce wasteful or duplicative processes;
 - 20 (iii) a detailed technical works programme for the proposed amalgamated retention licence that demonstrates how the applicant will progress towards establishing the commercial viability of petroleum in the proposed amalgamated licence area;
 - 25 (iv) an updated technical works programme for any part of the original retention licences that is not to form part of the amalgamated retention licence.

(4) If the Minister decides to amalgamate the original retention licences, the Minister must:

- 30
- (a) in respect of the original retention licences:
 - (i) if the entire area of an original retention licence is included in the area of the amalgamated licence – cancel the licence; and
 - 35 (ii) if only part of the area of an original retention licence is included in the amalgamated licence – reissue the original retention licence in respect of the area that is not included in the amalgamated licence area for the

remaining term of the original retention licence; and

(b) grant a new retention licence in respect of the amalgamated licence area for a term of up to 5 years.

5 (5) The Minister may impose the conditions the Minister thinks appropriate on a new or reissued retention licence under subsection (4).

10 (6) Any well operations management plan approved under an original retention licence continues in effect in relation to a well located in the area of a retention licence reissued or granted under subsection (4).

Note for subsection (6)

A well operations management plan may be reviewed under section 61B.

15 (7) The retention licensee is not entitled to a refund of part of an annual fee paid in relation to an original retention licence before the amalgamation under this section.

53 Section 45 amended (Application for production licence)

After section 45(1)

insert

(1A) The Minister:

20 (a) may accept an application made under subsection (1) if the application meets the requirements of that subsection; or

(b) may refuse to accept the application if it does not meet those requirements.

25 (1B) A refusal to accept an application does not prevent an applicant from making a new application.

54 Section 52 amended (Grant or refusal of renewal of production licence)

(1) Section 52(2)

omit, insert

30 (2) If, under section 51, the Minister accepts an application by a production licensee for the second or subsequent renewal of the licensee's production licence, the Minister may, by written notice, inform the licensee that the Minister is prepared to renew the licence if:

- (a) the licensee has complied with the conditions to which the licence is subject, any lawful directions given to the licensee by the Minister and with this Act; or
- (b) despite any non-compliance with the matters mentioned in paragraph (a), the Minister is satisfied that circumstances exist to justify the renewal of the licence.

Example for subsection (2)(b)

Non-compliance with a licensee's technical works program without sufficient reason to justify the non-compliance may lead to the Minister deciding not to renew the licence.

(2) Section 52(3)

omit

, in the case of an application for the first renewal of the production licence,

55 Section 56 amended (Rights conferred by production licence)

(1) Section 56, before "A"

insert

(1)

(2) Section 56, after "jointly"

insert

and their agents and employees

(3) Section 56, at the end

insert

(2) A production licence allows the acceptance of petroleum recovered under another permit or licence for the purpose of processing, refining, storing or transporting the petroleum if approved by the Minister.

56 Section 57AAA amended (Recovery of petroleum on appraisal basis)

(1) Section 57AAA(2)

omit

interest.

insert

interest or, in the case of a permittee who has made an application under section 32 or a retention licensee who has made an application under section 42A or 42B, the proposed petroleum interest.

5

(2) Section 57AAA(5)(a)

omit

area or retention licence area

insert

10

area, retention licence area or proposed retention licence area

(3) After section 57AAA(6)

insert

(6A) Without limiting subsection (6), a condition may provide for the use of appraisal production infrastructure operated under the approval to process, refine, store, transport or use petroleum recovered under another permit or licence.

15

57 Section 66 amended (Exploration permit held by 2 or more persons)

Section 66(2)

20

omit, insert

(2) A retention licence that is derived from an exploration permit held by 2 or more parties may be granted:

(a) in the names of all of the holders of the exploration permit; or

(b) in the name of one or more, but not all, of the holders of the exploration permit with the consent of all of the holders of the exploration permit.

25

(2A) If a retention licence is to be granted to 2 or more parties, the applicants may request that the licence be granted in shares that are different from those in which the permit was held.

58 Section 69A amended (Ability to waive, suspend or reduce annual fee or levy)

(1) Section 69A heading

omit

5 **annual fee or levy**

insert

fees and levies

(2) Before section 69A(1)

insert

10 (1AA) The Minister may, on application or on the Minister's own initiative, waive, suspend or reduce a fee payable for an application made in relation to a permit or licence by giving written notice of the waiver, suspension or reduction to the applicant.

59 Part VII, Division 7 inserted

15 After section 138

insert

Division 7 Pipelines and Petroleum Legislation Amendment (Industry Development) Act 2026

139 Definition

20 In this Division:

commencement means the commencement of section 40 of the *Pipelines and Petroleum Legislation Amendment (Industry Development) Act 2026*.

140 Application of section 22A

25 Section 22A of the Act only applies in relation to an exploration permit if an application for a licence as mentioned in section 22A(1)(b) is made in relation to the permit after the commencement.

141 Application related to retention licence made before commencement

- 5 (1) Sections 32 and 34, as in force before the commencement, apply in relation to an application for the grant of a retention licence under section 32 made but not determined before the commencement.
- (2) Sections 37 and 38, as in force before the commencement, apply in relation to an application under section 37 made but not determined before the commencement.

142 Application for renewal of production licence made before commencement

10

Section 52, as in force before the commencement, applies in relation to an application for the renewal of a production licence under section 51 that was made but not determined before the commencement.

60 Schedule 1 amended (Decisions subject to principles of ecologically sustainable development)

15

- (1) Schedule 1, entries for section 38(1)(a) and (b) and (2)

omit, insert

section 38(1) or (1A) A decision indicating preparedness to renew retention licence

- (2) Schedule 1, entry for section 40, after "grant"

20

insert

or renew

- (3) Schedule 1, entry for section 41(2)

omit

41(2)

25

insert

41(3)

- (4) Schedule 1, entry for section 55(2)

omit

55(2)

insert

55(3)

(5) Schedule 1, entry for section 73(1C)

omit

5 **61 Schedule 2 amended (Judicial Review of decision or determination)**

(1) Schedule 2, entries for section 38(1)(b) and (2)

omit, insert

section 38(1)(b) or (1A) A decision indicating preparedness to renew retention licence

(2) Schedule 2, entries for section 52(1)(b) and (2)

10 *omit, insert*

section 52(1)(b) or (2) A decision indicating preparedness to renew production licence

62 Schedule 3 amended (Reviewable decisions and interested persons)

(1) Schedule 3, after entry in relation to section 41

insert

A decision of the Minister to refuse to divide a retention licence into 2 or more retention licences under section 42A The applicant for the division

A decision of the Minister to refuse to amalgamate 2 or more retention licences under section 42B An applicant for the amalgamation

15 (2) Schedule 3, entry in relation to section 54(2)

omit, insert

A decision of the Minister under section 54(1) as to conditions of a production licence on the grant or renewal of the licence, other than a condition under section 54(2) The applicant for the licence or the licensee

63 Act further amended

Schedule 2 has effect.

Part 4 Amendment of Petroleum (Submerged Lands) Act 1981

5 **64 Act amended**

This Part amends the *Petroleum (Submerged Lands) Act 1981*

65 Long title amended

Long title

omit

10 **Territory**

insert

Territory, for the conveyance of certain substances through pipelines on those lands

66 Short title amended

15 Section 1(1), after "*Petroleum*"

insert

and Pipelines

67 Section 4 amended (Interpretation)

20 (1) Section 4(1), definitions ***adjacent area***, ***Commonwealth Act***, ***listed OHS laws***, ***OHS inspector*** and ***Safety Authority***

omit

(2) Section 4(1)

insert

25 ***adjacent area*** means, subject to subsection (2), so much of the area the boundary of which is described in Schedule 3 as is part of the territorial sea of Australia, including the territorial sea adjacent to any island forming part of the Territory.

CEO means the Chief Executive Officer.

Commonwealth Act:

(a) except for Part I, Division 2 – means the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth); or

(b) for Part I, Division 2 – see section 10.

5 **environment**, for Part II, Division 6B, see section 137F.

environmental impact, for Part II, Division 6B, see section 137F.

fit and proper person, to hold a permit, lease, licence, pipeline licence or special prospecting authority under this Act, see section 18B.

10 **greenhouse gas substance**, see section 7 of the Commonwealth Act.

interest under this Act, for Part II, Division 6B, see section 137F.

premises, for Part II, Division 6B, see section 137F.

15 **Principal Northern Territory offshore area**, for Part I, Division 2, see section 10.

regulated substance means any of the following:

(a) petroleum;

(b) hydrogen;

20 (c) any hydrogen compound, precursor or hydrogen carrier that is used for the transmission of hydrogen;

(d) a greenhouse gas substance;

(e) a gas or other substance prescribed by regulation.

(3) Section 4(1), definition **inspector**

omit

25 section 125

insert

section 137G

(4) Section 4(1), definition ***pipeline***

omit

petroleum but

insert

5 a regulated substance, but

(5) Section 4(1), definitions ***pumping station, tank station*** and ***valve station***

omit

petroleum

10 *insert*

regulated substances

(6) Section 4(1), at the end

insert

Note for subsection (1)

15 *The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.*

(7) Section 4(3)

omit

20 **68 Section 6A repealed (Disapplication of Territory occupational health and safety laws)**

Section 6A

repeal

69 Section 10 replaced

Section 10

repeal, insert

10 Definitions

5 In this Division:

Commonwealth Act means the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth) as amended from time to time and any Act of the Parliament of the Commonwealth with which that Act is incorporated.

10 **Principal Northern Territory offshore area**, see section 7 of the Commonwealth Act.

70 Section 16 replaced

Section 16

repeal, insert

15 16 Delegation

The Minister may delegate any of the Minister's powers and functions under this Act to a person.

71 Section 18B inserted

After section 18A, in Part II, Division 1

20 *insert*

18B Fit and proper person

(1) In determining whether to grant or renew a permit, lease, licence, pipeline licence or special prospecting authority under this Act, the Minister must, subject to subsection (3), be satisfied that the applicant is a fit and proper person to hold the permit, lease, licence, pipeline licence or special prospecting authority, having regard to the following matters:

(a) whether there are reasonable grounds to believe that the person:

30 (i) has contravened a law of the Territory or another jurisdiction that relates to the regulation of petroleum exploration, production, processing or storage operations, pipelines or the physical or biological

environment, including matters relating to pollution, biodiversity, natural resources, planning, development or waste; or

5

(ii) has contravened a law of the Territory or another jurisdiction that relates to heritage, health or cultural matters, including matters relating to sacred sites; or

(iii) has contravened a law of the Territory or another jurisdiction that relates to work health and safety; or

10

(iv) has contravened a law of the Territory under which a tax or royalty is payable to the Territory; or

(v) has committed an offence against any law of the Territory or another jurisdiction that involves an element of fraud or dishonesty; or

15

(vi) has behaved or is likely to behave in a way that is inconsistent with the person's duties as a licence holder or permit holder;

(b) any matters prescribed by regulation;

(c) any other matters the Minister considers relevant.

20

(2) The Minister is not required to conduct an investigation to determine whether a person is a fit and proper person.

(3) The Minister is not required to comply with subsection (1) if the applicant was considered to be a fit and proper person to hold a permit, licence or other interest under an Act that is prescribed by regulation, within the period prescribed by regulation.

25

72 Section 21 amended (Application for permits)

(1) Section 21(1)(a) to (c) and (d)(i), (ii) and (iv), at the end

insert

and

(2) After section 21(1)(d)

30

insert

(da) must include evidence that the applicant is a fit and proper person to be granted a permit, including information addressing the matters to which the Minister must have regard under section 18B(1)(a) and (b); and

73 Section 38A amended (Application by permittee for lease)

(1) Section 38A(2)(a), (b) and (c)(ii), at the end

insert

and

5 (2) After section 38A(2)(c)

insert

10 (ca) must include evidence that the applicant is a fit and proper person to be granted a lease, including information addressing the matters to which the Minister must have regard under section 18B(1)(a) and (b); and

74 Section 41 amended (Application for licence)

(1) Section 41(1)(a) to (c), at the end

insert

and

15 (2) After section 41(1)(c)

insert

20 (ca) must include evidence that the applicant is a fit and proper person to be granted a licence, including information addressing the matters to which the Minister must have regard under section 18B(1)(a) and (b); and

75 Section 64 amended (Application for pipeline licence)

(1) Section 64(1)(a), (b), (c)(i) to (v) and (vii) and (d)(i) and (iii), at the end

insert

25 and

(2) After section 64(1)(c)(ii)

insert

(iia) the regulated substance intended to be conveyed through the pipeline; and

(3) Section 64(1)(c)(vii)

omit

petroleum

insert

5 a regulated substance

(4) After section 64(1)(d)

insert

10 (da) must include evidence that the applicant is a fit and proper person to be granted a pipeline licence, including information addressing the matters to which the Minister must have regard under section 18B(1)(a) and (b); and

(5) Section 64(2), (3) and (5)

omit

76 Section 64A inserted

15 After section 64

insert

64A Rights of licence holder or pipeline operator following application for pipeline licence by another person

20 (1) This section applies in relation to an application for a pipeline licence made under section 64 that:

(a) relates to the construction of a pipeline for the conveyance of petroleum that is recovered under a licence if the applicant is not the licensee of the licence; or

25 (b) relates to the construction of a pipeline for the conveyance of petroleum that is recovered under a petroleum production licence under the Commonwealth Act or a corresponding law, if the applicant is not the pipeline operator under the Commonwealth Act or corresponding law; or

30 (c) relates to the construction of a pipeline for the conveyance of a greenhouse gas substance to or from a place outside the adjacent area that is within the area of an interest granted under the Commonwealth Act or a corresponding law, if the applicant is not the pipeline operator under the Commonwealth Act or corresponding law for the interest.

5 (2) The licensee or pipeline operator under the Commonwealth Act or a corresponding law, as the case may be, may, within the required period, apply to the Minister under section 64 for the grant of a pipeline licence and request that the application mentioned in subsection (1) be rejected.

(3) For subsection (2), the **required period** is:

- 10 (a) 3 months after notice of the application to which this section applies is published under section 94(e); or
- (b) a further period of not more than 3 months that the Minister, on application in writing served on the Minister before the end of the period mentioned in paragraph (a), allows.

15 (4) If a pipeline licence is granted to a licensee or a pipeline operator under the Commonwealth Act or a corresponding law as a result of an application covered by subsection (2), the Minister must, by written notice served on the applicant mentioned in subsection (1), reject the application mentioned in subsection (1).

(5) In this section:

pipeline operator under the Commonwealth Act or a corresponding law, see section 65(13).

20 **77 Section 65 amended (Grant or refusal of grant of pipeline licence)**

(1) Section 65(1)

omit

section 64(3)

25 *insert*

section 64A(4)

(2) After section 65(2A)

insert

30 (2B) If a person applies for a pipeline licence under section 64 in respect of the construction of a pipeline for the conveyance of a greenhouse gas substance between the adjacent area and a place that is in the area of an interest granted under the Commonwealth Act or a corresponding law to a pipeline operator under the Commonwealth Act or corresponding law, the Minister may inform

35 the person, by written notice served on the person, that the Minister

is prepared to grant the person a pipeline licence.

(3) Section 65(5)

omit

all words from "in respect" to "corresponding law"

5 (4) Section 65(7), (8), (9), (10) and (11)

omit

(2) or (2A)

insert

(2), (2A) or (2B)

10 (5) Section 65(13), after "petroleum"

insert

or the injection or storage of greenhouse gas substances

(6) Section 65(13), at the end

insert

15 *Note for subsection (13)*

The Commonwealth Act and certain corresponding laws provide for activities relating to the injection and storage of greenhouse gas substances.

78 Section 78 amended (Approval and registration of transfers)

(1) Section 78(3)(a)

20 *omit*

prescribed

insert

approved

(2) Section 78(3)(a) and (b)(i), at the end

25 *insert*

and

(3) After section 78(3)(b)

insert

(ba) if a transferee is not a registered holder of the title, evidence that the transferee is a fit and proper person to be granted the title, including information addressing the matters to which the Minister must have regard under section 18B(1)(a) and (b); and

79 Section 111 amended (Special prospecting authorities)

(1) Section 111(2)(a) and (b), at the end

insert

and

(2) After section 111(2)(c)

insert

(ca) must include evidence that the applicant is a fit and proper person to be granted a special prospecting authority, including information addressing the matters to which the Minister must have regard under section 18B(1)(a) and (b); and

80 Sections 125 and 126 repealed

Sections 125 and 126

repeal

81 Section 135 replaced

Section 135

repeal, insert

135 Proceedings for offences

(1) Despite any other law, proceedings for an offence under this Act may be brought at any time.

(2) Proceedings for an offence against this Act may only be commenced by:

(a) the CEO; or

(b) an inspector or another person authorised by the CEO.

82 Section 137AB amended (Liability for approval given under this Act, &c.)

(1) Section 137AB, heading

omit

5

Act, &c.

insert

Act

(2) Section 137AB(1)(b)

omit

10

83 Part II, Division 6B inserted

After section 137E

insert

Division 6B Inspectors

Subdivision 1 Definitions

15

137F Definitions

In this Division:

environment means:

(a) ecosystems and their constituent parts, including people and communities; and

20

(b) natural and physical resources; and

(c) the qualities and characteristics of locations, places and areas; and

(d) the heritage value of places;

and includes the social, economic and cultural features of the matters mentioned in paragraphs (a), (b), (c) and (d).

25

environmental impact, in relation to an activity carried out under this Act, means any change to the environment, whether adverse or beneficial, that wholly or partly results from the activity.

interest under this Act means a permit, lease, licence, pipeline licence, access authority or special prospecting authority.

premises includes the following:

- 5
- (a) equipment, plant and structures, whether stationary or portable, and any land or water on which the premises are situated;
 - (b) a vehicle, vessel, aircraft or other conveyance;
 - (c) land and water on land.

Subdivision 2 Appointment of inspectors

10 **137G Appointment**

- (1) The CEO may appoint a person to be an inspector.
- (2) The appointment may be made subject to the conditions or limitations as the CEO thinks appropriate.

137H Identity card

- 15
- (1) The CEO must give an inspector an identity card stating the inspector's name and that the person is an inspector.
 - (2) The identity card must:
 - (a) display a recent photograph of the inspector; and
 - (b) state the card's date of issue; and
 - 20 (c) be signed by the inspector.
 - (3) This section does not prevent the issue of a single identity card to a person for this and another Act.
 - (4) An inspector must, on request, produce the inspector's identity card before exercising the powers of an inspector under this Act in
25 relation to a person or entering premises on a particular occasion.

137J Return of identity card

- (1) A person who ceases to be an inspector must return the person's identity card to the CEO within 21 days after the cessation.

- (2) A person commits a regulatory offence if the person ceases to be an inspector and fails to return the person's identity card to the CEO within 21 days after the cessation.

Maximum penalty: 20 penalty units.

- 5 (3) It is a defence to a prosecution for an offence against subsection (2) if the defendant has a reasonable excuse.

Subdivision 3 Functions and powers of inspectors

137K Functions

- (1) An inspector has the following functions under this Act:

- 10 (a) to provide information and advice about compliance with this Act;
- (b) to monitor compliance with this Act and to take action to require or secure compliance with this Act through the exercise of powers under this Act;
- 15 (c) to investigate contraventions of this Act and assist in the prosecution of offences;
- (d) to do anything else necessary or required for the administration, operation or enforcement of this Act, including gathering information.

- 20 (2) An inspector has the powers necessary to perform the inspector's functions under this Act.

- (3) This section does not limit a function or power of an inspector under another provision of this Act.

137L General powers of inspectors

- 25 (1) An inspector may enter:

- (a) any part of the adjacent area or premises in the adjacent area that the inspector believes on reasonable grounds, has been, is being or is to be used in connection with any of the following:
- 30 (i) petroleum exploration operations;
- (ii) operations for the recovery of petroleum;
- (iii) operations connected with the construction or operation of a pipeline; and

- (b) any premises used for or in connection with any operations or activities for which an interest under this Act is, or was, required; and
- 5 (c) any place or premises if the entry is authorised by a search warrant.
- (2) On entering an area or premises under this Act an inspector may do any of the following:
- (a) inspect or examine the area or premises and anything on or in the area or premises;
- 10 (b) make inquiries of a person present in the area or on the premises;
- (c) search the area or premises and anything found there;
- (d) inspect any operations or activities conducted in the area or on the premises;
- 15 (e) take photographs and make sketches or other records;
- (f) make recordings in any medium, including audio, visual and audio-visual recordings;
- (g) operate or test any equipment;
- (h) examine or test any infrastructure or other thing;
- 20 (i) measure anything, or take and remove for analysis a sample of any substance or thing;
- (j) bring equipment or materials onto the area or premises and use, install and maintain equipment or materials.
- (3) An inspector may do any of the following:
- 25 (a) require a person in the area or on the premises entered under subsection (1) to give the inspector reasonable assistance to perform or exercise the inspector's functions or powers including:
- 30 (i) to operate any vehicle, vessel or other conveyance or computer or other equipment; and
- (ii) to provide any access or assistance to access any computer or other equipment or any service;

- (b) require a person to produce any document that may be relevant to operations or activities for which an interest is required under this Act, or a copy of such a document, for inspection;
- 5 (c) inspect and take copies of a document;
- (d) seize any documents and any equipment required to access any documents;
- (e) require a person to provide the person's name, address and date of birth and evidence of these if:
- 10 (i) the person is on, or in the vicinity of, an area or premises that may be inspected under this section; or
- (ii) the inspector reasonably suspects the person is travelling to or from an area or premises that may be inspected under this section; or
- 15 (iii) the inspector reasonably suspects the person is the owner or occupier of any premises; or
- (iv) the inspector reasonably suspects the person is under investigation for a suspected contravention of this Act;
- 20 (f) require a person in the area or on the premises to answer reasonable questions related to an inspection of the area or premises;
- (g) authorise a person to provide assistance to an inspector in the performance or exercise of the inspector's functions or powers;
- 25 (h) operate a drone or other device in or over any part of the adjacent area comprised in, proposed to be comprised in, or previously comprised in, the area of an interest under this Act;
- (i) do any other act or thing necessary for, or incidental to, the exercise of a power mentioned in this section.
- 30 (4) An inspector may, with the approval of the CEO:
- (a) by notice signed by the inspector, require the attendance of a person at a time and place specified in the notice; and

-
- (b) require a person who appears as the result of the notice to produce any document and to answer any questions that may be relevant to the administration, operation or enforcement of this Act.

5

Note for subsection (4)

See section 137T in relation to self-incrimination.

- (5) Without limiting any other power, if an inspector is satisfied that there are reasonable grounds for suspecting that an offence against this Act was, is being or is about to be committed, the inspector may (without warrant), and with such assistance as the inspector thinks necessary:

10

- (a) seize or secure any thing that the inspector believes on reasonable grounds, was, is being or is about to be used in connection with the commission of that offence or proposed offence; and

15

- (b) take such other action as is reasonably necessary to prevent the commission of an offence against this Act.

- (6) An inspector may, in relation to an item seized under subsection (5)(a), do any of the following:

20

- (a) move the item from the area or premises where it was seized;
- (b) take reasonable measures to restrict access to the item;
- (c) if the item is equipment – make the equipment inoperable.

Example for subsection (6)(b)

Marking a piece of equipment to show that access to it is restricted.

25

Example for subsection (6)(c)

Removing a component of equipment without which it cannot be used.

Note for subsection (6)

An item seized under this section may be tested under section 137M.

- (7) An entry to premises may be made under subsection (1) with, or without, the consent of the owner or occupier of the premises.

30

- (8) An inspector may use reasonable force in exercising a power under subsection (1) or (2).

(9) Despite anything to the contrary in this Division, an inspector must not enter or exercise inspection or search powers in relation to any part of premises that are used for residential purposes except in the following circumstances:

- 5
- (a) the owner or occupier of the residential premises consents to the entry, inspection or search;
 - (b) the entry is authorised by a search warrant under this Division.

137M Testing of seized thing

10 (1) The CEO, or an inspector authorised by the CEO, may carry out, or arrange to carry out, scientific or other tests on an item seized under section 137L.

(2) The testing may have the effect of destroying the thing if:

- (a) the item is a sample of a regulated substance; or
- (b) otherwise:

- 15
- (i) the destruction is necessary to carry out the test; and
 - (ii) there is no other reasonable course available to achieve the purpose of the test; and
 - (iii) subsections (3) to (5) are complied with.

20 (3) For subsection (2)(b)(iii), the CEO must give the owner of the seized item written notice of the proposed test.

(4) The notice must state:

- (a) that the owner may make a written submission as to why the item should be preserved within the period specified in the notice; and

25 (b) the address where the submission may be given to the CEO.

(5) Before destroying the item, the CEO must consider any submission given to the CEO under subsection (4).

137N Duty of inspector in relation to seized thing

30 (1) As soon as practicable but within 7 days after an inspector seizes a thing under section 137L, the inspector must give a receipt for it to the person from whom it was seized.

(2) The receipt must describe generally each thing seized and its condition.

(3) If for any reason it is not practicable to comply with subsection (1), the inspector must:

- 5
- (a) leave the receipt at the place of seizure; and
 - (b) ensure the receipt is left in a reasonably secure way and in a conspicuous position.

(4) The inspector must allow a person who would be entitled to the seized thing if it were not in the inspector's possession to inspect it and, if it is a document, to take extracts from it or make copies of it.

10 (5) The inspector must return the seized thing to its owner at the end of the later of:

- 15
- (a) 3 years from the date it was seized; or
 - (b) if a prosecution for an offence involving the seized thing is started within the 3 years from the date it was seized – 12 months after the end of the prosecution for the offence and any appeal from the prosecution.

(6) Despite subsection (5), the inspector must return the seized thing to the person from whom it was seized if the inspector no longer considers its retention as evidence is necessary.

20 (7) Despite subsections (5) and (6), the inspector may keep the seized thing if the inspector believes on reasonable grounds that it is necessary to continue to keep it to prevent its use in committing an offence.

25 (8) An inspector must give written notice to the owner of a seized thing as soon as practicable if the inspector decides under subsection (7) to keep the thing.

137P Forfeiture of seized thing

(1) Despite section 137N, the court may order the forfeiture of a seized thing to the Territory if the owner of the seized thing is found guilty of an offence for which the thing was retained as evidence.

30 (2) The forfeited thing becomes the property of the Territory and may be destroyed or disposed of as directed by the CEO.

(3) This section does not limit a court's powers under any other law.

137Q Offence to contravene requirement

- (1) A person required to do something under section 137L commits a regulatory offence if the person fails to comply with the requirement.

5 Maximum penalty: If the offender is an individual – 200 penalty units.

 If the offender is a body corporate –
1 000 penalty units.

- 10 (2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves the defendant took reasonable steps and exercised due diligence to comply with the requirement.

137R Obstruction of inspector

- (1) A person commits an offence if the person obstructs an inspector acting in an official capacity.

15 Maximum penalty: If the offender is an individual – 200 penalty units or imprisonment for 2 years.

 If the offender is a body corporate –
1 000 penalty units.

- 20 (2) It is a defence to a prosecution for an offence against subsection (1) if the defendant has a reasonable excuse.

- (3) In this section:

acting in an official capacity, in relation to an inspector, means the inspector is exercising powers or performing functions under, or otherwise related to the administration of, this Act.

25 ***obstruct*** includes hinder or resist.

137S Interference with seized item

A person commits an offence if the person interferes, or attempts to interfere, with an item seized under section 137L without the approval of an inspector.

30 Maximum penalty: If the offender is an individual – 200 penalty units.

 If the offender is a body corporate –
1 000 penalty units.

137T Self-incrimination

- 5 (1) A person required to answer a question, give information or produce a document under this Subdivision is not excused from doing so on the ground that the answer, information or document might tend to incriminate the person or make the person liable to a penalty.
- 10 (2) Despite subsection (1), any answer, information or document given is not admissible in evidence against the person in a civil or criminal proceeding except a proceeding for an offence in which the falsity or misleading nature of the answer, information or document is relevant.

Subdivision 4 Search warrants**137U Search warrants**

- 15 (1) An inspector may apply to a Local Court Judge for a search warrant for a place.
- (2) The application must be made on oath and state the grounds on which the warrant is sought.
- 20 (3) The Judge may refuse to consider the application until the inspector gives the Judge all the information the Judge requires about the application in the form the Judge requires.
- Example for subsection (3)*
The Judge may require additional information supporting the application to be given by statutory declaration.
- 25 (4) The Judge may issue a search warrant for a place only if the Judge is satisfied there are reasonable grounds for suspecting that there is evidence of an offence against this Act at the place.
- (5) The search warrant must state:
- 30 (a) that an inspector named in the warrant may, with necessary and reasonable assistance and force, enter the place and exercise the inspector's investigation powers; and
- (b) the suspected offence for which the search warrant is sought; and
- (c) the evidence that may be seized under the search warrant; and
- 35 (d) the hours of the day or night when the place may be entered; and

- (e) that the warrant remains in force for 7 days after the date of its issue.

137V Announcement before entry and provision of authority

- 5 (1) Before executing a search warrant, the inspector named in the warrant or a person assisting the inspector must:
- (a) announce that entry to the place is authorised by the warrant; and
- (b) give any person at the place an opportunity to allow that entry.
- 10 (2) The announcement is not required if the inspector or person assisting the inspector believes on reasonable grounds that immediate entry to the place is needed to avoid frustration of the warrant.
- 15 (3) If asked by a person who appears to have management or control of a place where a search warrant is being executed, the inspector must:
- (a) produce the inspector's identity card for inspection by the person; and
- (b) give the person a copy of the warrant.

Subdivision 5 Directions by inspectors

20 137W Directions by inspectors

- (1) An inspector may issue a direction to the registered holder of an interest under this Act to do any of the following:
- (a) take action to prevent, minimise, manage or remediate:
- 25 (i) the environmental impacts and risks related to an activity being carried out by the registered holder under or in relation to the interest; or
- (ii) harm to a person, pipeline, property or infrastructure, or any potential harm (including the risk of harm and future harm) to or potential adverse effect on a person, pipeline, property or infrastructure; or
- 30 (iii) a situation that is compromising, or may compromise, the integrity of any pipeline;
- (b) take action in accordance with good oilfield practice;

-
- (c) take action in accordance with practices and procedures that are generally accepted as good and safe in the carrying on of the activities permitted under the interest;
- 5 (d) take action for a purpose that is connected with, or ancillary to, action directed under paragraph (a), (b) or (c).
- (2) A direction under this section must specify the grounds on which it is issued.
- 10 (3) A direction under this section may impose any requirement reasonably required for the purpose for which the direction is issued, including one or more of the following requirements:
- (a) a requirement that the registered holder discontinue, or not commence, a specified activity indefinitely or for a specified period or until further notice from an inspector or the CEO;
- 15 (b) a requirement that the registered holder not carry on a specified activity except subject to specified conditions;
- (c) a requirement that the registered holder take specified action in a specified way, and within a specified period or at specified times, or in specified circumstances (including a requirement that a specified work practice be altered or discontinued).
- 20 (4) A direction must allow a reasonable time for compliance with the direction.
- (5) A direction may be given orally but must be confirmed by written notice to the person as soon as practicable.
- 25 (6) An inspector may, by written notice given to the registered holder to whom a direction under this section is issued, vary or revoke the direction.
- (7) A direction given under this section:
- 30 (a) applies to the registered holder and may also be expressed to apply to an employee, agent or contractor of the registered holder; and
- (b) may be given to a registered holder by giving it to an employee, agent or contractor of the registered holder.
- 35 (8) If a direction is expressed to apply to an employee, agent or contractor of the registered holder, a reference in subsection (1) or (4) to a registered holder extends to the other person or persons to whom the direction applies.

137X Offence to contravene direction

- (1) A person subject to a direction under section 137W commits a regulatory offence if the person contravenes the direction.

Maximum penalty: If the offender is an individual – 500 penalty units.

If the offender is a body corporate –
2 500 penalty units.

- (2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves that the defendant took reasonable steps and exercised due diligence to comply with the direction.

84 Part III repealed (Occupational health and safety)

Part III

repeal

85 Section 170 replaced

Section 170

repeal, insert

170 Delegation

The CEO may delegate any of the CEO's powers and functions under this Act to a person.

171 Approved forms

- (1) The CEO may approve forms for this Act.
- (2) The CEO must publish the approved forms on the Agency's website.

172 Guidelines

- (1) The Minister may issue guidelines for this Act.
- (2) Any guidelines must be published on the Agency's website.

173 Protection from liability

(1) A person is not civilly or criminally liable for an act done or omitted to be done by the person in good faith in the exercise of a power or performance of a function as any of the following:

- 5
- (a) the CEO;
 - (b) an inspector;
 - (c) a person who is authorised under section 137L(3)(g) to provide assistance to an inspector.

10 (2) Subsection (1) does not affect any liability the Territory would, apart from that subsection, have for the act or omission.

(3) In this section:

exercise of a power includes the purported exercise of the power.

performance of a function includes the purported performance of the function.

15 **174 Service of documents**

(1) A notice, direction, instrument or other document may be served under this Act:

- 20
- (a) by serving it on the recipient as authorised by section 25 of the *Interpretation Act 1978*; or
 - (b) by sending it to the recipient's email address; or
 - (c) by serving it in accordance with the regulations; or
 - (d) if service cannot be effected in a manner provided for under paragraph (a), (b) or (c) – by attaching it to the place of residence of, or to a conspicuous object on land of which the person to be served is, the owner or occupier.
- 25

Note for subsection (1)(a)

See section 25(2) to (4) of the Interpretation Act 1978 for when documents served as mentioned in subsection (1)(a) are taken to be served.

30 (2) Subject to evidence to the contrary, a notice, direction, instrument or document sent as mentioned in subsection (1)(b) is taken to be given to the recipient when it is sent to the recipient's email address.

Part V Transitional matters for Pipelines and Petroleum Legislation Amendment (Industry Development) Act 2026

175 Definitions

5 In this Part:

amending Act means the *Pipelines and Petroleum Legislation Amendment (Industry Development) Act 2026*.

commencement means the commencement of section 64 of the amending Act.

10 176 Application of section 18B

Section 18B applies only in relation to the grant or renewal of a permit, lease, licence, pipeline licence or special prospecting authority under this Act if the application for the grant or renewal was made after the commencement.

15 177 Application for pipeline licence made before commencement

Sections 64, 65 and 66, as in force before the commencement, apply in relation to an application under section 64 that was made but not decided before the commencement.

178 Inspectors

20 A person holding office as an inspector under section 125 of the Act immediately before its repeal is taken to be an inspector appointed under section 137G.

86 Schedule 4 repealed (Occupational health and safety)

Schedule 4

25 *repeal*

87 Act further amended

Schedule 3 has effect.

Part 5 Consequential amendments

88 Other laws amended

30 Schedule 4 amends the laws mentioned in it.

Part 6 Repeal

89 Repeal of Act

This Act is repealed on the day after it commences.

Schedule 1 Energy Pipelines Act 1981 further amended

section 39

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Part I, heading	whole heading	Part 1 Preliminary matters
Part III, heading	whole heading	Part 3 Pipeline licences
section 14, heading	licence	pipeline licence
section 15A(1), (2), (3), (4) and (6)(a)	licence (<i>all references</i>)	pipeline licence
section 15A(2)(a)	a form and manner approved by the Minister	the approved form
section 15A(6), penalty provision	whole penalty provision	Maximum penalty: 200 penalty units.
section 15A(7)	Notwithstanding of a licence	Despite of a pipeline licence
section 18(6)	licence	pipeline licence
section 19, heading	licence	pipeline licence
section 19(1) and (2)	A licence	A pipeline licence
section 21, heading	licence	pipeline licence
section 21(1)	Where a licensee	If the licensee of a pipeline licence
section 23(1) and (2)	a licence (<i>all references</i>)	a pipeline licence
section 24, heading	licence	pipeline licence
section 24(1)	A licensee	The licensee of a pipeline licence

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 24(2)	a licence	a pipeline licence
section 25, heading	licence	pipeline licence
section 25(1)	where a licensee	if the licensee of a pipeline licence
section 25(2)	A licence shall	A pipeline licence must
section 26, heading	licence	pipeline licence
section 26(2), penalty provision	whole penalty provision	Maximum penalty: 200 penalty units.
section 27, heading	licences	pipeline licence
section 27(1) and (3)	A licence	A pipeline licence
section 27(2) and (4)	a licence (<i>all references</i>)	a pipeline licence
section 28, heading	whole heading	28 Directions to remove property
section 28(1)	Where a	If a pipeline
section 28(4), penalty provision	whole penalty provision	Maximum penalty: 200 penalty units.
section 29(1)	Where a	If a pipeline
section 30(2)(a) and (b)	licence	pipeline licence
Part IV, heading	Part IV	Part 4
section 34(1), (2) and (3)	licence	pipeline licence
section 34(3)	section 40(1)	section 58J
section 37A(1)	licence	pipeline licence
section 37A(1), penalty provision	whole penalty provision	Maximum penalty: 20 penalty units.

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 37A(3), penalty provision	whole penalty provision	Maximum penalty: 10 penalty units and 2 penalty units for each day during which the offence continues.
section 42, heading	energy-producing hydro-carbons	regulated substances
section 42(1)(a)	energy-producing hydro-carbons licence	one or more regulated substances pipeline licence
section 42(2)(a)	whole paragraph	(a) must be in the approved form; and
section 42(6), penalty provision	whole penalty provision	Maximum penalty: 40 penalty units and 2 penalty units for each day during which the offence continues.
Part V, heading	Part V	Part 5
section 52(2), penalty provision	whole penalty provision	Maximum penalty: 200 penalty units.
section 53(2), penalty provision	whole penalty provision	Maximum penalty: 10 penalty units.
section 58, penalty provision	whole penalty provision	Maximum penalty: 500 penalty units or imprisonment for 2 years.
Part VA, heading	Part VA	Part 5A
section 58G(7), definition declared provision , paragraph (a)	37(1) 38(3), 39, 40(3)	37 39(2),
section 65	energy-producing hydro-carbon	regulated substance

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 67B(2)(b)	extension	renewal
Part VII, heading	Part VII	Part 7
Part VIII, heading	Part VIII	Part 8

Schedule 2 Petroleum Act 1984 further amended

section 63

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
section 35	The	Subject to section 22A, the
section 40, after "granted"		or renewed
section 49	The	Subject to section 22A, the
section 54(1), after "granted"		or renewed
section 54(2)(a), at the end		and
section 54(2)(b)	operations;	operations.
section 57A(1)	<i>Petroleum (Submerged Lands) Act 1981</i>	<i>Petroleum and Pipelines (Submerged Lands) Act 1981</i>
section 111(4), definition pipeline	<i>Energy</i>	
before section 117Q(1)(a)		(aa) section 69A(1AA);

Schedule 3 Petroleum (Submerged Lands) Act 1981 further amended

section 87

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
Part I, Division 2, heading	PSL Area	offshore area
section 13	authorized	authorised
sections 13, 14 and 15	PSL	offshore
section 15C(a)	(in this section called the <i>petroleum interest</i>);	(each an <i>interest</i>); and
section 15C(b)	petroleum	
Part II, heading, at the end		and transmission of regulated substances
Part II, Division 1, heading, at the end		matters
section 73(1)	petroleum (<i>first reference</i>)	one or more regulated substances
	petroleum (<i>second reference</i>)	the specified regulated substance or substances
section 97(4)	petroleum	regulated substances
section 97A(1)	petroleum.	petroleum or another regulated substance, as the case requires.
section 133(1)(c)(i), at the end		or
section 133(1)(c)(i) and (ii)	conveyed	regulated substance conveyed
section 169(2)(g) and (k)	petroleum	regulated substances

Schedule 4 Other laws amended

section 88

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<i>Bonaparte Gas Pipeline (Special Provisions) Act 2007</i>		
section 3, definition <i>Pipeline</i> , note	<i>Energy</i>	
section 3, definition <i>Pipeline licensee</i>	<i>Energy</i>	
<i>Environment Protection Act 2019</i>		
section 295, definition <i>prescribed Act</i> , paragraph (aa)	whole paragraph	
section 295, definition <i>prescribed Act</i> , after paragraph (b)		(ba) <i>Pipelines Act 1981</i> ;
<i>Environmental Offences and Penalties Act 1996</i>		
section 3(2)	<i>Energy</i>	
<i>Environmental Offences and Penalties Regulations 2011</i>		
Schedule	<i>Energy Pipelines Act 1981</i>	
Schedule		<i>(in alphabetical order) Pipelines Act 1981</i>
<i>Heritage Act 2011</i>		
section 4, definition <i>resources interest</i> , paragraph (a)	<i>Energy</i>	
<i>Law of Property Act 2000</i>		
section 79, definition <i>instrument of mortgage</i>	<i>Petroleum (Submerged Lands)</i>	<i>Petroleum and Pipelines (Submerged Lands)</i>

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
North East Gas Interconnector Pipeline (Special Provisions) Act 2015		
section 2, definition Pipeline , note	<i>Energy</i>	
section 2, definition Pipeline licensee	<i>Energy</i>	
Pastoral Land Regulations 1992		
regulation 31(b)	whole paragraph	(b) supplying or conveying to, through or across the land any of the following: (i) gas, liquid fuels or water or other liquids in a form that is capable of conveying energy; or (ii) other regulated substances, as defined in section 3(1) of the <i>Pipelines Act 1981</i> ;
Stamp Duty Act 1978		
section 4(1), definition petroleum interest , paragraph (b)	<i>Energy</i>	
section 4(1), definition petroleum interest , paragraph (c)	<i>Petroleum (Submerged Lands)</i>	<i>Petroleum and Pipelines (Submerged Lands)</i>

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<i>Territory Coordinator Act 2025</i>		
Schedule, item 6	whole item	
Schedule, item 19	<i>Petroleum (Submerged Lands)</i>	<i>Petroleum and Pipelines (Submerged Lands)</i>
Schedule, after item 19		19A <i>Pipelines Act 1981</i>
<i>Territory Parks and Wildlife Conservation Act 1976</i>		
sections 9(1), definitions <i>minerals</i> , paragraph (c) and <i>mining interest</i> , paragraph (c) and (4), 17(2)(b) and 25AKA(2)(b)	<i>Petroleum (Submerged Lands)</i>	<i>Petroleum and Pipelines (Submerged Lands)</i>
<i>Trans-Territory Pipeline and Blacktip Gas Projects (Special Provisions) Act 2005</i>		
section 4, definition <i>pipeline</i>	<i>Energy</i>	
<i>Waste Management and Pollution Control Act 1998</i>		
section 6(2)(a), (3)(a) and (6)(b)	<i>Petroleum (Submerged Lands)</i>	<i>Petroleum and Pipelines (Submerged Lands)</i>
section 6(4)(a) and (6)(b)	<i>Energy</i>	
Schedule 2, Part 1, clause 3(b) and Part 2, clause 5(b)	<i>Petroleum (Submerged Lands)</i>	<i>Petroleum and Pipelines (Submerged Lands)</i>

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
<i>Work Health and Safety (National Uniform Legislation) Regulations 2011</i>		
regulations 5(1), definition <i>pressure piping</i> , paragraph (c)(ii) and 328(2)	<i>Energy Pipelines Act 1981</i>	<i>Pipelines Act 1981 or the Petroleum and Pipelines (Submerged Lands) Act 1981</i>
regulation 530(1)	<i>Petroleum (Submerged Lands) Act 1981</i>	<i>Offshore Petroleum and Greenhouse Gas Storage Act 2006 (Cth)</i>
regulation 530(3)	<i>Energy Pipelines Act 1981</i>	<i>Pipelines Act 1981 or the Petroleum and Pipelines (Submerged Lands) Act 1981</i>