



Petroleum Legislation Amendment Bill 2022 Summary

The Department of Mines, Industry Regulation and Safety (DMIRS) is proposing amendments to the *Petroleum and Geothermal Energy Resources Act 1967* (PGERA), *Petroleum Pipelines Act 1969* (PPA) and *Petroleum (Submerged Lands) Act 1982* (PSLA) (together referred to as the Petroleum Acts) through the Petroleum Legislation Amendment Bill 2022. The amendments contained within the Bill relate to electronic communications and signatures.

The Petroleum Legislation Amendment Bill 2022 is one of a number of petroleum legislative reform initiatives being progressed by DMIRS.

This Bill seeks to enable industry and government to support modern business practices to meet the needs of industry and government. The Bill supports digitisation of government services and enables a more streamlined application process for applicants.

The amendments insert new powers in the Petroleum Acts to regulate electronic lodgement and service, including:

- Ability to lodge documents electronically.
- Registration of the timestamp during lodgement of petroleum documentation, included to mitigate risk to time critical documents such as the renewal of title, in the event of a system outage.
- Registration of receipt of an amount or fee submitted in respect of an application or an instrument lodged.
- Identification and authentication of a title holder or applicant lodging petroleum documentation electronically.
- Service of documents by the Minister (or delegate), title holder, or applicant by electronic means.
- Enable communications between the Department and the title holder or application to occur electronically (email) to meet service of notice requirements under the Acts.

Supporting Information

Relationship to other Government initiatives

How do these amendments relate to other petroleum reform initiatives being progressed?

This Bill is part of a package of petroleum legislation reform initiatives being progressed by the Department of Mines, Industry Regulation and Safety (DMIRS). In parallel with this Bill, DMIRS is also progressing the Petroleum Legislation Amendment Bill (No. 2) 2022, which seeks to introduce a number of urgent petroleum operational-based amendments as well as introducing the ability to explore for and produce naturally occurring hydrogen, and Greenhouse Gas Storage and Transport amendments which seek to amend the Petroleum Acts to enable the storage and transport of greenhouse gas. These Bills will be released for consultation individually which will allow stakeholders to consider the key amendments proposed in each of the bespoke Bills. Following consultation, the Bills will be amalgamated into a single Bill in preparation for its introduction into Parliament to enable an efficient Parliamentary process.

Why is this amendment necessary?

This change is necessary to enable the Department to roll out its business transactions through electronic service of documentation. Currently under the Petroleum Acts documents to be served on a party must be provided as hard copy documentation.

The impact of COVID-19 on business activity in 2020 has accelerated this transition, and is in response to industry requests to transact electronically. This was partly due to personnel not working at their regular place of business, but also due to the complexity of physically signing documents when parties are in interstate or overseas locations. This change specifically allows for the electronic submission of a documents and removes the need to submit multiple copies of that application if done electronically.

Currently, service of delivery under the Petroleum Acts is by hardcopy of the document either through the post or by hand delivery. Prior to, but especially during the COVID-19 period, industry requested to be able to correspond with the Department electronically as their places of business have been unmanned and/or due to required signatories being isolated in different locations.

The change also aligns with the move by the Department to conduct business through online systems. It will also remove any doubt as to whether service of delivery obligations have been met where communication is taking place via electronic means.

Why are we changing from a prescribed form to an approved form?

This change will allow the DMIRS to more easily change the form to address any changes in the future. It also aligns with the general move to do away with prescribed forms. Currently, it is envisioned that the existing prescribed form will become the approved form which will be published on the DMIRS website.

How will documents be lodged and served online?

Documentation will be able to be served/lodged via email or through the Petroleum and Geothermal Register, the Department's online system for managing petroleum titles within the State. These requirements will be specified in Regulations.

Can I still lodge my application by hard copy through a DMIRS office?

Yes. Applicants may choose to lodge by hard copy at a DMIRS office if they prefer.

Why are hard copy forms still required?

While these changes will enable transactions to take place electronically, the Minister/DMIRS may at any time request a hard copy original of a document, however the amendments remove the need for multiple copies to be provided if the transaction was initiated online.