

(Reprint No. 1)

**SOUTH AUSTRALIA**

**PIPELINES AUTHORITY ACT, 1967**

*This Act is reprinted pursuant to the Acts Republication Act, 1967, and incorporates all amendments in force as at 15 November 1991.*

*It should be noted that the Act was not revised (for obsolete references, etc.) by the Commissioner of Statute Revision prior to the publication of this reprint.*

**SUMMARY OF PROVISIONS**

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# PIPELINES AUTHORITY ACT, 1967

being

Natural Gas Pipelines Authority Act, 1967, No. 3 of 1967 [Assented to 23 March 1967]<sup>1</sup>

as amended by

Natural Gas Pipelines Authority Act Amendment Act, 1974, No. 125 of 1974 [Assented to 12 December 1974]<sup>2</sup>  
Pipelines Authority Act Amendment Act, 1977, No. 16 of 1977 [Assented to 5 May 1977]  
Pipelines Authority Act Amendment Act, 1978, No. 114 of 1978 [Assented to 7 December 1978]  
Pipelines Authority Act Amendment Act, 1980, No. 62 of 1980 [Assented to 2 October 1980]  
Pipelines Authority Act Amendment Act, 1981, No. 72 of 1981 [Assented to 5 November 1981]  
Pipelines Authority Act Amendment Act, 1983, No. 91 of 1983 [Assented to 8 December 1983]  
Statutes Amendment (Energy Planning) Act, 1985, No. 103 of 1985 [Assented to 7 November 1985]  
Statutes Amendment (Finance and Audit) Act, 1987, No. 13 of 1987 [Assented to 9 April 1987]<sup>3</sup>  
Pipelines Authority Act Amendment Act, 1990, No. 75 of 1990 [Assented to 20 December 1990]<sup>4</sup>

*Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.*

**An Act to make provision for the establishment of an authority to be known as the Pipelines Authority of South Australia; to confer on the authority power to construct and operate pipelines for the conveyance of petroleum and to do things incidental or in relation thereto; and for other purposes.**

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

## Short title

1. This Act may be cited as the *Pipelines Authority Act, 1967*.

## Commencement

2. This Act shall come into operation on a day to be fixed by proclamation.

## Interpretation

3. (1) In this Act, unless the contrary intention appears—

“deputy” means deputy appointed to act for a member under subsection (6) of section 4 of this Act:

“land” includes any estate or interest in land and any easement, right, power or privilege in, under, over, affecting, or in connection with, land:

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<sup>1</sup>Came into operation 20 April 1967: *Gaz.* 20 April 1967, p. 1343.

<sup>2</sup>Came into operation 1 January 1975: *Gaz.* 19 December 1974, p. 3766.

<sup>3</sup>Came into operation 1 October 1987: *Gaz.* 17 September 1987, p. 886.

<sup>4</sup>Came into operation 20 December 1990: *Gaz.* 20 December 1990, p. 1841.

“member” means member of the Authority and includes a deputy when acting for a member:

\* \* \* \* \*

“petroleum” means—

- (a) any naturally occurring hydrocarbon, whether in a gaseous, liquid or solid state;
- (b) any naturally occurring mixture of hydrocarbons, whether in a gaseous, liquid or solid state;
- (c) any naturally occurring mixture of one or more hydrocarbons, whether in a gaseous, liquid or solid state, whether or not occurring with or in combination with other substances;
- (d) any hydrocarbon or mixture of hydrocarbons produced by the refining of a substance referred to in paragraph (a), (b) or (c) of this definition;
- (e) any mixture of a hydrocarbon or hydrocarbons so produced with another substance or other substances;

or

- (f) any prescribed substance or prescribed mixture of substances:

“pipeline” means a pipe or system of pipes for conveying petroleum or any derivative thereof and includes all apparatus and equipment incidental thereto or used or intended to be used in connection therewith:

\* \* \* \* \*

“the Authority” means the authority established under subsection (1) of section 4 of this Act:

“the chairman” means the chairman of the Authority and includes a deputy or acting chairman of the Authority when acting as chairman of the Authority:

“the Minister” means the Minister of the Crown to whom the administration of this Act is for the time being committed by the Governor, and includes any Minister of the Crown for the time being discharging the duties of the office of that Minister.

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### The Authority

4. (1) There shall be an authority which on and after the commencement of the *Natural Gas Pipelines Authority Act Amendment Act, 1974*, shall be called the “Pipelines Authority of South Australia”.

(1a) The Authority is subject to control and direction by the Minister.

(2) Subject to this Act, the Authority—

- (a) shall be a body corporate with perpetual succession and a common seal;
  - (b) shall be capable of suing and being sued, and of taking or acquiring, taking or letting out on lease, holding, selling and otherwise disposing of land and property of all kinds;
  - (c) shall hold all its property for and on behalf of the Crown;
- and
- (d) shall have the powers, duties, functions and authorities conferred, imposed or prescribed by or under this Act.

(3) All courts and persons acting judicially shall take judicial notice of the common seal of the Authority affixed to any document and shall presume that it was duly affixed.

(4) On the commencement of the *Natural Gas Pipelines Authority Act Amendment Act, 1974*, the chairman and members of the Authority in office immediately before that commencement shall by force of this subsection vacate their respective offices.

(5) Subject to this Act, on and after the commencement of the *Natural Gas Pipelines Authority Act Amendment Act, 1974*, the Authority shall consist of six members appointed by the Governor one of whom shall be appointed by the Governor to be the chairman of the Authority.

(6) When any member is unable to perform his duties as such or is acting or is about to act as the deputy of the chairman for any period, the Governor may at any time, upon the recommendation or nomination of the Minister, appoint a deputy to act for that member during that period or any part thereof and a person so appointed shall while so acting, be deemed to be a member and any person so appointed to be deputy of the chairman shall, while so acting, be deemed to be the chairman.

(7) The *Public Service Act, 1936-1966*, shall not apply to or in relation to the appointment of a member of the Authority and a member shall not, as such be subject to that Act.

(8) The office of member of the Authority may be held in conjunction with either or both of the following offices:

- (a) an office in the Public Service of the State;
- (b) the office of Chief Executive Officer of the Authority.

#### **Reference to Natural Gas Pipelines Authority**

**4a.** Where in any document or writing of any kind or in any Act, rule, regulation or any other enactment, a reference is made to the Natural Gas Pipelines Authority, on and after the commencement of the *Natural Gas Pipelines Authority Act Amendment Act, 1974*, that reference shall be read as a reference to the Pipelines Authority.

#### **Term of office**

**5.** (1) A member shall be appointed for the term of office not exceeding five years and specified in his instrument of appointment.

(2) On the expiration of his term of office as a member, a person shall be eligible for re-appointment as a member.

(3) The Governor may, by notice in writing served on a member, remove him from office if the Governor is satisfied that he ought not to remain a member of the Authority.

(4) The office of a member shall become vacant if—

- (a) he dies or his term of office expires;
- (b) he resigns by written notice given to the Minister;
- (c) he is removed from office by the Governor pursuant to subsection (3) of this section;
- (d) without the leave of the Authority he fails to attend three consecutive meetings of the Authority;

or

- (e) he become bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent persons or compounds with his creditors.

(5) On the occurrence of any vacancy in the office of a member, the Governor shall appoint a person to fill the vacancy, but where a vacancy in the office of a member occurs before the expiration of that member's term of office, any member to be appointed to fill that vacancy shall be appointed only for the balance of the term of office of the member in whose place he is appointed.

#### **Proceedings of the Authority**

6. (1) The chairman of the Authority shall preside at every meeting of the Authority at which he is present.

(2) If the office of chairman of the Authority is vacant, or the person appointed as chairman and the deputy (if any) of the chairman are not present at a meeting of the Authority, a member elected by the members present at that meeting shall act for, and have all the powers of, the chairman for that meeting.

(3) Four members shall constitute a quorum at any meeting of the Authority for the transaction of business and no business shall be transacted at any such meeting unless a quorum is present.

(4) On any matter before a meeting of the Authority—

(a) the decision of the majority of the votes cast by the members present at the meeting shall be the decision of the Authority;

and

(b) the chairman shall have a deliberative vote and, in the case of an equality of votes, a second or casting vote also.

(5) An act or proceeding of the Authority shall not be invalid solely on the ground that there was at the time thereof a vacancy in the office of any member; and shall, notwithstanding the subsequent discovery that there was a defect in the recommendation, nomination or appointment of a member, or that a member was not entitled to act as such, be as valid and effectual as if the member was duly recommended or nominated, and was duly appointed and was entitled to act as a member.

(6) No liability shall attach to any member for any act or omission by him in good faith and in the exercise of his powers or functions or in the discharge of his duties under this Act.

(7) Subject to this Act, the business of the Authority shall be conducted in such manner as the Authority may determine.

(8) The Authority shall hold its first meeting on such day and at such time and place as the Minister appoints.

#### **Common Seal of the Authority**

7. (1) The common seal of the Authority shall be kept in the custody of such member or officer of the Authority as the Authority determines and shall not be affixed to any instrument except in pursuance of a resolution of the Authority.

(2) The affixing of the common seal to any instrument executed by the Authority shall be attested by the signatures of any two members or by the signatures of one member and an officer of the Authority duly authorized in that behalf by the Authority.

#### **Remuneration of members.**

8. The chairman and other members shall be entitled to receive from the funds of the Authority remuneration, allowances and other emoluments at such rates as are fixed by the Governor.

**Powers to appoint officers and servants**

9. (1) The Authority may appoint its officers and servants for the purposes of this Act.

(2) The officers and servants so appointed shall be entitled to receive from the Authority such remuneration, allowances and other emoluments as the Authority from time to time determines, and shall not in relation to their respective offices or positions be subject to the *Public Service Act, 1936-1966*.

(3) The Authority may, with the approval of the Minister and the consent of the Minister controlling any department of the public service of the State, and on such terms as may be mutually arranged, make use of the services of any of the officers or employees of that department.

(4) The Authority may—

(a) pay such pensions and other benefits to its officers and servants or their widows, widowers, children or dependants as it deems proper;

(b) contribute such sums as it thinks fit to any fund established for the purpose of providing pensions and other benefits for its officers and servants, their widows, widowers, children and dependants;

and

(c) make with the South Australian Superannuation Fund Board and give effect to any arrangement of a kind referred to in section 11 of the *Superannuation Act, 1974-1978*.

**Powers and functions of the Authority**

10. (1) Subject to this Act, but without limiting the generality of paragraph (b) of subsection (2) of section 4 of this Act, the Authority may—

(a) construct, reconstruct or install, cause to be constructed, reconstructed or installed, or facilitate the construction, reconstruction or installation of pipelines for conveying petroleum or its derivatives to, from, through or within this State or petroleum storage facilities connected with any such pipeline;

(b) purchase, take on lease or otherwise acquire (by agreement) any pipeline for conveying petroleum to, from, through or within this State, or any petroleum storage facility connected with any such pipeline, or any interest in any such pipeline or petroleum storage facility;

(ba) hold, maintain, develop and operate any pipeline or petroleum storage facility in which the Authority has an interest or which is under the Authority's control;

(c) deal with, sell or otherwise dispose of any pipeline or petroleum storage facility or any interest in a pipeline or petroleum storage facility;

(ca) convey and deliver petroleum and its derivatives through any pipeline;

(d) make such charges and impose such fees for the conveyance or delivery of petroleum or any derivative thereof through any such pipeline as it may, with the approval of the Minister, determine;

(e) acquire shares or other interests in a body corporate that has an interest in a pipeline or petroleum storage facility and deal with, or dispose of, any such shares or other interests;

- (*ea*) enter into a partnership, joint venture or other form of co-operative arrangement with regard to the construction or operation of a pipeline or petroleum storage facility;
- (*f*) for purposes of selling or otherwise disposing of the same, purchase or otherwise acquire and store petroleum or any derivative thereof;
- (*g*) sell or otherwise dispose of petroleum or any derivative thereof so purchased or acquired;
- (*h*) purify and process petroleum or any derivative thereof and treat petroleum or any derivative thereof for the removal of substances forming part thereof or with which it is mixed;
- (*i*) for its own use and consumption, purchase or otherwise acquire and store petroleum or any derivative thereof or any other kind of fuel;
- (*j*) invest its funds by deposit with the Treasurer or in such other manner as the Treasurer approves;

and

- (*k*) enter into contracts and do anything incidental or ancillary to the exercise and performance of its powers and functions.

(1a) The powers conferred on the Authority by subsection (1) are exercisable within or outside the State.

(2) The Authority shall not—

- (*a*) construct, reconstruct, install or cause to be constructed, reconstructed or installed any pipeline unless the route thereof as been approved by the Governor;
- (*ab*) acquire shares or any other interest in a body corporate under subsection (1)(*e*), or enter into a partnership, joint venture or other form of co-operative arrangement under subsection (1)(*ea*), without the approval of the Minister;

or

- (*b*) do, or enter into any contract to do, any of the things referred to in paragraph (*f*), (*g*) or (*h*) of subsection (1) of this section without the approval of the Minister given, generally or in any special case, on his being satisfied that it is necessary or desirable to do such thing in the public interest or in order to protect the interests of the Authority or to promote or assist in the operation of any pipeline owned by or under the control of the Authority.

(3) Subject to this section, the Authority may—

- (*a*) construct or install or cause to be constructed or installed any pipeline across or along any road or bridge;

and

- (*b*) break up the soil or pavement of any road, bridge and open and break up sewers, drains or tunnels within or under any road and lay down and place pipes and other works incidental to or necessary for the purposes of any pipeline and, from time to time, repair, alter or remove the same.

(4) Before the Authority proceeds to construct or install or cause to be constructed or installed any pipeline across or along any road or bridge or to open or break up any road, bridge, sewer, drain or tunnel, the Authority shall give to the persons under whose control or management such road, bridge, sewer, drain or tunnel may be notice in writing of its



intention to carry out such work not less than seven days before such work is begun, except in cases of emergency arising from defects in a pipeline or other works, and then so soon as is possible after the commencement of the work or the necessity for the same had arisen.

(5) The Authority shall not carry out or cause to be carried out any work involving the breaking or opening up of any road, bridge, sewer, drain or tunnel or involving the use of any bridge or property the control or management of which is vested in any other person except under the superintendence of such person or some other person approved by him and according to such plan as is approved by or on behalf of such person or, in case of any difference arising in respect of any plan between the Authority and such person, according to such plan as is approved by the Governor.

(6) The Authority shall take all steps necessary to ensure that the minimum amount of damage is done in the execution of the powers conferred on it by this Act and shall make compensation for any damage that may be done in the execution of such powers and shall, as soon as practicable, reinstate and make good any road, bridge or pavement or any sewer, drain or tunnel broken or opened up by the Authority.

(7) The Authority shall, at all times whilst any road, bridge or pavement is broken or opened up by the Authority, cause the same to be guarded, and shall cause a light sufficient for the warning of persons to be set up and kept there for every night during which the same continues open or broken up.

(8) The Authority shall, after reinstating and making good any road, bridge or pavement or any sewer, drain or tunnel as required under subsection (6) of this section, keep the same in good repair for six months thereafter.

#### **Additional powers of the Authority**

**10aa.** (1) The Authority may—

- (a) acquire, hold and deal with a share or other interest in a licence authorizing the exploration for, or exploitation of, a petroleum resource;
- (b) enter into and carry out agreements and arrangements (which may include provision for the payment of a subsidy) in relation to the exploration for, or exploitation of, a petroleum resource;

or

- (c) acquire, hold and deal with shares, debentures or other interests in a body corporate that holds a share or other interest in a licence authorizing the exploration for, or exploitation of, a petroleum resource.

(2) The Authority shall not—

- (a) exercise its powers under subsection (1)(a) or (b) in relation to a petroleum resource situated outside the prescribed area;

or

- (b) exercise its powers under subsection (1)(c) in relation to a body corporate that holds no share or other interest in a licence authorizing the exploration for, or exploitation of, a petroleum resource situated in the prescribed area,

without the consent of the Minister.

(3) Any income received by the Authority in consequence of the exercise of powers under subsection (1) which is exempt from income tax under the law of the Commonwealth, but would not be so exempt if the Authority were not an instrumentality of the Crown, shall be taxed under this section at the same rate as is applicable to company income under the law of the Commonwealth.

(4) The Authority shall pay to the Treasurer, for the credit of the Consolidated Account, any amount certified by the Auditor-General to be an amount payable by way of tax under subsection (3).

(5) In this section—

“licence” means a licence, permit or authority (however described) granted under a law of this State, the Commonwealth, any other State of the Commonwealth or a Territory of the Commonwealth authorizing the exploration for, or the exploitation of, a petroleum resource:

“petroleum resource” means a naturally occurring hydrocarbon or mixture of hydrocarbons (whether in a gaseous, liquid or solid state and whether or not occurring in combination with other substances):

“the prescribed area” means all that area bounded by a line commencing at a point that is the intersection of the coastline at mean low water by the boundary between the States of South Australia and Western Australia that runs thence northerly along the line of longitude  $129^{\circ}$  to its intersection by the parallel of latitude  $23^{\circ}30'$ , thence easterly along the parallel of latitude  $23^{\circ}30'$  to its intersection by the line of longitude  $144^{\circ}$ , and thence southerly along the line of longitude  $144^{\circ}$  to its intersection by the coastline of Victoria at mean low water, and thence along the coastline of Victoria at mean low water to a point that is the intersection of that coastline at mean low water by the boundary between the States of South Australia and Victoria thence southerly along the meridian through that point to its intersection by the parallel of latitude  $38^{\circ}10'$  south, thence south-westerly along the geodesic to a point of latitude  $38^{\circ}15'$  south, longitude  $140^{\circ}57'$  east, thence south-westerly along the geodesic to a point of latitude  $38^{\circ}26'$  south, longitude  $140^{\circ}53'$  east, thence south-westerly along the geodesic to a point of latitude  $38^{\circ}35'30''$  south, longitude  $140^{\circ}44'37''$  east, thence south-westerly along the geodesic to a point of latitude  $38^{\circ}40'48''$  south, longitude  $140^{\circ}40'44''$  east, thence south-westerly along the geodesic to a point of latitude  $44^{\circ}$  south, longitude  $136^{\circ}29'$  east, thence westerly along the parallel of latitude  $44^{\circ}$  south to a point that is the intersection of that parallel by the meridian passing through the intersection of the coastline at mean low water by the boundary between the States of South Australia and Western Australia, thence northerly along that meridian to its intersection by that coastline at mean low water.

#### **Authority not to carry on business as petroleum refinery**

**10a.** Nothing in this Act shall be held or construed as authorizing or empowering the Authority to carry on the business of a petroleum refinery.

#### **Application of Petroleum Act, 1940-1971**

**11.** (1) The *Petroleum Act, 1940-1971*, and the regulations thereunder shall extend and apply to the Authority except to the extent that the Authority is by proclamation exempted from the operation thereof.

(2) Except in relation to the exercise by the Authority of any power or function under section 10aa of this Act, the Governor may by proclamation exempt the Authority from any provision of the *Petroleum Act, 1940-1971*, or the regulations thereunder and the Governor may by subsequent proclamation amend, vary or revoke any such proclamation.

(3) Any proclamation made under section 11 of this Act as in force before the commencement of the *Pipelines Authority Act Amendment Act, 1977*, shall on and from that commencement continue in force as if it were a proclamation under this section and this section shall apply and have effect accordingly.

**Powers of acquisition**

12. (1) The Authority may, with the approval of the Governor, acquire land, either by agreement or compulsorily—

(a) for the construction, operation, maintenance or repair of a pipeline and related petroleum storage facilities;

or

(b) for purposes incidental to those mentioned in paragraph (a).

(1a) Land may be acquired by the Authority under subsection (1) irrespective of whether the Authority or some other person is to construct, operate, maintain or repair the pipeline or related petroleum storage facilities.

(2) The *Land Acquisition Act, 1969-1972*, shall apply in relation to the acquisition of land under this section.

(3) The Authority shall not, without the approval of the Governor, sell, transfer or convey any land or let any land out on lease for a period exceeding five years.

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**Power of Authority to borrow money, etc.**

14. (1) The Authority may borrow money from the Treasurer or, with the consent of the Treasurer, from any person—

(a) for the purposes of the exercise or performance of its powers and functions;

or

(b) to satisfy any liability of the Authority.

(2) The Authority may issue debentures to secure the repayment of any money borrowed by it pursuant to subsection (1) of this section and all interest due thereon.

(3) Any amount borrowed by the Authority with interest thereon shall be a first charge on all the property and revenue, whether accrued or still to accrue, of the Authority.

(4) The due repayment of all principal sums so borrowed by the Authority and the payment of all interest secured by any debenture issued by the Authority is hereby guaranteed by the Government of South Australia.

(5) The Treasurer is hereby authorized—

(a) out of moneys received by the State from the Commonwealth for the purpose, and out of other moneys to be appropriated by Parliament for the purpose, to make advances by way of loan or otherwise to the Authority, for any of the purposes mentioned in subsection (1) of this section, subject to such terms and conditions as he thinks fit;

and

(b) to pay out of the General Revenue of the State any sum required for fulfilling any guarantee referred to in subsection (4) of this section, and this section, without further appropriation is sufficient authority for any such payment and any sum paid under this paragraph shall, when moneys are properly available for the purpose, be repaid by the Authority to the Treasurer and, when so repaid, shall form part of the General Revenue of the State.

**Special obligations and powers of the Authority**

15. (1) The Authority shall, when so required by the Treasurer, and in such manner as the Treasurer approves, pay to the Treasurer such amount as shall be certified by the Auditor-General to be the amount of expenditure incurred by the Government of the State on and in connection with feasibility surveys and other matters in preparation for the proposed pipeline or pipelines from the natural gas fields at Gidgealpa and Moomba in the State which have been carried out under the authority of the Premier, the Minister of Mines or any other Minister of the Crown given prior to the constitution of the Authority.

(2) The Authority shall honour and discharge every liability of the Government of the State under any contract, undertaking or commitment made before the constitution of the Authority on behalf of the Government, under the authority of the Premier, the Minister of Mines or any other Minister of the Crown with any party in relation to the proposed pipeline or pipelines from the natural gas fields at Gidgealpa and Moomba aforesaid and such contract, undertaking or commitment shall for all purposes be construed as if the Authority itself had made that contract, undertaking or commitment with the other parties thereto and the other parties thereto had made such contract, undertaking or commitment with the Authority accordingly.

(3) Out of any profits accrued or accruing to the Authority, the Authority may, with the approval of the Treasurer, make payments to the Electricity Trust of South Australia, to the South Australian Gas Company and to any other like authority approved for the purpose by the Minister, or to any of them, by way of rebate or drawback on charges made or being made against them, or against it, by the Authority or some other person in connection with the conveyance or supply of natural gas or any derivative thereof through any pipeline owned by or under the control of the Authority.

(4) If, from any report and accounts of the Authority presented to the Minister as required by section 16 of this Act, it appears to the Treasurer that, out of the net accumulated profits of the Authority, the Authority ought to make any payments or any further payments under subsection (3) of this section, the Treasurer may appoint a committee consisting of the chairman, the Auditor-General and the Under Treasurer and call for a report and recommendations thereon from the committee and, after considering such report and recommendations, the Treasurer may require the Authority to make such payments or further payments under subsection (3) of this section out of its net accumulated profits as to him may seem proper and the Authority shall, within three months after being so required, make such payments or further payments accordingly.

(5) The Authority may, subject to this section, invest or otherwise deal with its profits in any manner approved by the Treasurer.

**Annual report, accounts and audit**

16. (1) The Authority shall on or before the thirty-first day of October in each year, commencing from the year 1968, prepare and present to the Minister a report on its operations during the period of twelve months ended on the thirtieth day of June in that year, or, in the case of its first report, during the period commencing on the date of its first meeting and ending on the thirtieth day of June, 1968.

(2) The Authority shall keep proper accounts showing accurately and in detail all its financial transactions, assets and liabilities and shall in each year not later than the thirty-first day of October prepare a profit and loss account for the period of twelve months, or part thereof, ending on the thirtieth day of June in that year, during which period or part of which period the Authority had carried on business, and a balance-sheet showing its assets and liabilities as at that thirtieth day of June.

(3) The profit and loss account and the balance-sheet shall be included in the report referred to in subsection (1) of this section.

(4) The Auditor-General must, in respect of each financial year of the Authority, audit the accounts of the Authority.

(5) The Minister must cause the report of the Authority referred to in subsection (1) to be laid before both Houses of Parliament as soon as practicable after the Minister has received that report.

(6) The Authority shall pay to the Treasurer as a fee for every audit carried out by the Auditor-General such sum as the Treasurer thinks reasonable.

#### **Certain provisions relating to property**

17. (1) Any land which is held under a lease granted under the *Crown Lands Act, 1929-1966*, or the *Pastoral Act, 1936-1966*, and which may be resumed thereunder for any public work or public purpose, may be resumed thereunder also for any of the purposes of this Act as if such purpose were a public work or public purpose.

(2) Notwithstanding anything contained in any Act it shall be lawful for any body corporate, on such terms and conditions as are agreed upon by that body corporate and the Authority, to grant to the Authority any easement, lease, licence or other authority over any land owned by or vested in the body corporate for enabling the Authority to construct a pipeline through or over such land and to operate, inspect, maintain and repair any part of such pipeline, notwithstanding that the memorandum and articles or other constitution of the body corporate do not or does not authorize such grant.

(3) The Authority may, for the purpose of facilitating the construction, operation, maintenance or repair of a pipeline or related petroleum storage facilities by some other person—

(a) grant to that person licences over property of the Authority;

or

(b) authorize that person to use easements that exist in favour of the Authority.

(4) If the Authority authorizes the use of an easement under subsection (3)(b), then the person to whom the authorization is given has (without derogation from the rights of the Authority) such of the rights of the proprietor of the easement as are set forth in the authorization.

#### **Liability of Authority to pay rates and land tax**

18. Notwithstanding any other Act—

(a) land belonging to the Authority shall be ratable property within the meaning of the *Local Government Act, 1934-1966*;

and

(b) the Authority shall be liable to pay rates under the *Local Government Act, 1934-1966*, the *Waterworks Act, 1932-1966*, and the *Sewerage Act, 1929-1966*, and land tax under the *Land Tax Act, 1936-1966*, but for the purposes of those Acts such land shall be assessed for rates or tax on its value ascertained without regard to any pipeline, petroleum storage facilities, or any apparatus, equipment or other facilities belonging to or operated by the Authority on or over such land.

#### **Regulations**

19. (1) The Governor may make regulations for or with respect to any matter or thing which is necessary or convenient in connection with the administration of this Act or

which is necessary or expedient for carrying this Act into effect or better effecting the objects of this Act.

(2) Without limiting the generality of subsection (1) of this section such regulations may—

(a) provide for the observance of and prescribe safety precautions in relation to any matter dealt with by this Act;

and

(b) prescribe penalties recoverable summarily, not exceeding in each case five hundred dollars, for breaches of, or non-compliance with, the regulations.

**Protection of the Authority from certain penalties and civil claims**

20. Notwithstanding any other Act or law, the Authority shall not be liable to any penalty, or in damages, by reason of an interruption of, or failure in, the supply of petroleum.

## APPENDIX

## Legislative History

Legislative history prior to 3 February 1976 appears in marginal notes and footnotes included in the consolidation of this Act contained in Volume 8 of The Public General Acts of South Australia 1837-1975 at page 320.

Long title:	amended by 75, 1990, s. 3
Section 3:	definition of "petroleum" amended by 16, 1977, s. 2
Section 4(1a):	inserted by 103, 1985, s. 2(a)
Section 4(8):	substituted by 103, 1985, s. 2(b)
Section 9(4):	amended by 114, 1978, s. 2
Section 10(1):	amended by 16, 1977, s. 3; 72, 1981, s. 2; 75, 1990, s. 4(a) - (c)
Section 10(1a):	inserted by 75, 1990, s. 4(d)
Section 10(2):	amended by 75, 1990, s. 4(e), (f)
Section 10aa:	inserted by 16, 1977, s. 4, amended by 114, 1978, s. 3; substituted by 91, 1983, s. 2
Section 11:	substituted by 16, 1977, s. 5
Section 12(1):	substituted by 72, 1981, s. 3
Section 12(2):	substituted by 114, 1978, s. 4
Section 14(1):	amended by 16, 1977, s. 6(a)
Section 14(5):	amended by 16, 1977, s. 6(b)
Section 15(5):	inserted by 114, 1978, s. 5
Section 16(4) and (5):	substituted by 13, 1987, s. 8
Section 17(3) and (4):	inserted by 72, 1981, s. 4
Section 20:	inserted by 62, 1980, s. 2