

South Australia

Petroleum and Geothermal Energy (Energy Resources) Amendment Regulations 2024

under the *Petroleum and Geothermal Energy Act 2000*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Petroleum and Geothermal Energy (Energy Resources) Amendment Regulations 2024*.

2—Commencement

These regulations come into operation on 11 April 2024.

Part 2—Amendment of *Petroleum and Geothermal Energy Regulations 2013*

3—Amendment of regulation 1—Short title

Regulation 1—delete "Petroleum and Geothermal Energy" and substitute:
Energy Resources

4—Amendment of regulation 3—Interpretation

- (1) Regulation 3(1), definition of *Act*—delete the definition and substitute:

Act means the *Energy Resources Act 2000*;

- (2) Regulation 3(1), definitions of *facility* and *GDA 94*—delete the definitions and substitute:

Geocentric Datum of Australia 2020 or GDA 2020 has the same meaning as in the *National Measurement (Recognized-Value Standard of Measurement of Position) Determination 2017* made under section 8A of the *National Measurement Act 1960* of the Commonwealth;

- (3) Regulation 3(2)—delete subregulation (2) and substitute:
- (2) For the purposes of paragraph (f) of the definition of *regulated substance* in section 4(1) of the Act, a synthetic hydrocarbon is declared as a substance to which the Act applies.

5—Insertion of Part 1A

After Part 1 insert:

Part 1A—Licences

3A—Regulated substance production licence

For the purposes of section 34(4a) of the Act, operations of the following kinds are prescribed:

- (a) recovering a regulated substance from the ground, including—
- (i) operations involving the injection of a regulated substance into a natural reservoir for the recovery (or enhanced recovery) of another regulated substance; and
- (ii) if the terms of the licence so provide—the extraction of a regulated substance by artificial means such as in situ gasification or the techniques used to recover coal seam methane;
- (b) the processing of a regulated substance;
- (c) the storage or withdrawal of a regulated substance for its supply or delivery to the market.

6—Amendment of regulation 7—Retention licences

- (1) Regulation 7(b)—after "petroleum retention licence" insert:
 , regulated substance retention licence
- (2) Regulation 7(c)(i)—delete "petroleum or another regulated resource" and substitute:
 a regulated substance
- (3) Regulation 7(c)(ii)—delete "petroleum or another" first and second occurring and substitute in each case:
 a
- (4) Regulation 7(d)—delete "petroleum" first and second occurring and substitute in each case:
 a regulated substance
- (5) Regulation 7(e)—after "petroleum retention licence" insert:
 or a regulated substance retention licence

7—Amendment of regulation 8—Production licences

- (1) Regulation 8(a)—after "petroleum production licence" insert:
 , a regulated substance production licence
- (2) Regulation 8(b)—after "petroleum production licence" insert:
 or a regulated substance production licence

8—Insertion of Part 2A

After Part 2 insert:

Part 2A—Rental

9A—Amount of rent

- (1) Subject to this regulation, for the purposes of section 45A(2) of the Act, the holder of a licence to whom section 45A of the Act applies must, in respect of each year in which a natural reservoir is utilised by the person to store a regulated substance, pay to the Minister—
- (a) if the regulated substance is to be held indefinitely in a natural reservoir—an amount of rent calculated in accordance with the following:
- $$A = R \times (V_2 - V_1)$$
- Where—
- A* is the amount of rent payable;
- R* is the prescribed rate;
- V*₁, subject to any adjustment made in accordance with subregulation (3), is the volume of the natural reservoir utilised to store the regulated substance in the previous year in which rent was payable by the person;
- V*₂ is the volume of the natural reservoir utilised to store the regulated substance in the relevant year; or
- (b) in any other case—an amount of rent calculated in accordance with the following:
- $$A = R \times V$$
- Where—
- A* is the amount of rent payable;
- R* is the prescribed rate;
- V* is the average maximum volume of the natural reservoir utilised to store the regulated substance in the relevant year.
- (2) For the purposes of subregulation (1)(a) and (b), the *prescribed rate* is \$0.25 per m³.

- (3) For the purposes of calculating an amount of rent under subregulation (1)(a), if there has been an increase in the volume of the regulated substance stored in a natural reservoir in the relevant year, the volume referred to in V_1 of the formula in that subregulation is to be adjusted for any change in the storage conditions in the natural reservoir (such as pressure or temperature) as a result of the increased volume.
- (4) For the purposes of subregulation (1)(b), the average maximum volume is to be calculated by reference to the maximum volume of the natural reservoir utilised to store the regulated substance in each month in the relevant year.
- (5) The Minister may, as the Minister thinks fit in a particular case and after consultation with the person who is liable to pay rental, adjust the amount of rental payable as calculated in accordance with this regulation to take into account variations in the storage conditions of the natural reservoir (such as pressure or temperature) that may affect the volume of the natural reservoir utilised for storage.

Example—

The Minister may consider fixed or average storage conditions in respect of each year in which a natural reservoir is utilised by the person to store a regulated substance and make adjustments accordingly.

- (6) The Minister may, with the agreement of the person who is liable to pay rental, vary the method of calculation set out in this regulation as the Minister thinks fit in a particular case.

9B—Rental return—prescribed period

For the purposes of section 45B of the Act, the prescribed period is the period of 30 days following the end of each year in which a natural reservoir is utilised to store a regulated substance.

9—Insertion of regulation 9D

Before regulation 10 insert:

9D—Environmental impact assessment criteria

- (1) For the purposes of section 96A(2) of the Act, the Minister should aim to review the environmental impact assessment criteria at least once every 5 years.
- (2) The Minister must, in reviewing the environmental impact assessment criteria, consult with relevant government agencies and relevant persons and groups as determined by the Minister.

10—Amendment of regulation 10—Environmental impact report

- (1) Regulation 10(1)—delete "(or, in the case of a preliminary survey licence, pipeline licence, associated activities licence or special facilities licence, a person applying for a licence)"

- (2) Regulation 10(1)(b)(i)—delete "features" and substitute:
elements
- (3) Regulation 10(1)(b)(i)—delete "the physical and biological aspects of"
- (4) Regulation 10(1)(b)(ii)—after "cultural" insert:
and heritage
- (5) Regulation 10(1)(c), (d) and (e)—delete paragraphs (c), (d) and (e)
- (6) Regulation 10(1)(f)—delete "interested persons or parties" and substitute:
relevant stakeholders

11—Substitution of regulations 11 to 15

Regulations 11 to 15 (inclusive)—delete regulations 11 to 15 and substitute:

11—Consultation by licensee

- (1) For the purposes of sections 97(6) and 99(3) of the Act, a licensee must comply with the requirements of this regulation in undertaking consultation on a proposed environmental impact report or a proposed statement of environmental objectives.
- (2) The licensee must prepare a *consultation plan* that—
 - (a) states the day on which consultation is due to commence; and
 - (b) includes a list of—
 - (i) all identified owners of the land to which the report or statement relates; and
 - (ii) any affected agency or instrumentality of the Crown; and
 - (c) describes the method of engagement to be used in consultation, including how the licensee intends to respond to relevant issues raised as a result of consultation; and
 - (d) focuses the engagement on the environmental objectives and assessment criteria necessary to be achieved to demonstrate that any potential consequences of the proposed activities will be adequately managed and controlled; and
 - (e) identifies all relevant parts in the environmental impact report or statement of environmental objectives that are to be consulted on; and
 - (f) complies with any other requirement notified to the licensee by the Minister.
- (3) A consultation plan prepared by a licensee who proposes to undertake activities requiring low level official surveillance must be given to the Minister at least 10 days before consultation is due to commence or within such shorter period as may be allowed by the Minister in a particular case.

- (4) A consultation plan prepared by a licensee who proposes to undertake activities requiring high level official surveillance must be submitted to the Minister for approval at least 10 days before consultation is due to commence or within such shorter period as may be allowed by the Minister in a particular case.
- (5) A licensee who proposes to undertake activities requiring high level official surveillance must not undertake consultation under a consultation plan that has not been approved by the Minister.
- (6) At the conclusion of consultation, the licensee must prepare a report on the results of consultation, setting out—
 - (a) the persons consulted; and
 - (b) any issues of concern raised by persons consulted; and
 - (c) the steps (if any) taken or proposed to be taken by the licensee to address those concerns.

12—Statement of environmental objectives

- (1) For the purposes of sections 99(1)(a) and 100(1)(d) of the Act, a statement of environmental objectives must be prepared, and contain information, in accordance with the requirements of this regulation.
- (2) A statement of environmental objectives may relate to—
 - (a) regulated activities of a licensee (or prospective licensee); or
 - (b) regulated activities of a particular kind.
- (3) A statement of environmental objectives must include—
 - (a) objectives that relate to dealing with the impacts on various elements of the environment associated with carrying out the relevant regulated activity; and
 - (b) criteria to be applied to determine whether or not the stated environmental objective has been achieved in a particular case.
- (4) The criteria under subregulation (3)(b)—
 - (a) must include the following:
 - (i) a description of the objective to be measured and the manner and form of the measurement to be used;
 - (ii) the locations where the relevant measurements are to be taken, or how such locations are to be determined;
 - (iii) the frequency of any measurement or monitoring;
 - (iv) any background or control data that is to be used or the manner in which such data is to be obtained;

- (v) how the achievement of a relevant objective is to be determined (with consideration being given to any inherent errors of measurement);
 - (vi) if required by the Minister—provisions with respect to assessing the ongoing fitness for purpose of management systems, facilities, plant, equipment, machinery or other infrastructure to ensure—
 - (A) security of production or supply of natural gas; and
 - (B) the protection of public safety; and
 - (C) the protection of the environment; and
 - (b) may include provisions with respect to—
 - (i) gathering information and the conduct and timing of studies; and
 - (ii) the conduct and timing of management system audits; and
 - (c) must, so far as is reasonably practicable and appropriate, be expressed in quantitative (rather than qualitative) terms.
- (5) Information or material provided for the purpose of a statement of environmental objectives must—
- (a) be balanced, objective and concise; and
 - (b) state any limitations that apply to the use of information; and
 - (c) identify any matter in relation to which there is a significant lack of information or a significant degree of uncertainty; and
 - (d) so far as is relevant, identify the sensitivity to change of any assumption that has been made and any significant risks that may arise if an assumption is later found to be incorrect; and
 - (e) be in a form determined by the Minister; and
 - (f) be supported by such evidence as the Minister may require; and
 - (g) comply with any requirements determined by the Minister in relation to the amount or detail of information that must be provided.

13—Review of statement of environmental objectives

- (1) In accordance with section 102(1)(b) of the Act, an approved statement of environmental objectives must be reviewed by the licensee within 6 months of the end of each prescribed period.

- (2) For the purposes of section 102(3) of the Act, a licensee must, when submitting a revised statement of environmental objectives to the Minister, provide a report in writing to the Minister that outlines any changes made to the revised statement of environmental objectives as a result of the review.
- (3) In this regulation—
prescribed period means—
 - (a) the period of 5 years from the day on which the relevant statement of environmental objectives is approved; or
 - (b) such other period as may be determined by the Minister in a particular case.

14—Consultation by Minister

- (1) For the purposes of section 105A of the Act, the Minister must undertake public consultation required under that section in accordance with the requirements of this regulation.
- (2) The Minister must publish a notice in such manner as the Minister thinks fit—
 - (a) specifying a place at which a copy of the relevant environmental impact report and statement (or revised statement) of environmental objectives may be obtained; and
 - (b) inviting written submissions in relation to the environmental impact report or statement (or revised statement) of environmental objectives to be given within a period specified in the notice (which must be at least 30 days after publication of the notice).
- (3) The Minister—
 - (a) must give to the licensee a copy of any submission received by the Minister under this regulation within the relevant period specified by the Minister; and
 - (b) may require the licensee to respond to any matter raised in any such submission within a period specified by the Minister.
- (4) A submission under subregulation (2)(b) or a response under subregulation (3)(b) cannot be made on the basis that the submission or response (or part of the submission or response) will be kept confidential.
- (5) The Minister may refuse to publish submissions made under this regulation on grounds that the submissions are irrelevant, offensive, or on any other grounds that the Minister thinks fit.
- (6) The Minister must cause copies of written submissions and responses made under this regulation to be available for inspection on the environmental register.

- (7) Before approving a statement (or revised statement) of environmental objectives, the Minister must be satisfied that—
 - (a) the licensee has satisfactorily addressed any submissions received under this regulation; and
 - (b) the licensee has amended the environmental impact report or statement (or revised statement) of environmental objectives (as the case may be) to take into account any submissions received under this regulation.
- (8) The Minister may, if appropriate, amend an environmental impact report as a result of consultation undertaken under this regulation.

12—Amendment of regulation 16—Preliminary

- (1) Regulation 16(1), definition of *regulatory objectives*—after "regulations" insert:
 , the relevant statement of environmental objectives
- (2) Regulation 16(1), definition of *regulatory requirements*—delete "or" and substitute:
 and
- (3) Regulation 16(2)—delete subregulation (2)

13—Insertion of regulation 16A

After regulation 16 insert:

16A—Management system—section 73A

- (1) For the purposes of section 73A of the Act, a management system must set out the following:
 - (a) corporate policies of the licensee that address the achievement of regulatory requirements and objectives;
 - (b) resources that will be applied to effectively implement the management system;
 - (c) recognised industry practices and procedures that will be applied in—
 - (i) undertaking regulated activities; and
 - (ii) achieving compliance with regulatory requirements;
 - (d) processes for managing physical, operational, procedural or organisational changes in respect of regulated activities;
 - (e) systems that will manage risks allowing achievement of the regulatory objectives arising from undertaking regulated activities, including—
 - (i) the controls that will be implemented to eliminate or reduce risks associated with regulated activities; and
 - (ii) the systems that will ensure the implemented controls will be clearly defined and achieved;

- (f) practices and procedures to ensure employees, contractors and visitors to the licence area have the appropriate competency, training (including ongoing training), induction and supervision;
 - (g) mechanisms for consulting and communicating with external parties in relation to regulated activities;
 - (h) systems to identify, investigate and report incidents arising from regulated activities;
 - (i) practices and procedures to be followed in the event of an emergency relating to regulated activities;
 - (j) systems that monitor, evaluate, audit and review the effectiveness of all aspects of the management system, including the performance of controls;
 - (k) any other relevant matter as determined by the Minister.
- (2) A licensee must comply with any requirements determined by the Minister in relation to the establishing and maintaining of a management system.

14—Amendment of regulation 17—Operator classification—section 74

- (1) Regulation 17, heading—delete "Operator" and substitute:
Licensee
- (2) Regulation 17(1)—delete "the operator assessment factors are" and substitute:
effectiveness of a licensee's management system is
- (3) Regulation 17(2)—delete "a licensee's operator assessment factors" and substitute:
the effectiveness of a licensee's management system

15—Amendment of regulation 19—Activity notification—high level official surveillance

- (1) Regulation 19(2)(a)—delete "operator assessment factors" and substitute:
effectiveness of the licensee's management system
- (2) Regulation 19(3)—delete "operator assessment factors" and substitute:
effectiveness of a licensee's management system

16—Amendment of regulation 20—Detailed activity information

- (1) Regulation 20(1)(c)—delete "co-ordinates in the GDA 94 datum (which may be in digital format)" and substitute:
GDA 2020 coordinates
- (2) Regulation 20(1)(j)—delete "management"
- (3) Regulation 20(1)(j)—delete "fit-for-purpose" and substitute:
fit for purpose

17—Redesignation and relocation of Part 5

Part 5—re designate Part 5 as Part 2B and relocate the Part so that it follows Part 2A as inserted by regulation 8

18—Redesignation of regulation 22

Regulation 22—re designate regulation 22 as regulation 9C

19—Amendment of regulation 25—Naming of wells

Regulation 25(3)—delete "abandoned" and substitute:
decommissioned

20—Amendment of regulation 27—Well evaluation

Regulation 27—delete "petroleum or some other" and substitute:
a

21—Amendment of regulation 29—Pipelines and flowlines

Regulation 29—delete "abandonment" and substitute:
decommissioning

22—Amendment of heading to Part 6 Division 4

Heading to Part 6 Division 4—delete "Fitness-for-purpose" and substitute:
Fitness for purpose

23—Amendment of regulation 30—Fitness-for-purpose assessments

- (1) Regulation 30, heading—delete "Fitness-for-purpose" and substitute:
Fitness for purpose
- (2) Regulation 30—delete "fitness-for-purpose" wherever occurring and substitute in each case:
fitness for purpose
- (3) Regulation 30(2)—after paragraph (b) insert:
 - (ba) the condition and operation of controls and the elements of the associated management system for maintaining those controls; and
- (4) Regulation 30(3)(a)(ii)—delete "or public environmental report under the *Development Act 1993*" and substitute:
under the *Planning, Development and Infrastructure Act 2016*
- (5) Regulation 30(3)(b)—after "assessment" second occurring insert:
(or such longer time as may be determined by the Minister)
- (6) Regulation 30(11)—after "disclosed" insert:
(and the licensee must, if the Minister so requests, provide to the Minister for publication, a further copy of the report that does not contain any commercially sensitive information)

24—Amendment of regulation 31—Emergency response procedures

- (1) Regulation 31(2)(b) and (c)—delete paragraphs (b) and (c) and substitute:
 - (b) measures that will be taken to liaise with relevant authorities and stakeholders (including emergency services) if appropriate,
- (2) Regulation 31(6)(c)—delete "management"
- (3) Regulation 31(11)—after "disclosed" insert:

(and the licensee must, if the Minister so requests, provide to the Minister for publication, a further copy of the report that does not contain any commercially sensitive information)

25—Amendment of regulation 32—Incident reports

- (1) Regulation 32(1)(a)—delete "petroleum" and substitute:

a regulated substance
- (2) Regulation 32(2)—delete "A serious" and substitute:

An immediately reportable
- (3) Regulation 32(2)(a)(i)—delete "or fax"
- (4) Regulation 32(3)—delete "a serious" and substitute:

an immediately reportable
- (5) Regulation 32(3)(d)—delete "appropriate coordinates" and substitute:

GDA 2020 coordinates
- (6) Regulation 32(4)—delete "a serious" and substitute:

an immediately reportable

26—Amendment of regulation 33—Annual reports

- (1) Regulation 33, heading—after "Annual" insert:

licence
- (2) Regulation 33—after "annual" wherever occurring insert:

licence
- (3) Regulation 33(3)—after paragraph (b) insert:
 - (ba) the methods implemented during the relevant licence year to ensure compliance with the Act, these regulations, the licence and any relevant statement of environmental objectives; and
- (4) Regulation 33(3)(c)—delete "or the licence" and substitute:

, the licence or any relevant statement of environmental objectives
- (5) Regulation 33(3)(d)—delete "management"

- (6) Regulation 33(3)—after paragraph (d) insert:
- (da) a summary of the work undertaken to monitor the effectiveness of the management system during the relevant licence year, including details of auditing, monitoring and review of the effectiveness of controls necessary for compliance with a statement of environmental objectives; and
 - (db) a summary of any failures or deficiencies identified during work undertaken under paragraph (da) during the relevant licence year, and any corrective actions that have, or will, be taken; and
 - (dc) a report on any reasonably foreseeable threats to the environment during the relevant licence year, including details of any corrective action that has, or will be taken to address the threats; and
 - (de) a report on any reasonable concerns reported to the licensee by members of the public during the relevant licence year relating to the carrying out of regulated activities by the licensee, including details of any action that has been, or will be, taken to address these concerns; and
- (7) Regulation 33(3)(i)—after "petroleum production licence" insert:
 , a regulated substance production licence
- (8) Regulation 33(3)(i)—delete "petroleum" second occurring and substitute:
 the regulated substance
- (9) Regulation 33—after subregulation (7) insert:
- (7a) If a part of a licence area is surrendered, the annual licence report required under subregulation (7)—
 - (a) unless otherwise determined by the Minister—must describe the part of the licence that has been surrendered; and
 - (b) need only provide information in relation to those parts of the licence area that have been surrendered; and
 - (c) must, in addition to the matters required to be included under subregulation (3), provide a prospectivity review of the part of the licence that has been surrendered.

27—Amendment of regulation 35—Geophysical operations reports

Regulation 35(3)(b)(ii)—delete subparagraph (ii) and substitute:

- (ii) if the data has been reprocessed but does not include newly recorded data that requires processing for the first time—after the expiration of 2 years from the date of substantial completion of the reprocessing of the data; or
- (iii) if the data has been reprocessed and includes newly recorded data—after the expiration of 2 years from the date of substantial completion of the recording of the newly recorded data.

28—Amendment of regulation 37—Geophysical data

- (1) Regulation 37(3)—delete "GDA 94 co-ordinates" and substitute:

GDA 2020 coordinates
- (2) Regulation 37(4)(b)(ii)—delete subparagraph (ii) and substitute:
 - (ii) if the data has been reprocessed but does not include newly recorded data that requires processing for the first time—after the expiration of 2 years from the date of substantial completion of the reprocessing of the data; or
 - (iii) if the data has been reprocessed and includes newly recorded data—after the expiration of 2 years from the date of substantial completion of the recording of the newly recorded data.

29—Amendment of regulation 40—Well completion reports

- (1) Regulation 40(2)(c)(i)—delete "GDA 94 values" and substitute:

GDA 2020 coordinates
- (2) Regulation 40(2)(g)—after subparagraph (xii) insert:
 - (xiii) the final surveyed well location and elevation information (including the coordinate reference system used);
- (3) Regulation 40(2)—after paragraph (q) insert:
 - (r) if the well was drilled from a multi-well pad—a diagram identifying which well was drilled from which slot on the pad.

30—Amendment of regulation 43—Petroleum reservoir fluid analysis reports

- (1) Regulation 43, heading—delete "Petroleum"
- (2) Regulation 43(1) and (2)—delete "petroleum" wherever occurring

31—Amendment of regulation 45—Production reports

- (1) Regulation 45(1)—after "regulated substance" insert:

or geothermal energy
- (2) Regulation 45(2)—after "production report" insert:

in respect of a regulated substance
- (3) Regulation 45(2)(b)(iii)—delete "regulated resource" and substitute:

regulated substance
- (4) Regulation 45—after subregulation (2) insert:
 - (2a) A production report in respect of geothermal energy must include the following:
 - (a) the volume, flow rates, production temperature and pressure and geochemistry of the geofluid that is produced;

- (b) the volume, flow rates, reinjection temperature and pressure and geochemistry of the geofluid that is reinjected into the reservoir once heat energy has been used for commercial purposes;
- (c) any other information specified by the Minister.

32—Insertion of regulations 46A to 46C

After regulation 46 insert:

46A—Facility rehabilitation or decommissioning reports

- (1) A licensee who undertakes rehabilitation of a facility must provide to the Minister, within 6 months after the rehabilitation is completed, a ***facility rehabilitation report*** in accordance with the requirements of this regulation.

Administrative penalty.

- (2) A facility rehabilitation report must include the following information:
 - (a) the name of the facility or other information that identifies the facility;
 - (b) the dates during which the rehabilitation activity occurred;
 - (c) details of the rehabilitation activity undertaken.
- (3) A licensee who decommissions a facility must provide to the Minister, within 6 months after the decommissioning is completed, a ***facility decommissioning report*** in accordance with the requirements of this regulation.

Administrative penalty.

- (4) A facility decommissioning report must include the following information:
 - (a) the name of the facility or other information that identifies the facility;
 - (b) the dates during which the decommissioning occurred;
 - (c) details of the decommissioning undertaken.
- (5) A copy of a report under this regulation will not be available for public inspection.

46B—Hydraulic fracturing report

- (1) A licensee who undertakes hydraulic fracturing for the purposes of producing a regulated substance from a well bore must provide to the Minister, within 6 months after the hydraulic fracturing is completed, a ***hydraulic fracturing report*** in accordance with the requirements of this regulation.

Administrative penalty.

- (2) A hydraulic fracturing report must include the following:
- (a) the well name, well number and hydraulic fracturing stage number;
 - (b) information on the type of hydraulic fracturing that was carried out;
 - (c) the dates during which the hydraulic fracturing was carried out;
 - (d) the depth of the interval fractured;
 - (e) the volume of fluid and proppant injected;
 - (f) the rate of injection and the pumping schedule;
 - (g) the pressures measured at the surface hole and the bottom hole;
 - (h) the results of any diagnostic fracture injection tests that have been undertaken;
 - (i) a description of any analysis or interpretation of the data collected during hydraulic fracturing.
- (3) A copy of a report under this regulation will be available for public inspection after the expiration of 2 years from the date on which the hydraulic fracturing was first carried out.

46C—Reserve estimate report

- (1) A licensee must provide to the Minister in each year a report of the reserve estimate in respect of each field (a *reserve estimate report*) in accordance with the requirements of this regulation.
- Administrative penalty.
- (2) A reserve estimate report must be provided to the Minister—
- (a) in a manner and form determined by the Minister; and
 - (b) within 2 months after the reserve estimate has been calculated.
- (3) A copy of a report under this regulation will not be available for public inspection.

33—Amendment of regulation 49—Report on analysis of core or cuttings

Regulation 49(9)—delete "the expiration of 2 years from the date on which the sample is removed from the Core Library" and substitute:

-
- (a) the expiration of 2 years from the date on which the rig was released from the well from which the core or cuttings were obtained; or
 - (b) the expiration of 6 months from the date on which the sample was removed from the Core Library,

whichever is the later.

34—Amendment of regulation 52—Availability of information

- (1) Regulation 52(1)—after "documents" insert:
or data
- (2) Regulation 52(2)—after "document" insert:
or data
- (3) Regulation 52(3)—after "Part," insert:
and subject to subregulation (3a), data or
- (4) Regulation 52—after subregulation (3) insert:
 - (3a) Subregulation (3) does not apply to data or a report that relates to a speculative survey licence.

35—Repeal of regulation 54

Regulation 54—delete the regulation

36—Substitution of regulation 57

Regulation 57—delete the regulation and substitute:

57—Reinstatement of licence—disapplication of certain sections of Act

For the purposes of section 91C(6)(b) of the Act, the following sections of the Act will not apply in relation to a licence reinstated by the Minister under section 91C of the Act:

- (a) section 21(2) and (3);
- (b) section 22;
- (c) section 26(2);
- (d) section 27(1), (1a) and (2a);
- (e) section 28(2a), (2b), (3a) and (3b);
- (f) section 30(1);
- (g) section 32(2);
- (h) section 34(2), (3) and (4a);
- (i) section 35;
- (j) section 39;
- (k) section 40;
- (l) section 47(1);
- (m) section 59D;
- (n) section 67;
- (o) section 68;
- (p) section 79.

57A—Approval and registration of registrable dealings

Pursuant to section 114(2)(c) of the Act, an application for approval and registration of a registrable dealing must include the following information in respect of the person to whom the relevant interest is to be assigned:

- (a) —
 - (i) if the person is an incorporated association—a copy of the association's most recent audited financial statements; or
 - (ii) in any other case—a statement of the expected financial position of the assignee over the term of the licence (or such other period of time as determined by the Minister);
- (b) in the case of a registrable dealing of a kind described in section 112(b) or (c) of the Act—a statement of the technical qualifications and experience of the assignee.

37—Substitution of Schedule 2

Schedule 2—delete Schedule 2 and substitute:

Schedule 2—Administrative penalties

1—Act	Amount of administrative penalty	
	Initial penalty	Daily penalty
Provision		
Section 43(4)	\$7 500	\$750
Section 45A(1)	\$7 500	
Section 81(2)	\$7 500	
Section 84(1)	\$15 000	
Section 84(2)	\$15 000	\$1 000
Section 85(1)	\$15 000	\$1 000
Section 85(2)	\$7 500	\$750
Section 86(1)	\$15 000	\$1 000
Section 86(2)	\$15 000	\$1 000
Section 86(4)	\$15 000	\$1 000
2—Regulations	Amount of administrative penalty	
Provision	Initial penalty	Daily penalty
Regulation 18(1)	\$1 500	\$150
Regulation 19(1)	\$3 000	\$300
Regulation 24(2)	\$1 500	
Regulation 25(1)	\$3 000	
Regulation 25(3)	\$3 000	

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2—Regulations	Amount of administrative penalty	
	Provision	Initial penalty
Regulation 26	\$7 500	
Regulation 27	\$15 000	
Regulation 28	\$15 000	
Regulation 30(4)	\$15 000	\$1 000
Regulation 30(5)	\$15 000	\$1 000
Regulation 30(6)	\$15 000	\$1 000
Regulation 31(1)	\$15 000	\$1 000
Regulation 31(2)	\$15 000	\$1 000
Regulation 31(3)	\$15 000	\$1 000
Regulation 32(2)	\$15 000	\$1 000
Regulation 32(3)	\$15 000	
Regulation 33(1)	\$15 000	\$1 000
Regulation 33(2)	\$15 000	\$1 000
Regulation 33(3)	\$1 500	
Regulation 34(1)	\$1 500	\$150
Regulation 35(1)	\$3 000	\$300
Regulation 36(1)	\$7 500	\$750
Regulation 37(1)	\$7 500	\$750
Regulation 37(2)	\$7 500	\$750
Regulation 38(1)	\$2 000	\$200
Regulation 39(1)	\$3 000	\$300
Regulation 39(3)	\$3 000	
Regulation 40(1)	\$7 500	\$750
Regulation 41(1)	\$7 500	\$750
Regulation 42(1)	\$3 000	\$300
Regulation 43(1)	\$3 000	\$300
Regulation 44(1)	\$3 000	\$300
Regulation 45(1)	\$7 500	\$750
Regulation 46(1)	\$7 500	\$750
Regulation 46(2)	\$3 000	
Regulation 46(3)	\$7 500	\$750
Regulation 46(4)	\$7 500	\$750
Regulation 46A(1)	\$3 000	\$300
Regulation 47(1)	\$3 000	\$300
Regulation 48(1)	\$1 500	
Regulation 48(2)	\$3 000	

2—Regulations	Amount of administrative penalty	
	Initial penalty	Daily penalty
Regulation 48(4)	\$1 500	
Regulation 49(4)	\$3 000	\$300
Regulation 49(5)	\$7 500	\$750
Regulation 49(8)	\$3 000	\$300
Regulation 50(1)	\$3 000	
Regulation 51(2)	\$3 000	\$300

38—Amendment to Schedule 3—Transitional provisions

Schedule 3—after clause 2 insert:

3—Transitional provision—statement of environmental objectives

- (1) Pursuant to section 138(4) of the Act, if, before the relevant day, a statement of environmental objectives has been prepared but not yet submitted to the Minister for approval—
 - (a) the environmental impact report that forms the basis for the statement of environmental objectives need only comply with the requirements of the Act as in force before the relevant day; and
 - (b) the statement of environmental objectives and any application to the Minister for approval of the statement need only comply with the requirements of the Act as in force before the relevant day; and
 - (c) the Minister must determine any application received for the approval of the statement of environmental objectives in accordance with the provisions of the Act as in force before the relevant day.

- (2) In this clause—

relevant day means the day on which this clause comes into operation.

Editorial note—

As required by section 10AA(2) of the *Legislative Instruments Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 11 April 2024

No 21 of 2024