



Petroleum (Submerged Lands) (Datum) Regulations 2002

Statutory Rules 2002 No. 198¹

I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Petroleum (Submerged Lands) Act 1967*.

Dated 22 August 2002

PETER HOLLINGWORTH
Governor-General

By His Excellency's Command

IAN MACFARLANE
Minister for Industry, Tourism and Resources

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1 Name of Regulations

These Regulations are the *Petroleum (Submerged Lands) (Datum) Regulations 2002*.

2 Commencement

These Regulations commence on gazettal.

3 Definitions

In these Regulations:

Act means the *Petroleum (Submerged Lands) Act 1967*.

Geocentric Datum of Australia means the datum described in Schedule 1.

Note 1 For the meaning of ***block, datum, geographic co-ordinate, Register*** and ***the Designated Authority***, see subsection 5 (1) of the Act.

Note 2 ***Designated Authority*** includes any delegate under section 15 of the Act. This may include a person known as a Director.

Note 3 For the meaning of *current datum*, *previous datum* and *changeover time*, see section 150N of the Act.

Note 4 For the meaning of *instrument under this Act* and *title*, see section 150W of the Act.

4 Declaration of current datum (Act s 150N)

For subsection 150N (1) of the Act, for the purposes of describing, in a title or other instrument under the Act, the position on the surface of the Earth of a point, line or area:

- (a) the current datum is the Geocentric Datum of Australia;
and
- (b) the current datum replaces the previous datum.

5 Variation of instruments (Act s 150R)

- (1) For subsection 150R (1) of the Act, the Designated Authority may issue an instrument varying a permit in force immediately before the changeover time for the sole purpose of relabelling the permit area using geographic co-ordinates based on the current datum.
- (2) For subsection 150R (2) of the Act, the Designated Authority may issue an instrument varying a lease in force immediately before the changeover time for the sole purpose of relabelling the lease area using geographic co-ordinates based on the current datum.
- (3) For subsection 150R (3) of the Act, the Designated Authority may issue an instrument varying a licence in force immediately before the changeover time for the sole purpose of relabelling the licence area using geographic co-ordinates based on the current datum.
- (4) For subsection 150R (4) of the Act, the Designated Authority may issue an instrument varying an infrastructure licence in force immediately before the changeover time for the sole purpose of relabelling the infrastructure licence area using geographic co-ordinates based on the current datum.

- (5) For subsection 150R (5) of the Act, the Designated Authority may issue an instrument varying a special prospecting authority or an access authority in force immediately before the changeover time for the sole purpose of relabelling the area in respect of which the authority is in force using geographic co-ordinates based on the current datum.
- (6) For subsection 150R (6) of the Act, the Designated Authority may issue an instrument varying a pipeline licence in force immediately before the changeover time for the sole purpose of relabelling the route of the pipeline using geographic co-ordinates based on the current datum.
- (7) For subsection 150R (7) of the Act, the Designated Authority may issue an instrument varying any other instrument under the Act that:
 - (a) sets out a point, line or area; and
 - (b) is in force immediately before the changeover time; for the sole purpose of relabelling the point, line or area using geographic co-ordinates based on the current datum.

6 Variation of titles etc (Act s 150R)

- (1) For subsection 150R (8) of the Act, the Designated Authority may issue an instrument (the *amending instrument*) that varies any title or other instrument under the Act for the sole purpose of inserting either of the following into the title or other instrument:
 - (a) an annotation about the current datum stating that co-ordinates are shown in GDA94 reference;
 - (b) an annotation about the previous datum stating that co-ordinates are shown in AGD66 reference.
- (2) If an amending instrument is issued, the Designated Authority must ensure that any paper copy of the title or other instrument that is kept by the Designated Authority in its Register is appropriately amended by:
 - (a) attaching an adhesive label of the relevant annotation; or
 - (b) imprinting the text of the annotation; or
 - (c) replacing the copy with a copy incorporating the annotation.

- (3) For this regulation, *instrument* means an instrument registered or registrable by a Designated Authority in its Register.

7 Variation of applications for titles (Act s 150S)

For section 150S of the Act, the Designated Authority may issue an instrument varying an application for a title for the sole purpose of relabelling a point, line or area by reference to geographic co-ordinates that are based on the current datum.

8 Documents submitted to Designated Authority

- (1) This regulation applies to a record or other document, other than a title or other instrument under this Act, that, at any time after the changeover time, a person gives to the Designated Authority or an inspector because it is required by, or serves a purpose under, the Act, or regulations or directions made under the Act.
- (2) If the document refers to a geographic coordinate but does not specify a datum, the Designated Authority or inspector may:
- (a) within 30 days of receiving the record or other document, and by any convenient method, request the person to provide the Designated Authority or inspector, within 14 days, with information in writing about the datum that applies to the geographic coordinate; or
 - (b) accept or consider the record or other document as it is.
- (3) If the Designated Authority or an inspector makes a request under paragraph (2) (a) and the person does not provide the information as required, the Designated Authority or inspector may, for that reason, reject or refuse to consider the record or other document.

Note If, for the purposes of a data collection program or an investigation under the Act, a person submits a document that mentions a geographic coordinate but does not specify the datum and, after receiving a request under paragraph (2) (a), the person does not provide the requested details about the datum:

- (a) the Designated Authority or an inspector may require that information to be provided under section 115 of the Act; or
- (b) the Designated Authority may require it to be provided under section 101 of the Act.

9 Documents made or prepared under Act etc

- (1) This regulation applies to a record or other document, other than a title or other instrument under this Act, that:
 - (a) is made because it is required by, or serves a purpose under, the Act, or regulations or directions made under the Act; and
 - (b) is made more than 12 months after the changeover time.
- (2) If the document includes information about the position on the surface of the Earth of a point, line or area, and mentions a geographic coordinate, the document does not fulfil the requirement, or serve the purpose, mentioned in paragraph (1) (a), unless:
 - (a) the geographic coordinate refers to the current datum; and
 - (b) the record or other document specifies that the geographic coordinate refers to the current datum.

10 Transitional provisions (Act s 150U)

- (1) The conversion of the previous datum to the current datum must be done by using the national coverage transformation grid from AGD66 to GDA94, mentioned in the notice 'TRANSFORMATION OF COORDINATES TO THE NEW GEOCENTRIC DATUM OF AUSTRALIA (GDA94)', published in *Gazette* No. GN 40 on 10 October 2001.
- (2) The conversion of a geographic co-ordinate that is based on the previous datum into a geographic co-ordinate that is based on the current datum must be quoted to 2 decimal places of a second of latitude and of a second of longitude.
- (3) If, after conversion from the previous datum to the current datum, the geographic co-ordinates of a block indicate an area that is not exactly 5 minutes of latitude by 5 minutes of longitude, the area is nonetheless taken to be a block within the meaning of the Act.

- (4) For subregulation (2), if the conversion results in a second measured to more than 2 decimal places, it is made accurate to 2 decimal places:
 - (a) if the third decimal place is a digit equal to or greater than 5, by increasing the digit in the second decimal place by 1;
or
 - (b) if the third decimal place is a digit less than 5, by leaving the second decimal place unchanged.

Schedule 1 Geocentric Datum of Australia

(regulation 3)

1 Reference Ellipsoid

Geodetic Reference System 1980 ellipsoid with a semi-major axis of 6 378 137 metres and an inverse flattening of 298.257 222 101.

2 Reference Frame

The Geocentric Datum of Australia is realised by the co-ordinates of the following Australian Fiducial Network geodetic stations referred to the Geodetic Reference System 1980 ellipsoid determined within the International Earth Rotation Service Terrestrial Reference Frame 1992 at the epoch of 1994.0:

Geodetic station	South latitude	East longitude	Ellipsoidal height (metres)
AU 012 Alice Springs	23° 40' 12.44592"	133° 53' 07.84757"	603.358
AU 013 Karratha	20° 58' 53.17004"	117° 05' 49.87255"	109.246
AU 014 Darwin	12° 50' 37.35839"	131° 07' 57.84838"	125.197
AU 015 Townsville	19° 20' 50.42839"	146° 46' 30.79057"	587.077
AU 016 Hobart	42° 48' 16.98506"	147° 26' 19.43548"	41.126
AU 017 Tidbinbilla	35° 23' 57.15627"	148° 58' 47.98425"	665.440
AU 019 Ceduna	31° 52' 00.01664"	133° 48' 35.37527"	144.802
AU 029 Yaragadee	29° 02' 47.61687"	115° 20' 49.10049"	241.291

Note

1. Notified in the *Commonwealth of Australia Gazette* on 29 August 2002.