

NORTHERN TERRITORY OF AUSTRALIA
PETROLEUM (PROSPECTING AND MINING) ACT

As in force at 12 September, 1980

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NORTHERN TERRITORY OF AUSTRALIA

PETROLEUM (PROSPECTING AND MINING) ACT

NOTE - THIS REPRINT SHOWS THE ACT AS IN FORCE AT 12 SEPTEMBER, 1980. ANY AMENDMENTS THAT MAY COME INTO OPERATION AFTER THAT DATE ARE NOT INCLUDED.

An Ordinance to regulate prospecting and mining for petroleum

PART I - PRELIMINARY

1. SHORT TITLE

This Ordinance may be cited as the Petroleum (Prospecting and Mining Act. (See back note 1)

2. COMMENCEMENT

This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the Gazette. (See back note 1)

3. [Repealed]

4. DEFINITIONS

In this Ordinance, unless the contrary intention appears -

"Aboriginal land" has the same meaning as Aboriginal land under the Aboriginal Land Rights (Northern Territory) Act 1976;

"arbitration" means arbitration under the Arbitration Act, 1891 of the State of South Australia in its application to the Territory;

"casinghead petroleum spirit" means liquid hydrocarbons obtained from natural gas by a chemical or physical process;

"control well" means a well which is drilled, or is mainly used, for the purpose of obtaining information concerning the physical properties and behaviour of oil, gas and water, or any of them, in a geological petroleum structure or petroleum field;

"crude oil" means petroleum oil in its natural state before it has been refined or otherwise treated but from which water and foreign substances have been extracted;

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"detailed survey" means a complete geological survey of an area to determine geological structure and includes -

- (a) the construction of contoured topographical maps and sections in connection with that geological survey;
- (b) the collection of specimens of rock, fossils and other materials and the laboratory examination of those specimens; and
- (c) where necessary, an aerial survey, geophysical survey, scout drilling and pit sinking;

"Director of Mines" means the Director of Mines appointed under the Mining Ordinance, and includes an Acting Director so appointed;

"drilling" means the perforation of the earth's surface crust by mechanical means, without involving the descent of persons into the hole caused by the perforation, whether the hole is vertical, inclined or horizontal, and includes -

- (a) all operations -
 - (i) for preventing the collapse of the sides of the hole; or
 - (ii) for preventing the hole from becoming filled by extraneous materials or water; and
- (b) the fitting of well heads;

"geologist" means a person

- (a) trained in the science of geology; and
- (b) approved by the Minister in writing as a person qualified to carry out or to direct a geological survey for the purposes of this Ordinance;

"geophysicist" means a person -

- (a) trained in the science of geophysics; and
- (b) approved by the Minister in writing as a person qualified to carry out or to direct a geophysical survey for the purposes of this Ordinance;

"improved land" includes -

- (a) the site or curtilage of a building;
- (b) a garden, lawn, yard, nursery for trees, orchard, vineyard, cultivated field (not being mere pasture land), sports ground, recreation ground, rifle range, reservoir,

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natural or artificial storage or accumulation of water, spring, dam, bore, artesian well, mine, cemetery, burial ground or place of worship; and

(c) land on which a road, railway, tramway, bridge or culvert is constructed;

"injection well" means a well used for the purpose of injecting fluid or gas into an underground reservoir, either in accordance with secondary recovery operations or as a means of disposal of excess petroleum or waste products;

"land" includes the bed of a river, estuary, lake or swamp and such portion of the sea-bed as adjoins the coast of the Territory and is not within the area specified in the Second Schedule to the Petroleum (Submerged Lands) Act 1967 as being adjacent to the Northern Territory

"lease" means a lease granted under this Ordinance; "lessee" means the holder of a lease;

"mining operations" includes drilling for, mining, extracting, recovering, removing, storing, refining, improving, processing and disposing of petroleum;

"natural gas" means gas obtained from a well and consisting primarily of hydrocarbons;

"permit" means a permit issued or continued in force under this Ordinance

"permittee" means the holder of a permit;

"petroleum" means naturally occurring hydrocarbons in a free state, whether gaseous, liquid or solid, but does not include coal, shale or a substance which may be extracted from coal, shale or other rock by the application of heat or by a chemical process;

"private land" means land other than Aboriginal land which, whether before or after the date of commencement of this Ordinance -

(a) is alienated from the Crown for an estate of freehold; or

(b) is made the subject of a conditional purchase, agreement, lease or concession, with or without a right for a person to acquire the fee-simple of that land, other than -

(i) a lease, licence or concession for pastoral or timber purposes; or

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(ii) a permit issued or a lease granted under this Ordinance;

"production", in relation to mining operations, means a state or condition in which petroleum is recoverable by flowing, pumping or other means, or the recovery of petroleum, as the context requires;

"reconnaissance survey" means a rapid preliminary examination of an area in less detail than is required for a detailed survey;

"the Oil Advisory Committee" means the Oil Advisory Committee constituted under this Ordinance;

"to prospect" includes -

(a) the making of a reconnaissance survey or a detailed survey; and

(b) the testing of a geological structure for petroleum by the drilling of boreholes;

"warden" means a warden appointed under the Mining Ordinance;

"warden's court" means a warden's court at Darwin established under the Mining Ordinance;

"well" includes borehole.

4A. NON-APPLICATION OF ORDINANCE

This Ordinance does not apply to the Territory of Ashmore and Cartier Islands.

5. HELIUM AND NATURAL GAS THE PROPERTY OF THE CROWN

Subject to this Ordinance, but notwithstanding anything contained in any other law of the Territory or in any grant, instrument of title or other document, all helium and natural gas on or below the surface of any land is the property of the Crown.

6. RESERVATION IN CROWN GRANTS

All grants, leases, licences and other instruments of tenure issued or granted at any time, whether before or after the commencement of this Ordinance, under any law relating to land vested in the Commonwealth or in the Crown, other than permits and leases issued or granted under this Ordinance, are deemed to contain -

(a) a reservation of all petroleum and helium on or below the surface of the land; and

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- (b) a reservation of all rights necessary for the purpose of searching for and obtaining petroleum or helium, or both, in any part of the land, together with rights of way and easements for pipe-lines and for other purposes required for obtaining or conveying petroleum or helium, or both.

7. MINISTER MAY CARRY ON MINING OPERATIONS

- (1) The Minister may, on behalf of the Territory -

- (a) carry on prospecting and mining operations for petroleum or helium, or both; and
- (b) carry on the business of acquiring, improving, disposing of and dealing in petroleum or helium, or both, produced in the Territory and any products of petroleum or helium, or both.

(2) Where the Minister carries on any operations under this section, he shall have the same rights, benefits and privileges, and be subject to the same duties and obligations, as a permittee or lessee, as the case may be.

PART II - ADMINISTRATION

7A. ADMINISTRATION OF THIS ORDINANCE

This Ordinance shall be administered to the intent that where under this Ordinance occasion arises for a power to be exercised or a function to be performed by the Minister, the Minister may refer the matter of the exercise of the power or the performance of the function to the Administrator.

8. OIL ADVISORY COMMITTEE

(1) For the purposes of this Ordinance there shall be an Oil Advisory Committee which shall consist of not more than 4 persons, each of whom shall be employed by the Territory or the Commonwealth and trained in geology, geophysics or petroleum technology.

(2) The members of the Oil Advisory Committee shall be appointed by the Minister and shall hold office during the pleasure of the Minister.

(3) The Minister shall appoint one of the members to be Chairman.

(4) The Oil Advisory Committee shall meet at such times and places as are determined by the Chairman and notified by him to the members.

(5) The Oil Advisory Committee shall advise the Minister on any scientific or technical matter arising in connection with the administration of this Ordinance which is referred to it for advice by the Minister.

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9. THE PETROLEUM REGISTRAR

(1) The Minister may appoint a person to be the Petroleum Registrar for the purposes of this Ordinance.

(2) A person appointed to be the Petroleum Registrar holds office during the pleasure of the Minister.

10. REGISTERS OF PERMITS AND LEASES

(1) The Petroleum Registrar shall establish and maintain -

- (a) a Register of Permits; and
- (b) a Register of Leases,

in respect of permits and leases issued and granted under this Ordinance.

(2) A permittee or lessee who deals with -

- (a) his permit or lease; or
- (b) any rights arising from his permit or lease,

whether by way of transfer, mortgage or charge, or otherwise, shall, for the purpose of having the dealing registered, forward to the Petroleum Registrar a copy of the instrument effecting the dealing, together with the prescribed fee and a statutory declaration that the copy is a true and correct copy of the instrument.

(3) The Register of Permits and the Register of Leases shall be kept as the Petroleum Registrar determines until the regulations provide for the keeping of those Registers, and thereafter in accordance with the regulations.

(4) When a memorial is entered in the Register of Permits or the Register of Leases, as the case requires, by or in accordance with a direction of the Petroleum Registrar, recording -

- (a) the issue of a permit;
- (b) the grant of a lease; or
- (c) the execution of an instrument effecting a dealing with a permit or lease or a right arising from a permit or lease,

the permit, lease or dealing is registered under this section.

(5) A dealing with a permit or lease or a right arising from a permit or lease does not confer a right or impose an obligation in relation to the permit or lease on a party to the dealing unless it is registered under this section.

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(6) When a dealing is registered under this section the Petroleum Registrar shall give notice of the registration to each party to the instrument effecting the dealing.

10A. ENTRIES IN REGISTERS

(1) An entry in the Register of Permits or the Register of Leases is evidence of a fact stated in the entry.

(2) A copy of such an entry certified by the Petroleum Registrar to be a true copy is evidence of a fact stated in the copy.

(3) On receipt of an application in writing accompanied by the prescribed fee, the Petroleum Registrar shall furnish to the applicant a copy, certified by him to be a true copy, of an entry in the Register of Permits or the Register of Leases.

11 POWER TO ACQUIRE OR RESUME LAND

(1) The Minister may, by notice in the Gazette, acquire or resume any land, other than land to which section 65 applies, or Aboriginal land, which, in his opinion, should be acquired or resumed for the purposes of this Ordinance.

(2) An acquisition or resumption under this section takes effect upon the publication of the notice of acquisition or resumption.

(3) An acquisition or resumption shall not be made under this section until after the expiration of one month from the date of publication in the Gazette of a notice by the Minister of his intention to acquire or resume.

(4) The Territory shall pay compensation for an acquisition or resumption of land under this section.

(5) The amount of compensation to be paid under this section shall be determined in such manner as is prescribed.

(6) Where it is proved to the satisfaction of the warden's court that damage has been sustained by a claimant by reason of the severance of the land acquired or resumed from other adjoining land of the claimant, and in the opinion of the warden's court compensation would not be an adequate remedy, the warden's court may order that the adjoining land or such portion of it as is specified by the warden's court shall also be acquired or resumed.

(7) Where the warden's court makes an order under sub-section (6), the Minister shall, as soon as practicable, acquire or resume that land, in accordance with that order, under this section.

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PART III - PERMITS AND LEASES

Division 1 - Preliminary

12. ISSUE, &c., OF PERMITS, LICENCES AND LEASES

(1) Subject to this Ordinance, the Minister may issue a permit or grant a lease -

- (a) to a person who is a British subject;
- (b) to a company or corporation which is incorporated or registered in the Territory under the law for the time being in force relating to companies; or
- (c) to an association of -
 - (i) persons who are British subjects;
 - (ii) companies or corporations referred to in paragraph (b); or
 - (iii) persons who are British subjects and companies or corporations referred to in paragraph (b),

in respect of any land whether that land is Aboriginal land, private land or land belonging to the Crown.

(2) When the Minister issues a permit or grants a lease he shall cause a notification of the issue or grant to be published in the Gazette.

- (3) The Minister shall not -
- (a) issue a permit in respect of land to which a permit or lease applies; or
 - (b) issue a permit or grant a lease in respect of land which is reserved by a notice under section 13.

13. RESERVATION OF LAND FROM PERMITS, &c.

The Minister may, by notice in the Gazette, declare that the land specified in that notice is reserved from inclusion in a permit or lease.

14. LIMITATIONS OF PERMITS, &c.

(1) The Minister shall not, without the approval of the Administrator, issue a permit if the area of the land to which the permit would apply if it were issued, together with the area of land held or deemed to be held by the applicant under a permit or permits, exceeds 10,000 square miles.

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(2) The Minister shall not, without the approval of the Administrator, grant a lease if the area of land to which the lease would apply if it were granted, together with the area of land held or deemed to be held by the applicant under a lease or leases, exceeds 1,000 square miles.

(3) [Omitted]

15. MINISTER TO LAY PARTICULARS BEFORE LEGISLATIVE ASSEMBLY

The Minister shall cause particulars of all permits and leases issued or granted to be laid before the Legislative Assembly not later than the first sitting day of the next meeting of the Legislative Assembly after the issue or grant of the permit or lease.

16. PERMITTEE, &c., COMPANY ACQUIRING SHARES

Where a company or corporation which holds a permit or lease acquires or holds, either directly or indirectly without the consent in writing of the Minister, any shares or stock in another company or corporation which holds a permit or lease, the Minister may cancel the permit or lease held by the company or corporation which acquires or holds the shares or stock.

16A. PERSONS DEEMED TO HOLD PERMITS OR LEASES

(1) Where a person is in a position to exercise control of a company or corporation he shall be deemed to hold each permit, lease and interest in a permit or lease held by the company or corporation.

(2) For the purposes of this Ordinance a person who is, or who, by any application or applications of this sub-section, is deemed to be, in a position to exercise control of more than 15 per centum of the total votes that could be cast at a general meeting of a company is deemed to be in a position to exercise control of that company and of any voting rights of that company as a shareholder.

17. PREFERENCE TO PERMITTEE

A permittee who is an applicant for the grant of a lease of any land to which his permit applies is entitled, subject to this Ordinance, to be granted a lease of that land in preference to any other person if he is not in breach of any term or condition of his permit or any provision of this Ordinance or the regulations that is applicable to him.

Division 2 - Permits

18. APPLICATION FOR PERMIT

(1) Subject to this Ordinance, a person may, in the manner and form prescribed, apply to the Minister for a permit.

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(2) An application for a permit shall be accompanied by the fee prescribed in the regulations or, if no fee is prescribed, by a fee of 200 dollars.

(3) The fee accompanying an application for a permit, shall be refunded to the applicant if the permit he has applied for is not issued.

(4) Where an application is, in accordance with section 19, deemed to be in conflict with another application, the Minister shall decide to which, if any, of the applicants the Minister shall issue a permit.

19. NOTIFICATION OF APPLICATION

(1) The Minister shall cause -

- (a) a notification of every application for a permit to be published in the Gazette; and
- (b) a copy of the application to be posted and kept posted for a period of 30 days at the office of the Director of Mines.

(2) For the purposes of this section -

- (a) an application shall be deemed to be in conflict with another application if it is made -
 - (i) in respect of any land in respect of which the other application is made; and
 - (ii) after the other application but before the expiry of the 30 days during which a copy of the other application is required to be kept posted under section 18; and
- (b) the land in respect of which both applications are made shall be deemed to be the conflict area.

(3) If a person makes an application that is in conflict with another application, the Minister shall forthwith notify the person that his application is in conflict with that other application and furnish him with a map showing the extent of the conflict.

(4) Where an application is in conflict with another application and the Minister decides to issue a permit to one of the applicants, the application of the other applicant shall, at the election of that other applicant, be deemed to be an application for a permit in respect of all the land in respect of which his application was made except the land in the conflict area.

(5) Where an application which is in conflict with another application is received after the first application has been posted for 30 days the Minister shall not consider the later application until the earlier application has been dealt with.

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20. MATTERS TO BE CONSIDERED BY MINISTER

- (1) The Minister shall not issue a permit -
 - (a) unless he is satisfied that the applicant is of sufficient financial standing and is otherwise fitted to enable him to exercise the rights and to perform the obligations arising out of the issue of the permit; and
 - (b) unless, within the prescribed time, the applicant furnishes a bond -
 - (i) in accordance with a form approved by the Minister;
 - (ii) in such sum, being not less than the prescribed sum, as the Minister requires; and
 - (iii) with such surety as the Minister approves,for compliance with the terms and conditions of the permit and with such of the regulations as are applicable to him.
- (2) For the purposes of this section -
 - (a) "the prescribed time" means the period of time commencing on the date when the Minister notifies the applicant that he proposes to issue the permit to the applicant and ending 30 days, or such number of days exceeding 30 as the Minister allows, after that date; and
 - (b) "the prescribed sum" means -
 - (i) such sum as is prescribed by the regulations for the purposes of this section; or
 - (ii) if no sum is so prescribed, the sum of 2,000 dollars.

20A. LIMITATION ON ISSUE OF PERMIT IN RESPECT OF LAND TO WHICH A PERMIT PREVIOUSLY APPLIED

Where a permit, not being a permit that has expired after having been twice extended, previously applied to any land but no longer applies to that land because, in respect of that land -

- (a) the permit has not been extended; or
- (b) the permit has been cancelled,

the person who holds or hold the first-mentioned permit may not apply for a permit in respect of that land until the expiration of one year after the date on which, in respect of that land, the first-mentioned permit expired without being extended, or was cancelled, as the case may be.

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21. ISSUE OF PERMIT

(1) Subject to this Ordinance, the Minister may issue a permit to an applicant.

(2) The Minister shall not issue a permit to an applicant in respect of an area of land that is less than 500 square miles unless he is satisfied that the oil resources of the Territory would not be investigated to the greatest extent reasonably possible unless the permit were issued.

(3) A permit shall be -

(a) in accordance with the prescribed form;

(b) so far as is practicable, in respect of one area only;

(c) so far as is practicable, in respect of an area the shape of which conforms to a shape determined by the Minister to be the standard shape for areas in respect of which permits are issued;

(d) subject to such terms and conditions as the Minister determines; and

(e) for a term of 5 years.

(4) The Minister shall not issue a permit to a person in respect of Aboriginal land unless the Administrator has approved the issue and -

(a) the Land Council for the area in which the land is situated and the Minister for Aboriginal Affairs have consented in writing to the issue of the permit; or

(b) the Governor-General has, by proclamation made pursuant to section 40 of the Aboriginal Land Rights (Northern Territory) Act 1976, declared that the national interest requires that the permit be issued.

(5) Where a person applies for a permit over Aboriginal land, he, or any person on his behalf, shall not enter into negotiations with a Land Council with respect to the application unless the applicant has received an offer in writing from the Minister of a permit over that land which offer is subject to subsequent compliance with Part IV of the Aboriginal Land Rights (Northern Territory) Act 1976.

(6) If a person, to whom sub-section (5) applies, fails to comply with any requirements of sub-section (5), the Minister may, in his absolute discretion, refuse to issue a permit to that person, whether over the land the subject of the application referred to in sub-section (5) or otherwise.

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(7) Where the Minister has made an offer in writing to an applicant for a permit over an area of Aboriginal land which offer is subject to the subsequent compliance with Part IV of the Aboriginal Land Rights (Northern Territory) Act 1976, the Minister shall not make a further offer of a permit over that area of Aboriginal land to another person unless -

- (a) the original applicant has withdrawn his application;
- (b) the land is freed from the operation of the permit by surrender; or
- (c) the Minister is satisfied that negotiations between the applicant and the Land Council and the Minister for Aboriginal Affairs have taken place and the consent of the Land Council or that Minister, as the case may be, has been reasonably withheld .

22. APPLICATION FOR EXTENSION OF PERMIT

(1) A permittee may, not less than 2 months before the expiration of his permit, apply to the Minister in accordance with sub-section (2) for an extension of his permit.

(2) The application -

(a) shall be in respect of specified land which is included in the land to which the permit applies and which comprises -

- (i) not less than 500 square miles or one-sixteenth of the land to which the permit applies, whichever is the greater; and
- (ii) if the permit applies to land that is more than 1,000 square miles in area, not more than one-half of the land to which the permit applies; and

(b) shall be accompanied by -

- (i) a statement setting out the extent and result of all geological and geophysical investigations made under the authority of the permittee in relation to the land to which the permit applies;
- (ii) an interpretation made by a competent person of the information obtained as a result of such geological and geophysical investigations; and
- (iii) copies of all drilling logs relating to drilling carried out under the authority of the permittee in relation to that land.

(3) Subject to this Ordinance, on receiving the prescribed fee, the Minister shall grant the extension applied for.

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(4) An extension may be granted whether or not the term, of the permit to which it related has expired.

(5) An extension shall be for a period of 5 years commencing on the expiration of the permit in respect of which it is granted.

(6) The term of a permit together with any extensions shall not exceed 15 years.

(7) The Minister may reject an application for an extension if he is satisfied that the applicant has not complied with the terms and conditions of the permit and the provisions of this Ordinance and the regulations that apply to him in relation to the permit.

(8) The Minister shall cause a notification of every extension of a permit to be published in the Gazette.

23. SUSPENSION OF OBLIGATIONS UNDER PERMIT

(1) A permittee may apply to the Minister for the suspension of the whole or part of his obligations under his permit.

(2) The Minister may, by instrument in writing -

(a) suspend, either wholly or in part, and either absolutely or conditionally, the obligations of a permittee; and

(b) order that, notwithstanding section 21(3)(e), the permit shall continue in force after the date that would otherwise be the expiry date of the permit for a period equal to the period of the suspension, but that that additional period shall not be taken into account, for the purpose of section 22(6), as being included in the term of the permit or of any extension.

(3) A suspension under sub-section (2) may be expressed to have effect from a date earlier than the date on which the instrument is signed and, if so expressed, it shall have, and be deemed to have had, effect as if the instrument had been signed on that earlier date.

24. SURRENDER OF PERMIT

(1) A permittee may apply to the Minister in writing for permission to surrender the permit with respect to the whole or a portion of the land to which the permit applies.

(2) The Minister may if he thinks fit permit the surrender of the permit -

(a) with respect to the whole of the land to which the permit applies; or

(b) subject to this section, with respect to a portion of that land.

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(3) The Minister shall not permit the surrender of a portion of the land to which a permit applies if the remainder of that land is less than 500 square miles.

(4) Where a permit is surrendered with respect to a portion only of the land to which the permit applied, the permittee shall, in respect of the remainder of that land, be subject to such terms and conditions, in addition to or in substitution for the terms and conditions subject to which the permit was issued, as the Minister determines.

(5) The Minister shall cause to be published in the Gazette a notification of every surrender of a permit as to the whole or a portion of the land to which the permit applies.

25. WORK PROGRAMME

An application for a permit or an extension of a permit shall be supported by a statement signed by the applicant setting out -

- (a) the work proposed to be carried out, during each of the 5 years of the term of the permit or extension of the permit, in prospecting on the land in respect of which the permit or extension is applied for; and
- (b) the amounts of money which the applicant undertakes to expend in prospecting on that land in each of than, 5 years of the term of the permit or extension of the permit.

26. CANCELLATION OF PERMIT

If the Minister is satisfied that a permittee -

- (a) has failed to comply with a term or condition of his permit;
or
- (b) has contravened or failed to comply with a provision of this Ordinance or the regulations which is applicable to him,

the Minister may, by notice published in the Gazette, cancel the permit.

26A. APPEAL AGAINST CANCELLATION OF PERMIT

(1) If under section 26 the Minister cancels a permit the permittee may, within one month after notification of the cancellation is published in the Gazette, appeal against the cancellation to a warden's court established or deemed to be established by or under the Mining Ordinance.

(2) At the hearing of such an appeal the warden constituting the court shall have the assistance of 2 technical experts.

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(3) Each Of the technical experts shall be a person

* * * *

(b) nominated by the Minister and having the technical or scientific qualifications necessary for holding such an office.

(4) The technical experts assisting a warden shall provide technical advice but shall not perform any judicial function.

(5) The court shall hear the appeal and shall recommend to the Minister -

(a) that the cancellation of the permit be confirmed;

(b) that the cancellation of the permit be revoked; or

(c) that the cancellation of the permit be revoked as to a specified number of square miles (being not less than 500 square miles) of the land to which the permit applied before cancellation and confirmed as to the remainder of that land.

(6) The Minister may, in his discretion, by notice in the Gazette, confirm or revoke the cancellation of the permit or revoke it as to the specified number of square miles of the land to which the permit applied before cancellation and confirm it as to the remainder of that land.

(7) Where the cancellation of a permit is revoked as to a specified number of square miles only of the land to which the permit applied before cancellation, the person who held the permit before cancellation may select one piece of land, being land that contains no more than that specified number of square miles, to be the land in respect of which the cancellation of the permit is revoked.

(8) The revocation of the cancellation of a permit reinstates the permit, and the permittee in his rights under the permit, according to the tenor of the revocation.

(9) The production of a copy of the Gazette containing a notice under sub-section (6) shall be conclusive evidence in any court that the cancellation of the permit to which the notice relates has been, according to the tenor of the notice, confirmed or revoked, or revoked as to the specified number of square miles of the land to which the permit applied before cancellation and confirmed as to the remainder of that land and that accordingly the right, title and interest in the permit of the permittee and of any person claiming under him remain lawfully determined, or are restored, or are restored as to the specified number of square miles of the land to which the permit applied before cancellation and remain lawfully determined as to the remainder of that land.

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26B. DUTIES OF PERMITTEE

- (1) A permittee shall -
 - (a) within 6 months after the date of issue to him of a permit -
 - (i) cause a geological survey of the land to which the permit applies to be commenced by a geologist or geophysicist; or
 - (ii) cause a review of all information, available to the permittee and relating to the possibility of finding oil or gas on or in that land, to be completed by a geologist or geophysicist;
 - (b) retain for the duration of the permit all specimens obtained from the geological exploration of the land to which the permit applies;
 - (c) submit all such specimens to the Minister -
 - (i) on the expiry or sooner determination of the permit; or
 - (ii) at the request of the Minister, at any time during which the permit is in force;
 - (d) furnish to the Minister as soon as is practicable samples of all fluids obtained from all wells drilled on the land to which the permit applies;
 - (e) as soon as is practicable after the end of 3 months after the date of issue of the permit and after the end of each successive period of 3 months thereafter, furnish to the Minister a report of the progress of all work carried out on or in relation to the land to which the permit applies; and
 - (f) as soon as is practicable after the completion of -
 - (i) the geological survey referred to in paragraph (a);
 - (ii) the review referred to in that paragraph; or
 - (iii) where a work programme approved by the Minister includes the carrying out of any other survey, that other survey, submit to the Minister -
 - (iv) a detailed report setting out the results of that geological survey, that review or that other survey; and
 - (v) where the survey completed is a geological survey, a geological map of the land surveyed, drawn to a scale acceptable to the Minister.

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(2) In the event of the discovery of petroleum in a borehole on land to which a permit applies, the permittee shall immediately furnish to the Minister a report accordingly, and shall, if so required by the Minister, carry out such operations as are practicable for the purpose of proving the quantity and quality of the supply of petroleum.

27. PERMITTEE NOT TO DISPOSE OF PETROLEUM

(1) Subject to this section, a permittee shall not dispose of any petroleum obtained from land to which his permit applies until a lease of that land has been granted to him.

(2) Upon the application of a permittee, the Minister may, in his absolute discretion, authorize the disposal of petroleum by a permittee for use in prospecting and mining operations, notwithstanding that a lease of the land from which the petroleum was obtained has not been granted to the permittee.

28. AUTHORITY TO ENTER ON LAND TO MAKE A GEOLOGICAL INVESTIGATION

(1) The Minister may in writing grant authority to a person to enter on any land, including land to which a permit or lease applies, for the purpose of making a geological investigation.

(1A) An authority does not authorize entry onto Aboriginal land without a permit under the Aboriginal Land Ordinance 1979.

(2) Where the land is land to which a permit or lease applies, the Minister shall not grant an authority under sub-section (1) unless he has, prior to the grant, given to the lessee or permittee- such notice as the Minister considers reasonable of his intention to grant the authority.

(3) An authority granted under sub-section (1) entitles the person to whom it is granted -

(a) to enter on the land specified in the authority for the purpose of making a geological investigation; and

(b) for that purpose to carry out geological surveys on that land,

in accordance with the authority, but does not entitle him to carry out seismic, drilling or other detailed survey work on land to which a permit or lease applies except with the permission of the permittee or lessee of that land.

29. RIGHTS OF PERMITTEE

A permit confers on the permittee the exclusive right to prospect for petroleum upon and under the land to which his permit applies.

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30. - 42. (Division 3) [Repealed]

Division 4 - Leases

43. APPLICATION FOR A LEASE

(1) A permittee may, in the manner and form prescribed, apply to the Minister for the grant of a lease.

(2) An application shall be accompanied by 2 copies of a plan and description of the land applied for, each plan and description being in accordance with a survey made by a surveyor approved by the Minister.

(3) Where an applicant desires to obtain 2 or more separate areas of land under lease, he shall make a separate application in respect of each area.

(4) Where a permittee applies for a lease in respect of portion only of the land to which his permit applies, and, in the opinion of the Minister, that portion omits part of a single geological petroleum structure or petroleum field which is wholly or partly within the area of land to which the permit applies, the Minister may, after obtaining a report from the Oil Advisory Committee, require the permittee to amend his application, plan and description to include the whole of that geological petroleum structure or petroleum field, or such part of it as is within the land to which the permit applies, as the case may be.

44. PRELIMINARIES TO ISSUE OF LEASE

(1) The Minister shall not grant a lease -

(a) unless he is satisfied the applicant -

(i) was, at the time when the application was made, the holder of a permit which applied to land which included the land in respect of which the application was made;

(ii) has complied with the terms and conditions of that permit and with such of the provisions of this Ordinance and the regulations as are applicable to him; and

(iii) is of such financial standing, and is otherwise so fitted, as to be able to exercise the rights and perform the obligations that would be conferred and imposed on him by the granting of the lease applied for;

(b) in respect of land other than land in respect of which the applicant held a permit at the date when he made his application;

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- (c) in respect of land which exceeds 1,000 square miles or one-half of the area of land to which the applicant's permit applied at the date of his application, whichever is the lesser area; or
- (d) in respect of land unless that land is
 - (i) compact and limited either by well marked permanent physical boundaries or by such other boundaries as the Minister in a particular case determines; or
 - (ii) substantially in the form of a rectangle, the length of which is not more than 5 times its width.

(2) The Minister shall not grant a lease until the applicant has furnished a bond -

- (a) in accordance with a form approved by the Minister;
- (b) in such sum, being not less than 20,000 dollars, as the Minister requires; and
- (c) with such surety as the Minister approves,

for compliance with the terms and conditions of the lease and with such of the provisions of this Ordinance and the regulations as are applicable to him.

45. MINISTER MAY DISPENSE WITH BONDS IN RESPECT OF ADDITIONAL LEASES

(1) Notwithstanding the provisions of sub-section (2) of section 44, where a lessee who has furnished subsisting bonds in a sum not less than 100,000 dollars, applies for the grant of one or more additional leases, the Minister may, in his absolute discretion, order that the lessee shall be exempted from the requirements of that paragraph.

(2) Where the Minister makes an order under sub-section (1), the subsisting bonds furnished by the lessee, together with the sureties to those bonds shall, from and including the date from which the order operates, apply jointly and severally to all leases held by that lessee.

(3) The Minister shall not make an order under this section except on the application of the lessee and with the written consent of the sureties to the subsisting bonds.

46. GRANT OF LEASES

(1) Subject to this Ordinance, the Minister shall grant a lease in respect of the land applied for.

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(2) A lease -

- (a) shall be in accordance with the prescribed form;
- (b) shall be subject to the prescribed terms and conditions; and
- (c) subject to this Ordinance, shall be for a term of 21 years.

(3) Subject to this Ordinance, a person may be granted and may hold any number of leases.

(4) Subject to this section, a person is not able to obtain a lease over Aboriginal land unless he is, or at the time of applying for the lease was, the holder of a permit over that land and -

- (a) the Land Council for the area in which the land is situated and the Minister for Aboriginal Affairs have consented to the lease; or
- (b) the Governor-General has, by proclamation made pursuant to section 40 of the Aboriginal Land Rights (Northern Territory) Act 1976, declared that the national interest requires that the grant of a lease be made.

(5) Where the Minister for Aboriginal Affairs and a Land Council, after considering proposals before it by an applicant for a permit in respect of Aboriginal land, being proposals for the exploration for petroleum on that land and the recovery of any petroleum found as a result of that exploration, have, for the purpose of section 21(4), consented to the issue of that permit, sub-section (4) does not apply to a later grant to the applicant or to his successor in title to the lease in respect of that land where that later grant is substantially in accordance with the proposals.

(6) Where, before 4 June 1976, a person was issued with a permit in respect of land, sub-section (4) does not apply to the grant to that person of a lease in respect of that land.

(7) Sub-section (4) does not apply to the grant to a person of a lease in respect of Aboriginal land if that person applied for the grant of the lease before that land became Aboriginal land.

47. CONTINUANCE OF PERMIT AFTER LEASE OF PART OF LANDS

(1) Where a permittee is granted a lease in respect of portion only of the land to which his permit applied, the permit, subject to this Ordinance, continues in force in respect of the remainder of that land.

(2) A permit which continues in force by virtue of sub-section (1) is subject to such terms and conditions in addition to, or in substitution for, the terms and conditions subject to which the permit was issued or extended as the Minister determines.

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48. APPLICATION FOR EXCHANGE

(1) A lessee who holds under lease a portion only of the land to which his permit applied may, subject to this Ordinance, apply to the Minister -

- (a) for consent to the surrender of the whole or a portion of the leased land; and
- (b) for the inclusion in the lease of an area of the land, which in pursuance of section 47 he continues to hold under permit, equal to the area of the land sought to be surrendered.

(2) An application under this section shall be accompanied by 2 copies of a plan and description of the land in respect of which the application is made, each plan and description being in accordance with a survey made by a surveyor approved by the Minister.

(3) Where a lessee applies for the inclusion in his lease of portion only of the land which he continues to hold under permit, and, in the opinion of the Minister, that portion omits part of a single geological petroleum structure or petroleum field, which is wholly or partly within the balance of the land so held under his permit, the Minister may, after obtaining a report from the Oil Advisory Committee, require the lessee to amend his application, plan and description to include the whole of that geological petroleum structure or field, or such part of it as is within the land so held under his permit, as the case may be.

(4) The Minister shall not grant an application under this section unless both the area of the land sought to be included in the lease and the area of the land comprised in the lease after the exchange are -

- (a) compact and limited either by well marked permanent physical boundaries or by such other boundaries as the Minister in a particular case determines; or
- (b) substantially in the form of a rectangle the length of which is not more than 5 times its width.

(5) The Minister shall not, without the approval in writing of the Administrator, grant an application under this section for the exchange of land containing portion only of a geological petroleum structure or petroleum field on which wells capable of production have been drilled.

49. APPROVAL OF EXCHANGE

(1) Subject to this Ordinance, the Minister shall, in writing, consent to an application under section 48.

(2) When the Minister gives his consent under this section, the areas to which the lease and the permit respectively apply are amended in accordance with the consent.

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50. RENEWAL OF LEASE

(1) A lessee may, not less than 3 months before the expiration of the term of a lease, including the term of any renewal of the lease, apply to the Minister for a renewal, or for a further renewal, of the lease for a term of 21 years.

(2) An application under this section -

(a) shall be made in the manner and form prescribed;

(b) shall be accompanied by a fee of 100 dollars; and

(c) shall not be granted until the applicant furnishes a bond -

(i) in accordance with a form approved by the Minister;

(ii) in such sum being not less than 20,000 dollars, as the Minister requires; and

(iii) with such surety as the Minister approves,

for compliance with the terms and conditions of the renewed lease and with such of the provisions of this Ordinance and of the regulations as are applicable to him.

(3) Subject to this section, the Minister shall, if he is satisfied that the lessee has complied with the terms and conditions of the lease and with such of the provisions of this Ordinance and of the regulations as are applicable to him, renew the lease for a further period of 21 years.

(4) The rent and royalties payable in respect of a renewed lease and the conditions and manner of payment shall be in accordance with the law in force in the Territory at the commencement of the term of renewal.

(5) When the Minister renews a lease he shall cause notice that the lease has been renewed to be published in the Gazette.

51. MINISTER MAY DISPENSE WITH BONDS

(1) Notwithstanding the provisions of paragraph (c) of sub-section (2) of section 50, where a lessee who has furnished subsisting bonds in a sum of not less than 100,000 dollars, applies for a renewal of a lease, the Minister may, in his absolute discretion, order that the lessee shall be exempted from the requirements of that paragraph.

(2) When the Minister makes an order under sub-section (1), the subsisting bonds furnished by the lessee, together with the sureties to those bonds shall, from and including the date from which the order operates, apply jointly and severally to all leases held by that lessee.

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(3) The Minister shall not make an order under this section except on the application of the lessee and with the written consent of the sureties to the subsisting bonds.

52. SUSPENSION OF OBLIGATIONS UNDER LEASE

(1) A lessee may apply to the Minister for the suspension of the whole or a part of his obligations under his lease.

(2) Subject to sub-section, (3), the Minister may grant an application under subsection (1) and suspend the obligations of the lessee for a period not exceeding 12 months either wholly or in part and either absolutely or conditionally.

(3) Except with the approval of the Administrator, the Minister shall not suspend the obligations of a lessee for a period which, when added to the periods of previous suspensions in respect of his lease, would result in the total period of all suspensions in respect of the lease being in excess of 5 years.

53. SURRENDER OF LEASE

(1) A lessee may -

(a) upon giving 6 months' notice in writing to the Minister;

(b) upon payment of all rents, royalties, debts and other obligations due and owing by him under the lease; and

(c) upon payment of all moneys and wages due and payable by him to his workmen and employees,

apply to the Minister for permission to surrender his lease with respect to the whole or a portion of the land comprised in the lease.

(2) The Minister may, subject to this section, grant an application made under this section, subject to such conditions as he sees fit.

(3) The Minister shall not grant an application unless he is satisfied that the lessee has made provision for protecting the land to which the surrender relates and for making any well on that land safe.

(4) Upon the surrender of a lease under this section, all rights and obligations of the lessee under the lease in respect of the land to which the surrender relates, are terminated but the surrender does not release the lessee from any obligation or liability incurred by him before the surrender.

(5) Where the lessee has constructed a waterway, road, pipe-line, tramway, railway or telephone line on the land to which the surrender relates, the lessee is entitled, so long as is necessary for the conduct of his mining operations, to a right of way or easement in respect of that waterway, road, pipe-line, tramway, railway or telephone line.

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(6) When a lessee surrenders his lease with respect to the whole or a portion of the land comprised in the lease the Minister shall cause notice that the lease has been so surrendered to be published in the Gazette.

54. CANCELLATION OF LEASE

(1) [Omitted]

(2) Where the Minister is satisfied that there has been a default by the lessee, he may give the lessee notice in writing specifying the default and requiring him to remedy it within a period of 60 days from and including the date upon which the notice is given.

(3) If a lessee to whom a notice has been given under sub-section (2) fails to remedy the default specified in that notice, the Minister may give him not less than 14 days' notice, requiring him to appear before a warden, at a time and place specified in that notice, to show cause why his lease should not be cancelled.

(4) Where a notice is given under sub-section (3) a warden shall inquire into the matter in open court and forward the evidence and his report concerning the matter to the Minister who may, if he is satisfied that it is just so to do, cancel the lease.

(5) A notice under this section -

- (a) shall be given by post, addressed to the lessee's last known address in the Territory and, where the lessee is a body corporate the head office of which is outside the Territory, a copy of the notice shall be posted to that head office; and
- (b) shall, for the purposes of this section, be deemed to have been given at the time when it would have been delivered in the ordinary course of post to the lessee's address in the Territory.

55. DUTIES OF LESSEE

(1) A lessee shall, to the satisfaction of the Minister -

- (a) within 6 months, from and including the date upon which the lease is granted, or within such further time as the Minister, in his absolute discretion, allows -
 - (i) proceed to install, if not already installed, an outfit and equipment suitable for coping with the conditions on the land comprised in the lease; and
 - (ii) commence to drill at least one well by a method approved by the Minister; and

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- (b) throughout the remainder of the term of the lease diligently and continuously carry on operations in a workmanlike manner so that the land comprised in the lease will be developed in accordance with good oilfield practice.

(2) A lessee shall, not later than 31 August in each year, furnish in the manner and form prescribed, with respect to the period of 12 months ending on 30 June in that year -

- (a) a report as to such matters as are prescribed;
- (b) a statement as to the quantity and grade of petroleum (if any) produced or sold;
- (c) a statement as to the quantity and grade of petroleum (if any) used by the lessee or unavoidably lost; and
- (d) a statement of moneys received for petroleum sold.

(3) Where a well has been drilled to production, the lessee shall continue to produce until such time as he satisfies the Minister that further production from the well is not practicable.

(4) Notwithstanding anything contained in this section, the Minister may authorize a temporary suspension of production operations.

56. RENT

(1) A lessee shall pay in advance a yearly rent at the prescribed rate.

(2) The prescribed rate is the rate prescribed by the regulations or, if no rate is so prescribed, a rate of -

- (a) 30 dollars per square mile in respect of each of the first, second, third, fourth and fifth years of the term of the lease;
- (b) 60 dollars per square mile in respect of each of the sixth, seventh, eighth, ninth and tenth years of the term of the lease; or
- (c) 100 dollars per square mile in respect of each year after the tenth year of the term of the lease.

57. ROYALTY

(1) Subject to this section, a lessee shall pay to the Minister, at the time and in the manner prescribed, a royalty at the rate of 10 per centum upon the gross value at the well head of all crude oil, casinghead petroleum spirit and natural gas produced from the land comprised in his lease.

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(2) For the purposes of this section, the gross value of the crude oil, casinghead petroleum spirit and natural gas shall be such as is from time to time, at intervals of not less than 3 years, agreed upon between the Minister and the lessee or, in default of an agreement, as is fixed by arbitration.

(3) Royalty is not payable in respect of -

(a) any crude oil, casinghead petroleum spirit or natural gas which is unavoidably lost or is returned to the natural reservoir;

(b) any crude oil, casinghead petroleum spirit or natural gas which is used by the lessee for the purposes of prospecting or mining operations approved by the Minister or any incidental purposes (including the heating and lighting of the dwellings of employees and workmen engaged by the lessee in connection with the work of production and the heating and lighting of buildings maintained to provide social amenities for those employees and workmen and their families); or

(c) any natural gas which, or the produce of which, is not sold.

(4) Crude oil, casinghead petroleum spirit and natural gas shall, for the purpose of calculating the amount of royalty payable, be measured by such method as is prescribed.

(5) The amount of royalty payable under a lease in respect of any year shall be reduced by the amount of rent paid under that lease in respect of that year.

58. SUSPENSION OF ROYALTY AND RENT

(1) On application by a lessee, the Minister may waive, suspend or reduce the rent or royalty, or both, payable in respect of a lease -

(a) for the purpose of promoting the development of the lease; or

(b) because the lease cannot be successfully operated under the terms provided for in the lease.

(2) In considering an application under sub-section (1), the Minister shall take into account whether the granting of the application would -

(a) encourage the greatest ultimate recovery of petroleum and natural gas; and

(b) tend to conserve natural resources.

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59. TENDERS FOR SURRENDERED OR CANCELLED LEASES

(1) Where a lease is surrendered or cancelled or when the term of a lease has expired, the Minister may, by notice published in the Gazette -

- (a) invite tenders for the grant of a lease of the whole or portion of the land comprised in the surrendered, cancelled or expired lease;
- (b) place a reserve value on the lease; and
- (c) make the acceptance of the tender subject to such terms and conditions (not inconsistent with this Ordinance or the regulations) as are specified in the notice.

(2) The Minister shall not be obliged to accept any tender.

(3) [Omitted]

(4) Where the Minister accepts a tender for a lease of the whole or portion of the land comprised in the surrendered, cancelled or expired lease -

- (a) notice of the acceptance shall be published in the Gazette; and
- (b) he may grant a lease in respect of that land to the person whose tender he has accepted.

(5) A lease granted in pursuance of this section shall -

- (a) contain the terms and conditions specified in the notice published in the Gazette inviting tenders for the lease, in addition to the prescribed terms and conditions; and
- (b) be subject, mutatis mutandis, to the provisions of this Ordinance relating to leases granted under this Ordinance.

60. RIGHTS OF LESSEE

A lease confers on the lessee the exclusive right to conduct mining operations on the land comprised in the lease, together with the right, subject to compliance with the laws of the Territory, to construct and maintain on the land such works, buildings, plant, waterways, roads, pipe-lines, dams, reservoirs, tanks, pumping stations, tramways, railways, telephone lines, wireless stations and other structures and equipment as are necessary for the full enjoyment of the lease or to fulfill his obligations under the lease.

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Division 5 - Provisions relating to Mining on Reserves
for Aborigines

61. INTERPRETATION

In this Division, unless the contrary intention appears, "reserve" has the same meaning as it has in the Social Welfare Ordinance,

62. PERMIT NOT TO AUTHORIZE ENTRY ON RESERVE

A permit which relates to land which is or is included in a reserve does not authorize the entry of a person onto the reserve unless that person is the holder of a permit to enter and remain on the reserve issued under the Social Welfare Ordinance.

63. LEASE AUTHORIZES PRESENCE IN RESERVE

A lease which is in force is authority for a lessee and a person employed by him to be on that part of the reserve which is within the boundaries of the lease.

64. CONDITIONS OF PERMITS AND LEASES OVER RESERVES

A permit or lease which relates to land which is or is included in a reserve is subject to such conditions and restrictions for the protection of the interests and well-being of Aborigines on the reserve as are endorsed on the permit or included in the terms of the lease.

65. ADMINISTRATOR MAY RECOMMEND RESUMPTION OR REVOCATION OF RESERVE

(1) Where the Administrator considers that land comprising the whole or a part of a reserve should be made available for the purposes of this Ordinance, he may recommend to the Governor-General -

- (a) that the whole or a part of the land be resumed; or
- (b) that the reservation be revoked, wholly or in part.

(2) Where the Administrator makes a recommendation under subsection (1), he shall forward, with that recommendation, a statement setting forth what effect the recommended resumption or revocation would have on the welfare of the Aborigines in the reserve.

66. MINISTER TO NOTIFY PARLIAMENT OF RESUMPTION OR REVOCATION

The Minister shall cause notification of a resumption or revocation, made by the Governor-General after the Administrator makes a recommendation under section 65, to be laid before each House of the Parliament.

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67. ROYALTY

The royalty paid by a lessee under this Ordinance in respect of crude oil, casinghead petroleum spirit and natural gas produced from land within a reserve or from land which, at any time after the commencement of this Ordinance, has constituted the whole or a part of a reserve, being land which has been resumed or the reservation of which has been revoked by the Governor-General under the Crown Lands Ordinance upon the recommendation of the Administrator under this ordinance, shall be deemed to be amounts received by or on behalf of the Commonwealth as royalties under the provisions of a law of the Territory relating to mining on reserves or on lands which have been included in reserves.

Division 6 - General Provisions relating to Permits and Leases

68. MINISTER MAY REQUIRE APPLICANT FOR EXTENSION OF PERMIT TO APPLY FOR LEASE

(1) If the Minister is satisfied that petroleum can be economically produced and marketed from land held under a permit he may by notice in writing direct the holder of the permit to apply in accordance with this Ordinance, within 2 months of the date on which the notice is served on the permittee, for the grant of a lease of -

(a) the land; or

(b) such portion of the land, being a portion not less in area than the area specified in the notice, as the holder of the permit determined.

(2) Subject to this section, if a holder of a permit fails to comply with a notice served on him under sub-section (1) the Minister may cancel the permit.

(3) A holder of a permit may appeal in accordance with this section against a direction under sub-section (1).

(4) An appeal under this section shall be -

(a) in writing signed by the appellant;

(b) addressed to the Administrator;

(c) lodged with the Minister within 2 months of the date on which notice of the direction to which it relates is served on the appellant; and

(d) accompanied by a copy of the appeal for the information of the Minister.

(5) The Minister shall forward the appeal without delay to the Administrator.

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(6) The period of 2 months specified in the notice to which an appeal under this section relates does not run during the period commencing on the day on which the appeal is lodged in accordance with this section and ending at the end of the day on which notice of the Administrator's decision in the appeal is served on the appellant.

(7) The Administrator shall consider an appeal under this section and may allow or disallow it or vary the direction appealed against but shall not so vary the period within which an application for a lease is directed to be made that the period expires more than 2 months after the date on which notice of his decision in the appeal is served on the appellant.

(8) The decision of the Administrator in an appeal is final and has effect according to its tenor when notice of it is served on the appellant.

69. SIGNING OF APPLICATION

An application for the issue of a permit or the grant of a lease shall -

- (a) in the case of an individual, be signed by the applicant or by his agent;
- (b) if made by a body corporate, be executed -
 - (i) in the case of a foreign company registered under Division 3 of Part XI of the Companies Ordinances - in the manner provided for by the Companies Ordinances; or
 - (ii) in any other case - in a manner provided or permitted by law for that body corporate;
- (c) if made by an association of individuals, be signed by each individual or by his agent;
- (d) if made by an association of bodies corporate in a manner specified in sub-paragraph (i) or (ii) of paragraph (b), whichever is appropriate; and
- (e) if made by an association of individuals and of bodies corporate, be signed by each individual or his agent and be executed by each of those bodies corporate in a manner specified in sub-paragraph (i) or (ii) of paragraph (b), whichever is appropriate.

70. VARIATION OF TERMS OF PERMIT OR LEASE

Subject to this Ordinance, on application by a permittee or lessee, the Minister may vary the terms or conditions of the permit or lease or the area of land to which the permit or lease applies

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71. APPLICATION FOR PERMIT, LEASE, &c.

An application for the issue of a permit or the grant of a lease, or for the extension, renewal or surrender of a permit or lease shall -

- (a) be addressed to the Minister; and
- (b) be lodged at the office of the Director of Mines.

72. NO ASSIGNMENT, &c., WITHOUT CONSENT

(1) Subject to this Ordinance, a permit or lease, or an interest in a permit or lease shall not, without the consent in writing of the Minister, be assigned, transferred, sub-let, mortgaged or made the subject of a trust or other dealing whether directly or indirectly.

(2) Where an assignment, transfer, sub-letting, mortgage, constitution of a trust or other dealing is made without the consent in writing of the Minister -

- (a) the transaction is void and of no effect; and
- (b) the Minister may cancel the permit or lease, as the case may be.

(3) The Minister may, before consenting to a proposed assignment, transfer, sub-letting, mortgage, constitution of a trust or other dealing, require such information as he thinks fit with respect to the matter.

(4) The Minister is not bound to consent to an assignment, transfer, sub-letting, mortgage, constitution of a trust or other dealing with a permit or lease.

(5) Where the proposed assignee, transferee, sub-lessee, mortgagee or beneficiary is a permittee or lessee, the provisions of section 14 apply as though the application for consent were an application -

- (a) for a permit by a lessee; or
- (b) for a further permit or lease by a permittee or lessee, respectively -

(6) An application for the consent of the Minister under this section shall be accompanied by the prescribed fee.

72A. INTERESTS IN PERMITS AND LEASES

For the purposes of this Ordinance, a permittee or lessee who has an interest in a permit or lease is deemed to be the holder of a permit or lease over an area of land which bears to the area of the land included in the permit or lease the same ratio as his interest in the permit or lease bears to the whole of the permit or lease

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73. PROHIBITION OF COMBINES, &c.

Where a permit or lease, an interest in a permit or lease, or the land to which a permit or lease applies, is possessed or controlled in such a manner that, with the cognizance of the permittee or lessee, it is or forms part of the subject of a contract, agreement or understanding, written, oral or otherwise, in or for the purpose of the mining or disposal of petroleum with a view to controlling its price to the detriment of the public, the Minister shall cancel the permit or lease, as the case may be.

74. INFRINGEMENT OF RIGHTS OF PERMITTEE OR LESSEE

A person shall not -

- (a) unless authorized by the Minister so to do in pursuance of this Ordinance, search or attempt to search for petroleum on any land to which a permit or lease applies, in contravention of the rights of the permittee or lessee; or
- (b) without reasonable excuse (proof whereof shall lie upon him) interfere with or hinder a permittee or lessee in the exercise of his rights or obligations under his permit or lease.

75. TRESPASS ON LAND HELD UNDER PERMIT OR LEASE

(1) An entry upon, occupation of or interference with land, being land to which a permit or lease applies, which is being used by the permittee or lessee for mining operations is, unless authorized or permitted by the permittee or lessee or by the Minister in pursuance of this Ordinance or of any other law in the Territory, deemed to be a trespass.

(2) A permittee or lessee may proceed in the warden's court for trespass under this section and for damages in respect of the trespass.

(3) Notwithstanding anything contained in this section, the owner or occupier of private or improved land may continue in occupation, use and enjoyment of the land, with the exception of such part of the land as is required by the permittee or lessee for mining operations under this Ordinance.

76. RESERVATIONS TO THE CROWN

(1) A permit or lease is deemed to contain a reservation to the Crown of -

- (a) the right to grant, upon such terms and conditions as the Minister thinks fit, for joint or several use, such rights of way or easements through, upon, over or in the whole or any portion of the land to which a permit or lease applies as are necessary for or appropriate to -

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- (i) the development or working of the land or of other land containing Petroleum deposits;
 - (ii) the treatment or transportation of the products from those petroleum deposits by or under the authority of the Minister, his permittees or lessees;
 - (iii) the development or working of agricultural land or land in respect of which a miner's right, mining lease or a prospecting authority has been issued or a reservation has been made under the Mining Ordinance; or
 - (iv) any other public purposes;
- (b) the right to all helium found in association with petroleum and the right to erect on the land to which the permit or lease applies, a plant for the extraction of helium from any gases produced by a permittee or lessee, together with such incidental rights as are necessary for the purpose of removing the helium;
 - (c) the right to authorize mining on the land, in respect of which the permit or lease is in force, under the provisions of the Mining Ordinance;
 - (d) the right to any substance in or on the land to which the permit or lease applies, which is a prescribed substance within the meaning of the Atomic Energy Act 1953;
 - (e) the right to enter any land to which a permit or lease applies for the purpose of making a reconnaissance survey, detailed survey or a scientific or technical investigation; and
 - (f) the right to grant authority to a person under section 28 to enter any land to which the permit or lease applies for the purpose of making a geological investigation and for that purpose to carry out geological surveys on that land.
- (2) The Minister may make grants on behalf of the Crown in respect of the rights reserved under paragraphs (a) and (e) of sub-section (1).

77. RIGHTS OF PERMITTEE AND LESSEE TO WATER, &c.

(1) A permittee or lessee may, by himself, or his agent or workmen, subject to compliance with any law with respect to water or timber and subject to such conditions with respect to payment or otherwise as are prescribed -

- (a) drill for and take water that is or may be under the surface of any land to which the permit or lease applies and take and divert water from any natural spring, lake, pool or watercourse situated on or flowing through any land (including private land and improved land) to which the

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permit or lease applies and use the water for any Purpose for his Prospecting or mining operations under the permit or lease; and

(b) cut and use the timber on any land (other than private land or improved land) to which the permit or lease applies for building or construction work, firewood or other necessary purpose but he shall not cut timber on such lands as are specified by the Minister by notice in the Gazette nor on land which is -

(i) within a distance of 2 miles from a homestead or out-station; or

(ii) within a distance of 2 miles from a watering point, on land held under a pastoral lease, pastoral homestead lease or grazing licence granted under the Crown Lands Ordinance.

(1A) A permittee or lessee who drills for water that is or may be under land to which the permit or lease applies shall comply with any law in force in the Northern Territory with respect to drilling for underground water.

(2) A person who is lawfully in occupation of land, for a purpose other than for mining operations, may apply in writing to the Minister requesting him to specify that land or a part of that land pursuant to paragraph (b) of sub-section (1).

78. USE AND OCCUPATION OF PRIVATE OR IMPROVED LAND

A permittee or lessee using or occupying private land or improved land under a permit or lease shall -

(a) as against the owner or occupier of any of that land, be and be deemed to be in occupation of only such portion of the land as he may, from time to time, require for effectively carrying on and adequately protecting the mining operations on the land or the structures and equipment in, under or on the land in connection with those operations carried on from time to time or at any time during the term of the permit or lease or an extension or renewal of the permit or lease, together with all rights and easements incidental to that occupation; and

(b) cause to be surveyed and securely fenced in any part of the land to which the permit or lease applies which he requires in order effectively to carry on and adequately protect his mining operations and works.

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79. OPERATIONS ON PRIVATE OR IMPROVED LAND

Where operations under a permit or lease, are conducted on land which is private land or improved land -

- (a) the permittee or lessee shall cause those operations to be conducted so as not to interfere with the existing use of the private land or improved land to a greater extent than -
 - (i) is necessary for the, reasonable exercise of his rights and for the performance of his duties; or
 - (ii) is determined by the Minister;
- (b) the permittee or lessee shall -
 - (i) erect such dykes and embankments and take such precautions and measures as are necessary, or as are required by the Minister to impound any flow of refuse, petroleum or salt water from a well in order to prevent injury to land capable of being irrigated or the water supply of that land; and
 - (ii) promptly repair any damage resulting from improper methods or operations or from the flow of refuse, petroleum or salt water from any well.

80. RIGHTS OF WAY AND PIPE-LINE EASEMENTS

(1) The Minister may grant to a lessee a right of way or other easement over or through any land, for the purpose of the erection and maintenance of a pipe-line for the transportation of petroleum to the extent of the ground occupied by the pipe-line and a distance not exceeding 25 feet on both sides of the pipeline, upon such conditions as to survey, rent, situation, application and use as are prescribed.

(2) Where a lessee fails to comply with a condition prescribed under this section, the Minister may cancel the grant.

81. PERMITTEE, &c., TO KEEP RECORDS, &c.

(1) A permittee or lessee shall keep in a form approved by the Minister -

- (a) accurate records of the drilling, deepening, plugging or abandonment of all wells and any alterations to the casing of wells; and
- (b) a log of each well containing particulars of -
 - (i) the strata and sub-soil through which the well is drilled;
 - (ii) the casing inserted in the well and any alteration to that casing;

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(iii) any petroleum, water, oil, shale or coal encountered in the course of boring operations; and

(iv) such other matters as the Minister requires.

(2) A Permittee or lessee shall, every 3 months or at such other intervals as are prescribed, deliver to the Minister and to the Oil Advisory Committee copies of all records and logs kept in pursuance of sub-section (1).

82. PERMITTEE, &c., TO FURNISH RECORDS

(1) A permittee or lessee shall, every 3 months or at such other intervals as are prescribed, furnish to the Minister a record, in accordance with a form approved by the Minister, of the progress of his operations on the land to which his permit or lease applies, containing a statement showing -

- (a) the map co-ordinates of all bore sites selected;
- (b) the depth drilled in each well;
- (c) particulars of petroleum, water, oil shale or coal encountered in the course of boring operations;
- (d) particulars of crude oil or gas produced and casinghead petroleum spirit recovered;
- (e) particulars of all petroleum used in prospecting and mining operations; and
- (f) particulars of all petroleum unavoidably lost.

(2) A permittee or lessee shall, not later than 31 August in each year, furnish to the Minister a record, in accordance with a form approved by the Minister of the operations conducted during the period of 12 months ending on 30 June in that year on or in relation to the land to which his permit or lease applies, together with a plan to a scale approved by the Minister showing -

- (a) the situation of all wells on that land;
- (b) all development and other works and improvements executed by him in connexion with his prospecting operations or mining operations; and
- (c) full particulars of any ancillary rights acquired for the exercise of the rights or for the performance of the obligations arising out of the issue of the permit or the grant of the lease.

(3) A permittee or lessee shall -

- (a) keep accurate geological plans, maps and records relating to the land comprised in his permit or lease; and

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- (b) furnish to the Minister such copies Of these geological plans, maps and records together with such other plans and information as to the progress of operations on the land to which the permit or lease applies as the Minister from time to time requires.

83. SAMPLES OF STRATA, PETROLEUM AND WATER

- (1) A permittee or lessee shall -
 - (a) so far as is reasonably practicable, collect, label and preserve, for reference for a period of at least 12 months, characteristic samples and cores of the strata encountered in any well on the land to which the permit or lease applies and samples of any petroleum or water discovered in any well on that land;
 - (b) deliver to the Minister representative specimens of those samples;
 - (c) cause to be made to the satisfaction of the Minister -
 - (i) petrological, palaeontological or other scientific examinations of all drilling samples and cores; and
 - (ii) scientific examinations of petroleum and water samples; and
 - (d) furnish to the Minister detailed reports of all examinations so made.

(2) The Minister may retain any samples delivered to him in pursuance of sub-section (1).

(3) Where the Minister is satisfied that adequate information has been collected on a single geological petroleum structure or petroleum field, he may, upon the application of a permittee or lessee, direct that all or any of the provisions of sub-section (1) shall not apply in relation to that structure or field.

84. REPORTS TO BE TREATED AS CONFIDENTIAL

(1) All information which a permittee or lessee is required to furnish under this Ordinance shall be furnished at the expense of the permittee or lessee and, subject to this section, except with the consent in writing of the permittee or lessee (which shall not be unreasonably withheld) shall be treated as confidential.

- (2) Notwithstanding anything contained in sub-section (1) -
 - (a) any such information may be disclosed to any person expressly authorized in that behalf by the Minister;

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- (b) any information furnished in respect of a permit and based on information obtained from or arising out of the drilling of a Well may be made public after one year has expired after the date of the release of the drilling rig from that well;
- (c) where a lease is cancelled, or a lease is surrendered, or the term of a lease has expired, the Minister may immediately make public any information furnished in respect of the lease;
- (d) the Minister may at any time make use of any information furnished by a permittee or lessee for the purpose of preparing and publishing aggregate returns and general reports with respect to operations under this Ordinance;
- (e) where, as to the whole of a permit area, a permit
 - (i) is surrendered;
 - (ii) has expired and is not extended; or
 - (iii) has been cancelled,the Minister may immediately make public any information furnished in respect of the permit;
- (f) where, as to a portion only of a permit area, a permit -
 - (i) is surrendered;
 - (ii) has expired and is not extended; or
 - (iii) has been cancelled,the Minister may make public any information obtained not later than one year before the date of the surrender, expiration or cancellation in relation to all or any portion of the permit area and furnished in respect of the permit.
- (3) In this section -
 - "information" includes logs, records, plans, cross-sections and maps;
 - "permit area" means an area of land in respect of which a permit has been issued.

85. RESTRICTIONS ON SITUATIONS OF DRILLS

A permittee or lessee shall not, except with the consent in writing of the Minister -

- (a) commence drilling within 325 feet of any of the boundaries of the land to which his permit or lease applies; or

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- (b) undertake controlled directional drilling with the intention of directing the bottom of the hole away from the vertical in such a way that the hole passes through a vertical plane projected through the boundary of the land to which the permit or lease applies,

86. AVOIDANCE OF HARMFUL METHODS OF WORKING

(1) A permittee or lessee shall -

- (a) maintain in good repair and condition all apparatus, appliances and wells, capable of producing petroleum, on the land to which his permit or lease applies; and
- (b) execute all prospecting operations and mining operations on the land in a proper and workmanlike manner in accordance with methods and practice customarily used in good oil field practice.

(2) Without prejudice to the generality of sub-section (1), a permittee or lessee shall take all practicable steps in order to -

- (a) control the flow, and prevent the escape or waste, of petroleum discovered in or found on the land to which his permit or lease applies;
- (b) preserve that land for production operations;
- (c) prevent damage to adjacent petroleum bearing strata;
- (d) prevent the entrance of water through wells to petroleum bearing strata;
- (e) prevent the escape of petroleum into any water-well, spring, stream, river, lake, reservoir, estuary or harbour; and
- (f) prevent the harmful escape of salt water, or drilling fluid, which contains petroleum, chemical additive, refinery effluent or other waste product, into any water-well, spring, stream, lake, reservoir or estuary.

(3) A permittee or lessee shall comply with any directions, from time to time given to him in writing by the Minister relating to any of the matters set out in sub-section (2).

(4) Upon application by a permittee or lessee, the Minister may authorize the disposal of waste products in any manner that does not result in pollution of a fresh water supply, waters containing fish or oysters, or of any tributaries of those waters.

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87. HEALTH AND SAFETY OF WORKERS AND EMPLOYEES

A Permittee or lessee shall comply with directions, from time to time given to him in writing by the Minister, for securing the health and safety of persons employed in or about the land to which his permit or lease applies.

88. PROVISION OF STORAGE TANKS, PIPES, PIPE-LINES AND OTHER RECEPTACLES

(1) A permittee or lessee shall use methods and practice customarily used in good oil field practice for confining petroleum produced from the land in tanks, gas holders, pipes, pipe-lines or other receptacles constructed for that purpose.

(2) A permittee or lessee shall not, except as a temporary method during an emergency, place or keep any petroleum in an earthen reservoir.

89. WASTE OIL, SALT WATER OR REFUSE NOT TO BE DEPOSITED ON LAND

A permittee or lessee shall not cause or permit any waste oil, salt water or refuse to flow into or over, or to be deposited upon, any land, whether or not that is the land to which his permit or lease applies.

90. ABANDONMENT AND PLUGGING OF WELLS

(1) A permittee or lessee -

(a) shall give to the Minister not less than 14 days' notice in writing of his intention to abandon any well; and

(b) shall not, without the consent in writing of the Minister, withdraw any cemented string or other permanent form of casing from a well which it is proposed to abandon.

(2) A permittee or lessee shall so securely plug every well which he intends to abandon as to shut off all water from petroleum bearing strata, or any workable seams of coal.

(3) Before commencing to plug any well which it is intended to abandon, the permittee or lessee shall submit to the Minister for his approval particulars in writing of the method of plugging which it is proposed to adopt.

(4) The Minister may require that a well shall not be plugged, or any works be executed for that purpose, except in the presence of a person specified by him.

(5) Where the circumstances of the case make it necessary or desirable for a permittee or lessee to plug a well immediately, subsections (3) and (4) do not apply in relation to the plugging of the

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well but in such a case the permittee or lessee shall notify the Minister in writing as soon as is practicable that he has plugged the well and shall set out in the notification -

- (a) particulars of the method of plugging which was used; and
- (b) his reasons for plugging the well without complying with sub-section (3).

91. COMPLIANCE WITH ORDINANCE

(1) A permittee or lessee shall duly and punctually comply with this Ordinance and the regulations and with any instructions given by the Minister under this Ordinance, the regulations or pursuant to his permit or lease.

(2) Subject to sub-section (4), where a permittee or lessee fails or neglects to comply with any of the provisions of this Ordinance or of the regulations, or with any lawful instruction given by the Minister, the Minister may, by his workmen and agents, enter on the land to which the permit or lease applies and carry out such operations as he considers to be necessary at the expense of the permittee or lessee.

(3) Any expenses incurred by the Minister, acting in pursuance of sub-section (2), is recoverable from the permittee or lessee as a debt in any court of competent jurisdiction.

(4) A permittee or lessee is not responsible for delays due to any cause beyond his control, proof whereof shall be upon him.

92. AUTHORITY TO ENTER ON LEASED LAND, &c.

For the purposes of this Ordinance, the Minister or a person authorized in writing by the Minister may, without incurring any liability -

- (a) enter upon, occupy or interfere with any land, including land to which a permit or lease applies;
- (b) enter any building or workings on any land to which a permit or lease applies; and
- (c) examine the books and accounts of a lessee.

93. DELIVERY OF PREMISES UPON DETERMINATION OF PERMIT OR LEASE

(1) In the event of the expiration, cancellation or surrender of a permit or lease, the permittee or lessee shall deliver up the land to which the permit or lease applied and all wells on that land in good order and condition and to the satisfaction of the Minister.

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(2) A permittee or lessee may, within 3 months after the expiration, cancellation or surrender of his permit or lease, remove all his plant, buildings, equipment and other property from the land.

94. RIGHTS TO MINE FOR MINERAL OIL UNDER MINING ORDINANCE

When, in the opinion of the Minister, it is desirable to develop deposits of shale or other rock from which mineral oil may be extracted by any industrial process, he may, in pursuance of the provisions of the Mining Ordinance, authorize mining under that Ordinance on the whole or any part of land to which a permit or lease applies, subject to such terms and conditions as may be necessary to ensure that the rights of the permittee or lessee under this Ordinance are not infringed.

95. [Repealed]

96. DEVOLUTION OF RIGHTS, &c.

The rights and obligations under a permit or lease enure to the benefit of, and are binding upon, as the case may be, the heirs, executors, administrators, successors and permitted assigns of the permittee or lessee, respectively.

97. PROCEDURE ON CANCELLATION OF PERMIT OR LEASE

(1) Where the Minister cancels a permit or lease he shall cause a notification of the cancellation to be published in the Gazette.

(2) Subject to section 26A, upon the publication of a notification under sub-section (1), the right, title, estate and interest in the permit or lease to which the notification relates of the permittee or lessee, and of any person claiming under him, cease and determine, without re-entry on the land in respect of which the cancelled permit or lease was in force.

(3) Subject to section 26A, production of a copy of the Gazette containing a notification under sub-section (1) shall be conclusive evidence in any court that the right, title, estate and interest in the permit or lease to which the notification relates, and of any person claiming under him, have been lawfully determined.

(4) Subject to section 26A, the cancellation of a permit or lease -

(a) is final and without appeal; and

(b) does not release the permittee or lessee from any liability in respect of the permit or lease incurred before the date of cancellation.

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98. UNIT DEVELOPMENT

- (1) Where the Minister is satisfied that -
 - (a) the land to which a Permit or lease applies forms part of a single geological petroleum structure or petroleum field extending beyond that land; and
 - (b) it is desirable, for the purpose of securing economy and efficiency and of avoiding wasteful and harmful development and practice, that the structure or field should be worked as one unit, the Minister may, subject to the provisions of section 14 -
 - (c) vary the terms of the permit or lease by including in it any land, not being land to which paragraph (d) applies, to which the structure or field extends; or
 - (d) if the structure or field extends into land in respect of which a permit or lease is held by another person, require the permittees or lessees, by notice in writing, to prepare and furnish to him a scheme for the working and development of the structure or field as one unit.
- (2) Any additional land included in a lease under sub-section (1) shall be -
 - (a) compact and limited by well-marked permanent physical boundaries; or
 - (b) substantially in the form of a rectangle.
- (3) A notice under paragraph (d) of sub-section (1) shall specify the land in respect of which, and the time within which, the Minister requires the scheme to be furnished.
- (4) If a scheme is not furnished within the time specified, or if the Minister does not approve the scheme furnished to him, the Minister shall prepare a scheme and supply particulars of it to each permittee and lessee to whom notice was given under sub-section (1).
- (5) Each permittee and lessee to whom the Minister has supplied particulars of a scheme in pursuance of sub-section (4) shall perform and observe all the terms and conditions of that scheme.

99. REPORT ON PROPOSED DRILLING OPERATIONS

The Minister may require a permittee or lessee to furnish a detailed report on the technique to be employed and the material to be used in drilling any well on the land to which the permit or lease applies.

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100. AGREEMENT TO DRILL WELLS

(1) A permittee or lessee may, subject to the approval of the Minister, make an agreement with another person who holds a permit or lease applying to land situated in the same locality for the drilling of a well by the parties to the agreement on any land to which the permit or lease of either of them extends.

(2) An agreement for the purpose referred to in sub-section (1) shall not have any force or effect unless and until it has been approved by the Minister.

Division 7 - Compensation

101. COMPENSATION FOR MINING OPERATIONS

(1) A permittee or lessee, as the case may be, shall compensate the owner or occupier of private land or improved land for -

(a) all damage sustained by the owner or occupier to crops and improvements on the land, including a permanent artificial water supply, by reason of any operation or construction works carried on or erected on the land by the permittee or lessee, as the case may be; and

(b) all damage sustained by reason of the occupation of that portion of the land occupied by the permittee or lessee for the purpose of his operations and construction works during the period of occupation.

(2) Compensation is not payable under this Ordinance, where the operations of the permittee or lessee do not affect any portion of the surface of the land.

102. COMPENSATION BEFORE DRILLING ON PRIVATE OR IMPROVED LAND

If a permittee or lessee decides to drill on any private land or improved land to which his permit or lease applies, he shall, unless the amount of compensation has been fixed by agreement under section 103, on each occasion before commencing to drill, apply to the warden's court to determine the amount of compensation payable by him in respect of the drilling operations.

103. AGREEMENT AS TO COMPENSATION

(1) A permittee or lessee may agree with any person entitled to compensation under this Ordinance as to the amount of compensation.

(2) An agreement under sub-section (1) shall not be valid unless it is in writing and signed by the parties to the agreement or their agents and is filed in the office of the warden or at the office of the Director of Mines.

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(3) If no agreement is made under sub-section (1), either party may apply to the warden's court to determine the amount of compensation payable.

(4) Where an application is made under sub-section (3), the warden's court shall determine the amount, if any, of compensation to be paid under this section and make an order for payment of the amount determined.

104. MEASURE OF COMPENSATION

(1) Subject to this Ordinance, compensation to be made under this Ordinance shall be for -

- (a) deprivation of the possession of the surface of the land or of any part of it;
- (b) damage to the surface of the land or any part of the land to which a permit or lease applies or has applied or to any land adjoining or in the vicinity of that land, or to any improvements on that land, caused by the carrying on of operations by a permittee or lessee on the land to which his permit or lease applies or has applied;
- (c) severance of the land from other land of the owner or occupier;
- (d) surface rights of way and easements; and (e) any consequential damage.

(2) In determining the amount of compensation to be made under this Ordinance -

- (a) the warden's court shall take into consideration the amount of any compensation which the owner and occupier, or either of them, or their predecessors in title, have or has already received for damage or loss for which compensation is being determined and shall deduct the amount so received from the amount to which they, or either of them, would otherwise be entitled; and
- (b) allowance shall not be made for any petroleum or helium known or supposed to be in or under the land.

105. ADDITIONAL COMPENSATION

If, after the warden's court has determined any amount of compensation, it is proved to that court that further loss or damage (not being loss or damage in respect of which compensation has already been determined) has been sustained, the warden's court may determine the further loss or damage and order that further compensation be paid by the permittee or lessee, to the person entitled.

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106. PENALTY FOR NON-PAYMENT OF COMPENSATION

If a permittee or lessee fails to pay any compensation determined by a warden's court within 3 months after the determination, the Minister may cancel the permit or lease.

PART IV - MISCELLANEOUS

107. VERIFICATION OF STATEMENTS

All applications, statements, representations and reports made or furnished to the Minister under this Ordinance shall, if the Minister so requires, be verified by statutory declaration in such form as the Minister requires or as is prescribed.

108. SECRECY TO BE OBSERVED BY OFFICERS

(1) A person who acts in the execution of any duty under this Ordinance shall not, except in the performance of that duty, make a record of or divulge any information supplied to the Minister in pursuance of this Ordinance.

(2) A person who has been an officer or has performed any duty under this Ordinance shall not communicate any information acquired by him in the performance of his duty to any person other than a person to whom he is authorized by law or by the Minister to communicate it.

109. OFFENCES AND PENALTIES

(1) A person who contravenes, or fails to comply with, any provision of this Ordinance which is applicable to him, or with any requirement, direction or instruction lawfully made or given under this Ordinance, is guilty of an offence, and -

(a) where the offence is against a provision contained in Division 5 of Part 111, is punishable, upon conviction, by a fine not exceeding 200 dollars or by imprisonment for a term not exceeding 6 months; and

(b) in all other cases, is punishable, upon conviction, by a fine not exceeding 500 dollars.

(2) The power or duty of the Minister, subject to this Ordinance in certain circumstances, to cancel a permit or lease is not affected by the provisions of sub-section (1).

110. OTHER RIGHTS OF ACTION NOT AFFECTED

Nothing in this Ordinance takes away or prejudicially affects any right of action which a person has for any loss or damage sustained by him by reason of mining operations carried on on private land, in pursuance of the Mining Ordinance or any other Ordinance relating to mining in force at the commencement of this Ordinance, other than for loss or damage in respect of which compensation is payable under this Ordinance.

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111. FEES, &c., PAYABLE BY DUE DATE

(1) Subject to this Ordinance, all fees, rent, royalties and other payments under this Ordinance or the regulations shall, if not paid by the due date, be increased by 10 per centum for each month, or portion of a month during which the fee, rent, royalty or other payment remains unpaid.

(2) Subject to this Ordinance, if any fee, rent, royalty or payment due in respect of a permit or lease is in arrears for more than 3 months, the Minister may cancel the permit or lease.

112. APPLICATION OF PART IX OF MINING ORDINANCE

Subject to this Ordinance, the provisions of Part IX of the Mining Ordinance (excepting sections 174, 175, 181 and 182 and paragraphs (a), (b), (d), (e), (f), (g), (h) and (i) of section 180 and paragraph (c) of section 214) apply mutatis mutandis to questions arising under this Ordinance as well to petroleum and natural gas as to the matters referred to in that Part.

113. RIGHT OF PRE-EMPTION

(1) Where the Administrator declares that a state of disaster exists, the Minister shall have the right of pre-emption of all petroleum, and of any product of petroleum, produced by a lessee from any land to which a licence or lease applies, and the lessee shall, if so required by the Minister, deliver the petroleum or product in accordance with the directions of the Minister.

(2) The compensation to be paid for any petroleum or product so delivered shall, in default of agreement, be fixed by arbitration.

114. DISPOSAL OF PETROLEUM AND PETROLEUM PRODUCTS

(1) So long as any petroleum or any product of petroleum, obtained from land comprised in a lease can be consumed in Australia, the lessee shall, if required by the Minister, ensure that the petroleum and those products are disposed of only for consumption in Australia.

(2) A lessee shall, if required by the Minister, refine, or cause to be refined, within Australia such of the petroleum produced from the land comprised in his lease as is required for consumption in Australia.

(3) For the purposes of this section, the expression "Australia" includes the whole of the Commonwealth of Australia, any territory under the authority of the Commonwealth and any territory governed by the Commonwealth under trusteeship.

Petroleum (Prospecting and Mining)

115. ADVERTISEMENTS, STATEMENTS, &c.

(1) A permittee or lessee shall not make, or cause or permit to be made, a statement in any notice, advertisement, prospectus or other document or in any other manner, claiming or suggesting whether expressly or by implication, that the Minister, the Administrator, any Government Department of the Commonwealth or of the Territory, or a person or body acting on behalf of the Minister, Administrator or a Government Department of the Commonwealth or of the Territory, has formed or expressed an opinion that any land to which a permit or lease applies, from its geological formation or otherwise, is land in which petroleum is likely to be obtainable.

(2) A permittee or lessee shall cause a copy of the provisions of sub-section (1), or a statement to the effect of that sub-section, to be included in or indorsed on any prospectus, statement in lieu of a prospectus, notice, circular, advertisement or other invitation issued by or with the knowledge of the permittee or lessee, offering to the public for subscription or purchase any shares or debentures of a company or proposed company which is engaged, or which it is proposed will engage, in prospecting or mining for petroleum upon the land to which the permit or lease applies.

(3) Notwithstanding anything contained in this section, a permittee or lessee may, with the approval in writing of the Minister, publish the results of any geological or allied survey made by or on behalf of the Territory on the land to which the permit or lease applies, to the extent to which those results show that the geological formation of that land may be suitable for the accumulation and retention of petroleum.

116. FALSE REPORTS

Where the Minister is satisfied that a permittee or lessee has made or published, or caused to be made or published, a false report concerning the geology of, or indications of petroleum in, land to which his permit or lease applies, which is likely to mislead a person as to the payable nature of the land, the Minister may cancel the permit or lease which applies to the land in respect of which the false report was made or published.

117. REGULATIONS

The Administrator may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance, and in particular for prescribing penalties not exceeding 200 dollars for offences against the regulations.

Petroleum (Prospecting Mining)

Note

1. The Petroleum (Prospecting and Mining) Act comprises the Petroleum (Prospecting and Mining) Ordinance as amended by the other Ordinances and Acts specified in the following table:

<u>Ordinance, Act</u>	<u>Number and year</u>	<u>Date Governor-General's assent notified in N.T. Govt Gazette</u>	<u>Date of commencement</u>
<u>Petroleum (Prospecting and Mining) Ordinance 1954</u>	No.5, 1954	27 May 1954	28 May 1954
		Date of assent by Administrator	
<u>Petroleum (Prospecting and Mining Ordinance (No. 2) 1954</u>	No.14, 1954	8 Dec 1954	11 May 1955
		Date of Governor-General's assent notified in N.T. Govt Gazette	
<u>Petroleum (Prospecting and Mining) Ordinance 1957</u>	No.20, 1957	17 May 1957	13 May 1957(a)
<u>Petroleum (Prospecting and Mining) Ordinance 1960</u>	No.16, 1960	9 Nov 1960	17 Nov 1960
<u>Petroleum (Prospecting and Mining) Ordinance (No. 2) 1960</u>	No.15, 1961	15 Mar 1961	28 May 1954 (b)
<u>Petroleum (Prospecting and Mining) Ordinance 1964</u>	No.33, 1964	31 Aug 1964	15 Sept 1964 (c)

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Ordinance, Act	Number and year	Date Governor-General's assent notified in <u>N.T. Govt Gazette</u>	Date of commencement
<u>Petroleum (Prospecting and Mining) Ordinance</u> 1966	No.28, 1966	17 Aug 1966	7 Dec 1966 (d)
		Date of assent by Administrator	
<u>Petroleum (Prospecting and Mining) Ordinance</u> (No. 2) 1966	No.45, 1966	2 Dec 1966	2 Dec 1966 (e) S. 3 commenced 7 Dec 1966
		Date Governor-General's assent notified in <u>N.T. Govt Gazette</u>	
<u>Petroleum (Prospecting and Mining) Ordinance</u> 1968	No.12, 1968	1 Apr 1968	1 Apr 1968 (f)
		Date of assent by Administrator	
<u>Ordinances Revision Ordinance</u> 1973 as amended (g)	No.87, 1973 No.34, 1974 No.69, 1974 No.27, 1976	11 Dec 1973 26 Aug 1974 24 Oct 1974 28 June 1976	11 Dec 1973 11 Dec 1973, but <u>see</u> s.3(2) 11 Dec 1973, but <u>see</u> s. 3 Ss 1, 2 and 6: 28 June 1976, but <u>see</u> s.6(2) Ss 3 and 4: 11 Dec 1973 S.5: 24 Oct 1974

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Ordinance, Act	Number and year	Date of assent by Administrator	Date of commencement
<u>Petroleum (Prospecting and Mining) Ordinance</u> 1977 (h)	No. 35, 1977	29 July 1977	12 Aug 1977
<u>Transfer of Powers (Self-Government) Ordinance</u> 1978	No. 54, 1978	1 July 1978	1 July 1978 but <u>see</u> s. 8
<u>Petroleum (Prospecting and Mining) Ordinance</u> 1978	No.113, 1978	9 Nov 1978	1 Feb 1979
<u>Statute Law Revision Act</u> (No. 2) 1978	No. 19, 1979	2 Feb 1979	2 Feb 1979
<u>Petroleum (Prospecting and Mining) Act</u> 1979	No. 32, 1979	4 Apr 1979	20 July 1979
<u>Petroleum (Prospecting and Mining) Act (No. 2)</u> 1979	No. 33, 1979	4 Apr 1979	4 Apr 1979
<u>Statute Law Revision Act</u> (No. 3) 1979	No. 37, 1980	24 Apr 1980	24 Apr 1980

- (a) Section 2 of the Petroleum (Prospecting and Mining) Ordinance 1957 provides as follows:

"2. This Ordinance shall come into operation on the date on which the Welfare Ordinance 1953 comes into operation."

The Welfare Ordinance 1953 came into operation on 13 May 1957 (see Northern Territory Government Gazette No. 19A of 13 May 1957)

- (b) Section 4 of the Petroleum (Prospecting and Mining) Ordinance (No. 2) 1960 provides as follows:

"4. The amendments made by the last two preceding sections shall be deemed to have come into operation on the date of commencement of the Petroleum (Prospecting and Mining) Ordinance 1954."

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- (c) Section 2 of the Petroleum (Prospecting and Mining) Ordinance 1964 provides as follows:

"2. This Ordinance shall come into operation on the date on which the Social Welfare Ordinance 1964 comes into operation."

The Social Welfare Ordinance 1964 came into operation on 15 September 1964 (see Northern Territory Government Gazette No. 36B of 15 September 1964).

- (d) Section 50 of the Petroleum (Prospecting and Mining) Ordinance 1966, as amended by section 4 of the Petroleum (prospecting and Mining) Ordinance (No. 2) 1966 and section 6 of the Petroleum (Prospecting and Mining) Act 1979, provides as follows:

"50. (1) Subject to this section, and notwithstanding anything contained elsewhere in this Ordinance, all permits and licences issued or granted and in force before the commencement of this Ordinance continue in existence, and continue to be held, subject to the provisions of the Petroleum (Prospecting and Mining) Ordinance 1954-1964 and the regulations made and in force under that Ordinance before the commencement of this Ordinance.

"(2) In their application to or in relation to such permits and licences those provisions shall be read as if all references contained in them to the Petroleum Advisory Board were omitted.

"(3) The holder of a permit or licence in force at the commencement of this Ordinance may, at any time while the permit or licence is in force, apply in writing to the Administrator for the conversion of his permit or licence to a permit of the class of permits issued after the commencement of this Ordinance.

"(4) The application shall be supported by a statement signed by the applicant, setting out -

- (a) the work proposed to be carried out during the first five years after the conversion on the land to which the application applies; and
- (b) the amounts of money which the applicant undertakes to expend in prospecting on that land in each of the first five years after the conversion.

"(5) The prescribed fee is the fee that would be payable if the permit or licence held were a permit of the class of permits issued after the commencement of this Ordinance and the application for conversion were an application for an extension of such a permit.

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"(6) The Administrator may, in writing to the applicant offer to convert the applicant's permit or licence as to the whole or portion of the land to which the permit or licence applies and subject to such terms and conditions as the Administrator thinks fit and specifies in the offer.

"(7) If the applicant accepts the offer, the Administrator shall issue a permit and the applicant's previous permit or licence shall be deemed to have expired.

"(8) A permit issued in pursuance of the last preceding sub-section may be extended as if it were issued in pursuance of section twenty-one of the Petroleum (Prospecting and Mining) Ordinance 1954-1966."

* * * *

(e) Section 2 of the Petroleum (Prospecting and Mining) Ordinance (No. 2) 1966 provides as follows:

"2.(1) Subject to the next succeeding sub-section, this Ordinance shall come into operation on the date on which it is assented to in accordance with the Northern Territory (Administration) Act 1910-1965.

"(2) Section 3 of this Ordinance shall come into operation on the date on which the Petroleum (Prospecting and Mining) Ordinance 1966 comes into operation."

(f) Section 2(2) of the Petroleum (Prospecting and Mining) Ordinance 1968 provides as follows:

"2. (2) Part II or Part III does not have effect -

(a) in respect of the Northern Territory, until the date from and including which Part III of the Petroleum (Submerged Lands) Act 1967 has effect in respect of the area specified in the Second Schedule to that Act as being adjacent to the Northern Territory; or

(b) in respect of the Territory of Ashmore and Cartier Islands, until the date from and including which Part III of that Act has effect in respect of the area specified in that Schedule as being adjacent to the Territory of Ashmore and Cartier Islands."

Part III of the Petroleum (Submerged Lands) Act 1967 had effect from 1 April 1968 (see Commonwealth Government Gazette No. 29 of 1968, page 1927).

Sections 8, 9, 10 and 11 of the Petroleum (Prospecting and Mining) Ordinance 1968 provides as Follows:

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"8. (1) In this Part, unless the contrary intention appears -
'submerged land' means that portion of the sea-bed -

- (a) within the area specified in the Second Schedule to the Act as being adjacent to the Northern Territory;
or
- (b) within the area specified in that Schedule as being adjacent to the Territory of Ashmore and Cartier Islands;

'the Act' means the Petroleum (Submerged Lands) Act 1967;

'the commencing day' means -

- (a) in relation to the Northern Territory, the date from and including which Part III of the Act has effect in respect of the area specified in the Second Schedule to the Act as being adjacent to the Northern Territory; and
- (b) in relation to the Territory of Ashmore and Cartier Islands, the date from and including which Part III of the Act has effect in respect of the area specified in that Schedule as being adjacent to the Territory of Ashmore and Cartier Islands.

"(2) Expressions used in this Part that are also used in the Principal Ordinance have, in this Part, unless the contrary intention appears, the same respective meanings as they have in the Principal Ordinance.

"(3) For the purposes of this Part, the Principal Ordinance has effect in relation to the Territory of Ashmore and Cartier Islands as though the area specified in the Second Schedule to the Act as being adjacent to that Territory included the area, whether land or water, of that Territory above mean low water and as though the land within that last mentioned area were beneath the sea and were submerged land.

"9. Subject to the next two succeeding sections, on and after the commencing day -

- (a) a permit or licence that was, immediately before that day, in force in respect of land that is, or includes, submerged land shall continue to have the same force and effect as it had immediately before that day; and

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- (b) the Petroleum (Prospecting and Mining) Ordinance 1954, as amended before that day, shall continue to have the same application to and in relation to the permit or licence and to and in relation to anything done or authorized or required to be done by, under or in connexion with the permit or licence as it had immediately before that day. "

"10. The Administrator shall not, on or after the commencing day -

- (a) extend, in respect of any submerged land, the term of a permit or licence continued in force by the last preceding section;
- (b) vary the area of the land to which such a permit or licence applies by adding to that area any submerged land;
- (c) amend such a licence by including in it a further area that is or includes submerged land; or
- (d) grant to the holder of such a permit or licence a lease in respect of an area that is, or includes, the whole or a part of the submerged land in respect of which the permit or licence is in force.

"11. (1) Where -

- (a) an exploration permit for petroleum is granted on an application under section 144 of the Act; or
- (b) a production licence for petroleum is granted on an application under section 145 of the Act,

in respect of the whole or a part of the submerged land in respect of which a permit or licence is in force, the permit or licence ceases, from and including the day on which the exploration permit for petroleum, or the production licence for petroleum, as the case may be, has effect, to be in force in respect of so much of that submerged land as is the subject of the exploration permit for petroleum, or production licence for petroleum, as the case may be .

"(2) Where a permit or licence has ceased, by reason of the last preceding sub-section, to be in force in respect of any submerged land, the Administrator may, if the permit or licence remains in force in respect of any other land (whether submerged land or not) vary the terms and conditions to which the permit or licence is subject to such extent as he thinks necessary in the circumstances.

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"(3) The last preceding sub-section does not authorize the making of a variation of the terms and conditions of a permit or licence that would have the effect of extending the term of the permit or licence in respect of any submerged land. "

- (g) General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the Ordinances Revision Ordinance 1973 (as amended) to the following provisions: ss 4, 8, 11, 12, 14, 16A, 18, 19, 20, 21, 22, 23, 24, 25, 26A, 26B, 28, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 65, 66, 68, 69, 72, 76, 77, 80, 81, 82, 83, 84, 85, 86, 90, 91, 93, 94, 97, 98, 100, 102, 103, 106, 109, 110, 111, 112, 115 and 117.
- (h) Section 6 of the Petroleum (Prospecting and Mining) Ordinance 1977 provides -as follows:

"6.(1) Permit Nos. 175 and 178 to prospect for petroleum are, and shall be deemed to have been, as valid and effectual as they would have been if, in relation to each permit -

- (a) the amendments effected by this Ordinance had come into operation before the permittee of that permit first made an application under section 23(1) of the Principal Ordinance in respect of that permit;
- (b) each order made under section 23(2)(b) of the Principal Ordinance in respect of that permit had been duly made in accordance with the terms of the Principal Ordinance as so amended;
- (c) on 13 December 1976 no part of the area of the permit as purportedly varied on that date had been the subject of any other licence or application for a lease under an Ordinance relating to the prospecting and mining for petroleum; and
- (d) the purported variation of the area of the permit on 13 December 1976 had been effective.

"(2) Permit No. 177 to prospect for petroleum is, and shall be deemed to have been, as valid and effectual as it would have been, if -

- (a) the amendments effected by this Ordinance had come into operation before the permittee of that permit first made an application under section 23(1) of the Principal Ordinance in respect of that permit; and
- (b) each order made under section 23(2)(b) of the Principal Ordinance in respect of that permit had been duly made in accordance with the terms of the Principal Ordinance as so amended."

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Table of Amendments

Section

1.	Amended by No. 58, 1978, s. 4
3.	Amended by No. 20, 1957, s. 3; No. 33, 1964, s. 3; No. 28, 1966, s. 3; repealed by No. 37, 1980, s. 31
4.	Amended by No. 20, 1957, s. 4; No. 33, 1964, s. 4; No. 28, 1966, s. 4; No. 12, 1968, s. 4; No. 113, 1978, s. 4
4A.	Inserted by No. 12, 1968, s.5
5.	Amended by No. 54, 1978, s.4
6	Amended by No. 28, 1966, s. 49
7. (1)	Amended by No. 54, 1978, s. 4
7. (2)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
7A.	Inserted by No. 28, 1966, s. 5; amended by No. 54, 1978, s. 4; No. 19, 1979, s. 20
8.	Substituted by No. 14, 1954, s.3
8. (1)	Substituted by No. 54, 1978, s.4
8. (2)	Substituted by No. 54, 1978, s.4
8. (3)	Substituted by No. 54, 1978, s.4
8. (5)	Substituted by No. 28, 1966, s. 6; amended by No. 54, 1978, s. 4
9.	Substituted by No. 28, 1966, s. 7
9. (1)	Amended by No. 54, 1978, s. 4
9. (2)	Amended by No. 54, 1978, s. 4
10.	Substituted by No. 28, 1966, s. 7
10A.	Inserted by No. 28, 1966, s. 7
11. (1)	Amended by No. 113, 1978, s. 5
11. (4)	Amended by No. 54, 1978, s. 4
Heading	
Part III	Amended by No. 28, 1966, s. 8
12. (1)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4; No. 113, 1978, s. 6
12. (2)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
12. (3)	Substituted by No. 14, 1954, s. 4; amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
13.	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
14.	Substituted by No. 28, 1966, s. 9
14. (1)	Amended by No. 54, 1978, s. 4; No. 33, 1979, s. 3
14. (2)	Amended by No. 54, 1978, s. 4; No. 33, 1979, s. 3
14. (3)	Omitted by No. 12, 1968, s. 6
15.	Substituted by No. 28, 1966, s. 10; amended by No. 54, 1978, s. 4; No. 37, 1980, s. 31
16.	Amended by No. 28, 1966, s. 49; No. 54, 1978, s 4
16A.	Inserted by No. 28, 1966, s. 11
17.	Substituted by No. 28, 1966, s. 12
18.	Substituted by No. 28, 1966, s. 12
18. (1)	Amended by No. 54, 1978, s. 4
18. (2)	Amended by No. 45, 1966, s. 3
18. (4)	Amended by No. 54, 1978, s. 4
19.	Substituted by No. 28, 1966, s. 12
19. (1)	Amended by No. 54, 1978, s. 4

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Table of Amendments - continued

19. (3)	Amended by No. 54, 1978, s. 4
19. (4)	Amended by No. 54, 1978, s. 4
19. (5)	Amended by No. 54, 1978, s. 4
20. (1)	Amended by No. 28, 1966, s. 13; No. 54, 1978, s. 4
20. (2)	Added by No. 28, 1966, s. 13; amended by No. 45, 1966, s. 3; No. 54, 1978, s. 4
20A.	Inserted by No. 28, 1966, s. 14
21.	Substituted by No. 28, 1966, s. 15; amended by No. 54, 1978, s. 4
21. (1)	Amended by No. 54, 1978, s. 4
21. (2)	Substituted by No. 28, 1966, s. 15; amended by No. 54, 1978, s. 4
21. (3)	Substituted by No. 28, 1966, s. 15; amended by No. 12, 1968, s. 7; No. 54, 1978, s. 4
21. (4)	Added by No. 113, 1978, s. 7
21. (5)	Added by No. 113, 1978, s. 7
21. (6)	Added by No. 113, 1978, s. 7
21. (7)	Added by No. 113, 1978, s. 7
22.	Substituted by No. 28, 1966, s. 16
22. (1)	Amended by No. 54, 1978, s. 4
22. (2)	Amended by No. 15, 1961, s. 2
22. (3)	Amended by No. 54, 1978, s. 4
22. (7)	Amended by No. 54, 1978, s. 4
22. (8)	Amended by No. 54, 1978, s. 4
23. (1)	Amended by No. 54, 1978, s. 4
23. (2)	Amended by No. 28, 1966, s. 17; No. 35, 1977, s. 4; No. 54, 1978, s. 4; No. 32, 1979, s. 4
23. (3)	Substituted by No. 32, 1979, s. 4
24.	Substituted by No. 28, 1966, s. 18
24. (1)	Amended by No. 54, 1978, s. 4
24. (2)	Amended by No. 54, 1978, s. 4
24. (3)	Amended by No. 54, 1978, s. 4
24. (4)	Amended by No. 54, 1978, s. 4
24. (5)	Amended by No. 54, 1978, s. 4
25.	Substituted by No. 28, 1966, s. 18
26.	Substituted by No. 28, 1966, s. 18; amended by No. 54, 1978, s. 4
26A.	Inserted by No. 28, 1966, s. 18
26A. (1)	Amended by No. 54, 1978, s. 4
26A. (3)	Amended by No. 54, 1978, s. 4
26A. (5)	Amended by No. 54, 1978, s. 4
26A. (6)	Amended by No. 54, 1978, s. 4
26B.	Inserted by No. 28, 1966, s. 18
26B. (1)	Amended by No. 54, 1978, s. 4
26B. (2)	Amended by No. 54, 1978, s. 4
27. (2)	Amended by No. 54, 1978, s. 4
28.	Substituted by No. 28, 1966, s. 19
28. (1)	Amended by No. 54, 1978, s. 4
28. (1A)	Inserted by No. 113, 1978, s. 8
28. (2)	Amended by No. 54, 1978, s. 4

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Table of Amendments - continued

Heading	
Division 3	Repealed by No. 28, 1966, s. 20
30.	Repealed by No. 28, 1966, s. 20
31.	Amended by No. 14, 1954, s. 5; repealed by No. 28, 1966, s. 20
32.	Repealed by No. 28, 1966, s. 20
33.	Repealed by No. 28, 1966, s. 20
34.	Repealed by No. 28, 1966, s. 20
34. (3)	Amended by No. 15, 1961, s.3
35.	Repealed by No. 28, 1966, s. 20
36.	Repealed by No. 28, 1966, s. 20
36. (1)	Amended by No. 14, 1954, s.6
37.	Repealed by No. 28, 1966, s. 20
37. (2)	Amended by No. 14, 1954, s.7
38.	Repealed by No. 28, 1966, s. 20
39.	Repealed by No. 28, 1966, s. 20
40.	Repealed by No. 28, 1966, s. 20
41.	Repealed by No. 28, 1966, s. 20
42.	Repealed by No. 28, 1966, s. 20
43. (1)	Amended by No. 28, 1966, s.49; No. 54, 1978, s. 4
43. (2)	Amended by No. 54, 1978, s.4
43. (4)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
44.	Amended by No. 14, 1954, s. 8; substituted by No. 28, 1966, s. 21
44. (1)	Amended by No. 35, 1977, s. 5; No. 54, 1978, s. 4
44. (2)	Amended by No. 45, 1966, s. 3; No. 54, 1978, s. 4
45. (1)	Amended by No. 28, 1966, s. 22; No. 45, 1966, s. 3
46. (1)	Amended by No. 54, 1978, s.4
46. (4)	Added by No. 113, 1978, s. 9
46. (5)	Added by No. 113, 1978, s. 9
46. (6)	Added by No. 113, 1978, s. 9; substituted by No. 32, 1979, s. 5
46. (7)	Added by No. 113, 1978, s. 9; substituted by No. 32, 1979, s. 5
47.	Substituted by No. 28, 1966, s. 23
47. (2)	Amended by No. 54, 1978, s.4
48. (1)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
48. (2)	Amended by No. 54, 1978, s.4
48. (3)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
48. (4)	Amended by No. 28, 1966, s. 24; No. 54, 1978, s. 4
48. (5)	Amended by No. 54, 1978, s.4
49. (1)	Amended by No. 54, 1978, s.4
49. (2)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
50. (1)	Amended by No. 54, 1978, s.4
50. (2)	Amended by No. 45, 1966, s. 3; No. 54, 1978, s. 4
50. (3)	Amended by No. 54, 1978, s.4
50. (5)	Added by No. 28, 1966, s. 25; amended by No. 54, 1978, s. 4
51. (1)	Amended by No. 28, 1966, s. 26; No. 45, 1966, s. 3; No. 54, 1978, s. 4
51. (2)	Amended by No. 28, 1966, s. 26; No. 54, 1978, s. 4

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Table of Amendments - continued

51. (3)	Amended by No. 28, 1966, s. 26; No. 54, 1978, s. 4
52.	Substituted by No. 28, 1966, s. 27
52. (1)	Amended by No. 54, 1978, s. 4
52. (2)	Amended by No. 54, 1978, s. 4
52. (3)	Amended by No. 54, 1978, s. 4
53. (1)	Amended by No. 54, 1978, s. 4
53. (2)	Amended by No. 54, 1978, s. 4
53. (3)	Amended by No. 54, 1978, s. 4
53. (6)	Added by No. 28, 1966, s. 28; amended by No. 54, 1978, s. 4
54. (1)	Omitted by No. 28, 1966, s. 29
54. (2)	Amended by No. 28, 1966, s. 29; No. 54, 1978, s. 4
54. (3)	Amended by No. 54, 1978, s. 4
54. (4)	Amended by No. 54, 1978, s. 4
55. (1)	Amended by No. 28, 1966, s. 30; No. 54, 1978, s. 4
55. (3)	Amended by No. 54, 1978, s. 4
55. (4)	Amended by No. 54, 1978, s. 4
56.	Substituted by No. 28, 1966, s. 31
56. (2)	Amended by No. 45, 1966, s. 3
57. (1)	Amended by No. 54, 1978, s. 4
57. (2)	Amended by No. 54, 1978, s. 4
57. (3)	Amended by No. 28, 1966, s. 32; No. 54, 1978, s. 4
58. (1)	Amended by No. 28, 1966, s. 33; No. 54, 1978, s. 4
58. (2)	Amended by No. 54, 1978, s. 4
59. (1)	Amended by No. 54, 1978, s. 4
59. (2)	Amended by No. 54, 1978, s. 4
59. (3)	Omitted by No. 28, 1966, s. 34
59. (4)	Amended by No. 54, 1978, s. 4
Heading	
Division 5	Substituted by No. 33, 1964, s.5
61.	Substituted by No. 33, 1964, s.6
61. (1)	Substituted by No. 20, 1957, s.6
61. (2)	Amended by No. 20, 1957, s. 6
62.	Substituted by No. 33, 1964, s. 6; amended by No. 28, 1966, s. 49
62. (2)	Substituted by No. 20, 1957, s.7
62. (3)	Added by No. 20, 1957, s. 7
63.	Substituted by No. 33, 1964, s. 6-
63. (2)	Amended by No. 20, 1957, s. 8
63. (5)	Amended by No. 20, 1957, s. 8
64.	Amended by No. 20, 1957, s. 9; substituted by No. 33, 1964, s. 6; amended by No. 28, 1966, s. 49
65. (2)	Amended by No. 20, 1957, s. 10; No. 33, 1964, s. 7
67.	Amended by No. 20, 1957, s. 11; No. 33, 1964, s. 8
Heading	
Division 6	Amended by No. 28, 1966, s. 35
68.	Substituted by No. 28, 1966, s. 36
68. (1)	Amended by No. 54, 1978, s. 4
68. (2)	Amended by No. 54, 1978, s. 4
68. (4)	Amended by No. 54, 1978, s. 4

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68. (5)	Amended by No. 54, 1978, s. 4
68. (6)	Amended by No. 54, 1978, S. 4
68. (7)	Amended by No. 54, 1978, S. 4
68. (8)	Amended by No. 54, 1978, S. 4
69.	Amended by No. 28, 1966, ss 37 and 49
70.	Substituted by No. 28, 1966, S. 38; amended by No. 54, 1978, S. 4
71.	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
72. (1)	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
72. (2)	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
72. (3)	Amended by No. 54, 1978, S. 4
72. (4)	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
72. (5)	Amended by No. 28, 1966, S. 49
72. (6)	Added by No. 28, 1966, s 39; amended by No. 54, 1978, s 4
72A.	Inserted by No. 28, 1966, S. 40
73.	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
74.	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
75. (1)	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
75. (2)	Amended by No. 28, 1966, S. 49
75. (3)	Amended by No. 28, 1966, S. 49
76. (1)	Amended by No. 28, 1966, ss 41 and 49; No. 54, 1978, s. 4
76. (2)	Amended by No. 54, 1978, S.4
77. (1)	Amended by No. 14, 1954, S. 9; No. 28, 1966, ss 42 and 49; No. 54, 1978, S. 4
77. (1A)	Inserted by No. 28, 1966, S. 42
77. (2)	Added by No. 14, 1954, S. 9; amended by No. 54, 1978, S. 4
78.	Amended by No. 28, 1966, S. 49
79.	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
80. (1)	Amended by No. 28, 1966, s .49; No. 54, 1978, S. 4
80. (2)	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
81. (1)	Amended by No. 28, 1966, S. 49; No. 54, 1978, s .4
81. (2)	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
82. (1)	Amended by No. 14, 1954, s. 10; No. 28, 1966, S. 49; No. 54, 1978, S. 4
82. (2)	Amended by No. 28, 1966, S. 49; No. 54, 1978, s. 4
82. (3)	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
83. (1)	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
83. (2)	Amended by No. 54, 1978, s. 4
83. (3)	Amended by No. 28, 1966, s. 49; No. 54, 1978, S. 4
84.	Substituted by No. 28, 1966, S. 43
84. (2)	Amended by No. 54, 1978, s .4
85.	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
86. (1)	Amended by No. 28, 1966, S. 49
86. (2)	Amended by No. 28, 1966, S. 49
86. (3)	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
86. (4)	Amended by No. 28, 1966, S. 49; No. 54, 1978, s .4
87.	Amended by No. 28, 1966, S. 49; No. 54, 1978, S. 4
88. (1)	Amended by No. 28, 1966, s .49

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88. (2)	Amended by No. 28, 1966, s. 49
89.	Amended by No. 28, 1966, s. 49
90. (1)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
90. (2)	Amended by No. 28, 1966, s. 49
90. (3)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
90. (4)	Amended by No. 54, 1978, s.4
90. (5)	Added by No. 28, 1966, s. 44; amended by No. 54, 1978, s. 4
91. (1)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
91. (2)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
91. (3)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
91. (4)	Amended by No. 28, 1966, s. 49
92.	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
93. (1)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
93. (2)	Amended by No. 28, 1966, s. 49
94.	Amended by No. 28, 1966, ss 45 and 49; No. 54, 1978, s. 4
95.	Repealed by No. 28, 1966, s. 46
96.	Amended by No. 28, 1966, s. 49
97.	Substituted by No. 28, 1966, s. 47
97. (1)	Amended by No. 54, 1978, s.4
98. (1)	Amended by No. 28, 1966, ss 48 and 49; No. 45, 1966, s. 4; No. 54, 1978, s. 4
98. (2)	Amended by No. 28, 1966, s. 49
98. (3)	Amended by No. 54, 1978, s.4
98. (4)	Amended by No. 28, 1966, s. 49, No. 54, 1978, s. 4
98. (5)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
99.	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
100. (1)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
100. (2)	Amended by No. 54, 1978, s. 4
101. (1)	Amended by No. 28, 1966, s. 49
101. (2)	Amended by No. 28, 1966, s. 49
102.	Amended by No. 28, 1966, s. 49
103. (1)	Amended by No. 28, 1966, s. 49
104. (1)	Amended by No. 28, 1966, s. 49
105.	Amended by No. 28, 1966, s. 49
106.	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
107.	Amended by No. 54, 1978, s.4
108. (1)	Amended by No. 54, 1978, s.4
108. (2)	Amended by No. 54, 1978, s.4
109. (1)	Amended by No. 45, 1966, s.3
109. (2)	Amended by No. 28, 1966, s. 49; No. 54, 1978, s. 4
110.	Amended by No. 87, 1973, s.7
111. (2)	Amended by No. 28, 1966, S. 49; No. 54, 1978, s. 4
113. (1)	Amended by No. 28, 1966, S. 49; No. 54, 1978, s. 4
115. (1)	Amended by No. 28, 1966, S. 49
115. (2)	Amended by No. 28, 1966, S. 49
115. (3)	Amended by No. 28, 1966, S. 49; No. 54, 1978, s. 4
116.	Amended by No. 28, 1966, S. 49; No. 54, 1978, s. 4
117.	Amended by No. 45, 1966, S. 3; No. 87, 1973, s. 6; No. 37, 1980, s. 31