

2010-2011

The Parliament of the  
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

*Presented and read a first time*

## **Excise Tariff Amendment (Condensate) Bill 2011**

**No.     , 2011**

*(Treasury)*

**A Bill for an Act to amend the law relating to excise  
tariffs, and for related purposes**



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1     **A Bill for an Act to amend the law relating to excise**  
2     **tariffs, and for related purposes**

3     The Parliament of Australia enacts:

4     **1 Short title**

5                 This Act may be cited as the *Excise Tariff Amendment*  
6                 *(Condensate) Act 2011*.

7     **2 Commencement**

8                 This Act commences on the day this Act receives the Royal  
9                 Assent.

10    **3 Schedule(s)**

11                 Each Act that is specified in a Schedule to this Act is amended or  
12                 repealed as set out in the applicable items in the Schedule

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concerned, and any other item in a Schedule to this Act has effect according to its terms.

# Schedule 1—Amendments

## Part 1—Amendments

### *Excise Tariff Act 1921*

#### **1 Section 6AB**

Omit “, under by-laws,”.

#### **2 Subsection 6CA(1) (definition of *prescribed condensate production area*)**

Repeal the definition, substitute:

*prescribed condensate production area* has the meaning given by subsection (1A).

#### **3 After subsection 6CA(1)**

Insert:

(1A) *Prescribed condensate production area* means any of the following:

- (a) a condensate production area prescribed by by-laws (which, without limiting the generality of the foregoing, may be a relevant accumulation, a well, an oilfield or a gas field);
- (b) the Rankin Trend (see subsection (1B)).

Note: A by-law may be expressed to take effect before the date it is registered under the *Legislative Instruments Act 2003* (see subsection (13) of this section).

(1B) The *Rankin Trend* means the area that includes the following:

- (a) the reservoirs, or groups of reservoirs, known as:
  - (i) North Rankin; and
  - (ii) Perseus; and
  - (iii) Searipple; and
  - (iv) Goodwyn; and
  - (v) Keast/Dockrell; and
  - (vi) Echo/Yodel;

- 1 (b) other reservoirs, or groups of reservoirs, (if any) that are  
2 specified in the regulations made for the purposes of this  
3 paragraph.
- 4 (1C) Before the Governor-General makes a regulation specifying a  
5 reservoir, or a group of reservoirs, for the purposes of  
6 paragraph (1B)(b):
- 7 (a) the Resources Minister must be satisfied that the reservoir, or  
8 the group of reservoirs, is part of the same field as a reservoir  
9 or group of reservoirs mentioned in paragraph (1B)(a); and
- 10 (b) if the Resources Minister is so satisfied—the Resources  
11 Minister must consider the effect of specifying the reservoir,  
12 or the group of reservoirs, on the efficient exploitation of the  
13 resource related to the reservoir, or to the group of reservoirs.
- 14 (1D) Despite subsection 12(2) of the *Legislative Instruments Act 2003*,  
15 regulations specifying a reservoir, or a group of reservoirs, for the  
16 purposes of paragraph (1B)(b) of this section may be expressed to  
17 take effect from a date before the regulations are registered under  
18 the *Legislative Instruments Act 2003*.
- 19 (1E) Subsection (1D) does not apply to regulations that create, modify  
20 or otherwise affect a provision that makes a person liable to an  
21 offence or civil penalty.

#### 22 4 At the end of the Act

23 Add:

#### 24 7 Regulations

25 The Governor-General may make regulations prescribing matters  
26 required or permitted by this Act to be prescribed.  
27

1 **Part 2—Application and savings provisions**

2 **5 Application and savings**

3 (1) The amendments made by this Schedule apply in relation to condensate  
4 produced after midnight (by legal time in the Australian Capital  
5 Territory) on 13 May 2008.

6 (2) Subitems (3) and (4) apply to a by-law if:

7 (a) the by-law prescribed a condensate production area for the  
8 purposes of the definition of ***prescribed condensate***  
9 ***production area*** in subsection 6CA(1) of the *Excise Tariff*  
10 *Act 1921*; and

11 (b) the by-law was in force immediately before the  
12 commencement of this item.

13 (3) The by-law has effect, on and after the commencement of this item, as  
14 if it had been made for the purposes of paragraph (a) of the definition of  
15 ***prescribed condensate production area*** in subsection 6CA(1A) of the  
16 *Excise Tariff Act 1921* as amended by this Schedule.

17 (4) However, the by-law does not have effect, and is taken never to have  
18 had effect, to the extent that it prescribed the Rankin Trend as a  
19 condensate production area for the purposes of the definition of  
20 ***prescribed condensate production area*** in subsection 6CA(1) of the  
21 *Excise Tariff Act 1921*.