

1964/30



THE PETROLEUM REGULATIONS 1939,  
AMENDMENT NO. 3

BERNARD FERGUSSON, Governor-General  
ORDER IN COUNCIL

At the Government Buildings at Wellington this 9th day of March 1964

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL  
PURSUANT to the Petroleum Act 1937, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Petroleum Regulations 1939, Amendment No. 3, and shall be read together with and deemed part of the Petroleum Regulations 1939\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. (1) The principal regulations are hereby amended by revoking regulation 3 (as amended by regulation 2 of the Petroleum Regulations 1939, Amendment No. 2), and substituting the following regulation:

“3. In these regulations, unless the context otherwise requires,—

“‘Petroleum Act’ means the Petroleum Act 1937:

“‘Well’ means a borehole drilled for the purpose of prospecting for or obtaining natural gas or petroleum or a borehole producing natural gas or petroleum.”

(2) The Petroleum Regulations 1939, Amendment No. 2, are hereby revoked.

3. (1) The principal regulations are hereby amended by inserting, after regulation 16, the following regulation:

“16A. The notice required to be given in accordance with section 34 of the Petroleum Act 1937 of an accident (including any accident in respect of an authorised pipeline) shall be in form 3 in the Schedule hereto.”

(2) The Schedule to the principal regulations is hereby amended by adding the form set out in the Schedule to these regulations.

4. Subclause (2) of regulation 17 of the principal regulations is hereby amended by inserting, after the word “employment”, the words “, other than a centre or place of employment where the employees are engaged in purely administrative duties,”.

\*S.R. 1939/30

Amendment No. 1: S.R. 1955/183

Amendment No. 2: S.R. 1958/184

5. (1) The principal regulations are hereby amended by revoking regulation 18 (as amended by regulation 2 of the Petroleum Regulations 1939, Amendment No. 1), and substituting the following regulation:

“18. (1) No person shall have charge of the drilling of any well unless he is the holder of a service permit granted by an Inspector:

“Provided that nothing in this subclause shall apply to any borehole not more than 1,000 ft deep drilled solely for the purpose of obtaining geological information or of exploding charges in geophysical prospecting unless in the opinion of the Inspector the drilling is likely to penetrate petroleum bearing strata.

“(2) A service permit shall not be granted unless the applicant satisfies the Inspector—

“(a) That he is for the time being resident in New Zealand; and

“(b) That he has had in the aggregate at least three years' practical experience in various capacities at wells where gas and oil have been dealt with, or has had in the aggregate at least three years' practical experience in the drilling of strata to such depths and with such equipment as, in the opinion of the Inspector, is sufficient to qualify the applicant to be in charge of the drilling of a well where gas and oil may be expected to be dealt with; and

“(c) That he is a person of ability, sobriety, and good conduct, and over 23 years of age.

“(3) The fee for a service permit shall be £2 2s., and the fee shall accompany each application.

“(4) The Inspector may, in his discretion, refuse to grant a service permit and may at any time cancel any such permit.

“(5) If a person in charge of the drilling of a well requiring a service permit is at any time incapacitated from performing his duties, or is about to be absent from the well for more than three working days, he or the licensee shall appoint some person, approved in writing by the Inspector, as deputy during the incapacity or absence; but no such deputy shall act for more than 14 working days at any one time unless authorised to do so by an Inspector.

“(6) The holder of a service permit granted under the Mining Act 1926 shall not by reason of being the holder of any such permit be entitled to have charge of the drilling of any well requiring a service permit under these regulations:

“Provided that any holder of a service permit under the Mining Act 1926 shall have the right at any time, without the payment of any fee, to the grant of a service permit under these regulations.”

(2) Nothing in this regulation shall affect the validity of any service permit issued before the coming into force of this regulation.

(3) The Petroleum Regulations 1939, Amendment No. 1, are hereby revoked.

6. The principal regulations are hereby amended by revoking regulations 21 and 22, and substituting the following regulations:

“21. (1) Where any well is to be drilled for the purpose of searching for petroleum or natural gas, the licensee shall, before commencing the work of drilling, give written notice to the Inspector of his intention to drill, and any such notice shall contain the following information:

“(a) The location and elevation above sea level of the floor of the proposed derrick and drill rig:

“(b) The number and other designation (if any) by which the well is to be known:

“(c) The licensee’s estimate of the depth of the point at which the first string of casing is to be set, together with the method by which the casing is to be cemented and the size and weight of casing to be used:

“(d) The licensee’s estimate of the depth at which oil producing or gas producing sand or formation will be encountered.

“(2) The provisions of subclause (1) of this regulation shall also apply so far as is practicable to the deepening or redrilling of any well, or any operations involving the plugging of any well, or any operations permanently altering in any manner the casing of any well.

“(3) Notwithstanding the provisions of subclause (1) of this regulation, where it is proposed to drill boreholes, other than for exploding charges in geophysical prospecting, with light drilling equipment, not for the purpose of penetrating oil bearing strata but as part of a programme for obtaining geological information in respect of petroleum or natural gas, the licensee shall, instead of giving notice in accordance with subclause (1) of this regulation, give notice to the Inspector of his intention to commence that programme, and the notice shall contain the following information:

“(a) The type and capacity of the drilling equipment to be used:

“(b) The location of the first borehole and the area within which other boreholes are proposed to be drilled as part of the programme:

“(c) The approximate number of any such boreholes proposed to be drilled:

“(d) An estimate of the ranges of depth to which any such boreholes are proposed to be drilled:

“(e) An estimate of the casing procedure (if any) required in any such boreholes:

“(f) The precautions proposed to be taken when any such borehole is abandoned.

“(4) Every licensee shall keep a log, in the form numbered 2 in the principal regulations, of all boreholes drilled by him to which subclause (3) of this regulation applies, showing the state, character, depth, and formation of the strata passed through or encountered by the drilling and giving such other information as may be required by the Minister. The log shall be open at all reasonable times to inspection by any Inspector and a certified copy of the log shall from time to time be furnished to the Under-Secretary.

“22. (1) The log of every well shall be kept in the form numbered 2 in the Schedule hereto, or in such other form as the Minister in any case approves.

“(2) In addition to the information required by section 31 of the Petroleum Act, every log shall show—

“(a) The character of water encountered from time to time (so far as it is ascertained), and the point at which the water is shut off; and

“(b) The depth at which oil-bearing strata are encountered, and the depth and character thereof.

“(3) A copy of the log shall be forwarded to the Under-Secretary as and when required by the Under-Secretary.”

7. Regulation 46 of the principal regulations is hereby amended by adding, as subclause (2), the following subclause:

“(2) Where pipelines are constructed under the authority of a pipeline authorisation granted under Part II of the Petroleum Act 1937, the provisions of that Part and of regulations thereunder shall apply, and the foregoing provisions of this regulation shall, in any such case, have no application to the authorised pipeline.”

SCHEDULE

Reg. 16A

Form 3

“NOTIFICATION OF SERIOUS AND FATAL ACCIDENTS

Inspector under  
Petroleum Act 1937,

I HAVE to report that [*State here the name of the injured person*] residing at [*State here the address of the injured person*] aged ..... years, and engaged as a ..... was seriously injured [*killed*] at ..... a.m./p.m. on the ..... day of ..... 19....., when working at [*State place at which accident occurred*].

The accident was caused by [*State here briefly the cause of the accident*], and the injuries sustained were [*Here specify as completely as possible the injuries the person received*].

Signature and designation of responsible officer:

.....  
.....”

T. J. SHERRARD,  
Clerk of the Executive Council.

EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

Regulation 2 revises the definitions contained in the principal regulations. In particular the definition of “well” reverts to the definition originally prescribed. Where any provision of the regulations is not to apply to a particular kind of well, the exception will be prescribed in the appropriate regulation.

Regulation 3 prescribes a form of notice of accident.

Regulation 4 exempts places of employment of a purely administrative nature from an obligation to keep first aid equipment.

Regulation 5 rewrites regulation 18 of the principal regulations. Principal changes are:

(a) Boreholes not more than 1,000 ft deep, drilled for the purpose of obtaining geological information, are exempted from the provisions requiring persons in charge of drilling to have a service permit;

(b) Service permits will be granted by Inspectors instead of by the Chairman of the Board of Examiners under the Mining Act 1926.

Regulation 6 rewrites regulation 21 of the principal regulations. A new provision in subclause (3) requires certain information to be given where a borehole is drilled in certain prospecting operations instead of the information required when the borehole is drilled in other mining operations.

Regulation 7 exempts authorised pipelines from certain obligations as to construction.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 March 1964.

These regulations are administered in the Mines Department.