

1985

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

*(Presented pursuant to leave granted and read 1^o,
28 November 1985)*

(SENATOR SANDERS)

A BILL

FOR

An Act to amend the Great Barrier Reef Marine Park Act 1975 to prohibit the carrying out of operations ancillary to the recovery of minerals and drilling or mining generally in the Marine Park without parliamentary approval.

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title, &c.

- 5 1. This Act may be cited as the Great Barrier Reef Marine Park Amendment (Prohibition of Mining or Drilling Activities) Act 1985.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

3. Section 38 of the Great Barrier Reef Marine Park Act 1975¹ is repealed and the following section is substituted:

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No drilling or mining in Marine Park

"38.(1) This section has effect notwithstanding any law of the Commonwealth or of a State or Territory.

"(2) Subject to this section, no lease, licence or permit granted for the purpose of, or purposes including, the carrying out of operations for the recovery of minerals, or for any purpose ancillary to such operations, shall have any force within the Marine Park.

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"(3) The Authority may submit to the Minister a proposal that operations for the recovery of minerals, or for purposes ancillary to operations for the recovery of minerals, be carried on in the Marine Park by, or with the approval of, the Authority for the purpose of research and investigations relevant to the establishment, care and development of the Marine Park or for scientific research.

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"(4) The Minister may -

(a) accept a proposal so submitted; or

(b) reject such a proposal.

"(5) Where the Minister accepts a proposal under sub-section (4) the Minister shall cause it to be laid before both Houses of the Parliament as soon as practicable and not later than 15 sitting days after the day on which it was accepted.

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5 "(6) Operations for the recovery of minerals, or for
purposes ancillary to operations for the recovery of
minerals, may be carried on in the Marine Park in accordance
with a proposal accepted under sub-section (4) if each House
of the Parliament passes a resolution assenting to the
proposal not more than 15 sitting days after the proposal has
been laid before that House.

10 "(7) A person who carries on operations for the recovery
of minerals, or for purposes ancillary to operations for the
recovery of minerals, in the Marine Park otherwise than in
accordance with a proposal assented to by both Houses of the
Parliament under sub-section (6) is guilty of an offence
punishable, on conviction, by a fine not exceeding
\$100,000."

NOTE

1. No. 85 of 1975, as amended. For previous amendments,
see Nos. 36 and 140, 1978; No. 155, 1979; No. 70, 1980; No.
80, 1982; No. 97, 1983; No. 63, 1984; and No. 65, 1985.

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