Environment Protection and Biodiversity Conservation Amendment (Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development) Bill 2012

(Amendment to be moved by Mr Katter)

(1) Schedule 1, page 8 (after line 9), at the end of the Schedule, add:

12 Aquifer drilling—12 month moratorium

(1) A person commits an offence if:
   (a) the person takes an action; and
   (b) the person takes the action for the purposes of, or in connection with, coal seam gas extraction; and
   (c) the action is, or results in, drilling through or into an aquifer; and
   (d) the drilling occurs within 12 months after the commencement of this item.

   Penalty:
   (a) for an individual—$200,000; and
   (b) for a body corporate—$2,000,000.

(2) Subitem (1) applies only if:
   (a) the person is a corporation to which paragraph 51(xx) of the Constitution applies; or
   (b) the action is taken for the purposes of trade or commerce:
      (i) between Australia and another country; or
      (ii) between 2 States; or
      (iii) between a State and a Territory; or
      (iv) between 2 Territories; or
   (c) the action is taken in a Territory.

(3) Subitem (1) does not apply if the action is taken to facilitate safer coal mining.
(4) This item has effect despite any provision of the *Environment Protection and Biodiversity Conservation Act 1999* or any other Act.

*[aquifer drilling—12 month moratorium]*