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 Bandt)

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

12 Aquifer drilling—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 mining; and
   (c) the action is, or results in, drilling through or into an aquifer; and
   (d) the drilling occurs before the earliest of the following:
      (i) 5 years from the commencement of this item;
      (ii) the conclusion of the full 5-year research program of the Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development.

Penalty: 2,000 penalty units.

(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 scientific research to better understand the interaction of groundwater systems and the impact on those systems of coal seam gas mining.

(4) This item has effect despite any provision of the *Environment Protection and Biodiversity Conservation Act 1999* or any other Act.

[**aquifer drilling—5 year moratorium**]