SEAS AND SUBMERGED LANDS AMENDMENT BILL 1980

Date Introduced: 23 April 1980
House: House of Representatives
Presented by: Rt. Hon. J.D. Anthony, M.P., Minister representing the Minister for National Development and Energy

Short Digest of Bill

Purpose

To amend the Seas and Submerged Lands Act 1973 so that certain State and Northern Territory laws are not invalidated under that Act.

Background and Provisions

The Seas and Submerged lands Act 1973 declares that sovereignty under the Convention on the Territorial Sea and the Contiguous Zone and sovereign rights under the Convention on the Continental Shelf are vested in and exercisable by the Crown in right of the Commonwealth. The Commonwealth and States have agreed to reallocate constitutional arrangements in the offshore area and, in particular, to confer legislative power and title on the States (and Northern Territory) in relation to the three nautical mile territorial sea and legislative power to deal with other matters such as subterranean mining from land within the limits of the State or Territory, ports, harbours and other works in the continental shelf area. (See Digests of Coastal Waters (State Powers) Bill 1980, Coastal Waters (State Title) Bill 1980 and related Bills for the Northern Territory).

Any law of a State asserting sovereignty or sovereign rights contrary to the Principal Act would be invalid. Paras 3(a) and (b) of the Bill include the Northern Territory as if it was a State in section 16 (dealing with laws to be saved). Para 3(c) amends section 16 to specifically provides for the saving of State and Northern Territory laws as described above.