

NORTHERN AUSTRALIA SURVEY.

No. 61 of 1934.

An Act to authorize and provide for the Geological and Geophysical Survey of certain areas in the northern parts of Australia, and for other purposes.

[Assented to 17th December, 1934.]

WHEREAS the Commonwealth and the States of Queensland and Western Australia have agreed to co-operate in the conduct of a geological and geophysical survey of certain areas in the northern parts of Australia and, for the purpose of meeting the cost of the said survey, to provide the sum of One hundred and fifty thousand pounds of which the Commonwealth is to provide one-half and each of the said States is to provide one-quarter :

Preamble.

Be it therefore enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *Northern Australia Survey Act* 1934.

short title.

2. This Act shall commence on a date to be fixed by proclamation

Commencement.

3. In this Act, unless the contrary intention appears—

Definitions.

“ the Chairman ” means the Chairman of the Survey Committee ;

“ the prescribed area ” means those parts of the States and the Northern Territory of Australia which the Committee, by notice published in the *Gazette*, declares to be parts to which it considers the Survey should extend ;

“ the States ” means the States of Queensland and Western Australia ;

“ the Survey ” means the geological and geophysical survey of such areas within the prescribed area as the Committee thinks fit ;

“ the Survey Committee ” means the Committee appointed under section six of this Act.

**Approval of
co-operation by
Commonwealth.**

4. The co-operation by the Commonwealth with the States in the conduct of the Survey and in the provision of moneys to meet the cost thereof is hereby approved, but nothing in such approval shall be taken to render the Commonwealth liable to payment of any greater sum than Seventy-five thousand pounds in respect of the cost of the Survey.

Appropriation.

5. There shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, for the purposes of this Act and of the Survey, the sum of Seventy-five thousand pounds.

**Appointment of
Survey
Committee**

6.—(1.) As soon as may be after the commencement of this Act, a Committee shall be appointed for the purposes of the Survey, and shall be charged with the duty of directing and controlling the Survey.

(2.) The Committee shall consist of three members, one of whom shall be appointed by the Governor-General, one by the Governor-in-Council of the State of Queensland, and one by the Governor-in-Council of the State of Western Australia.

(3.) The member appointed by the Governor-General shall be the Chairman of the Committee, and shall hold office during the pleasure of the Governor-General.

(4.) During the inability to act, from any cause, of the member of the Committee appointed by the Governor-General, the Governor-General may appoint a person to act as the deputy of that member, and the deputy shall, while so acting, have all the powers and perform all the functions of that member.

(5.) A person appointed by the Governor-in-Council of either of the States to act as the deputy of a member of the Committee appointed by the Governor-in-Council shall, while so acting, have all the powers and perform all the functions of that member.

**Powers and
functions of
Committee.**

7. The powers and functions of the Committee shall include the following :—

(a) The conduct of an aerial survey of such areas within the prescribed area as bear or are believed to bear metallic minerals ;

(b) The conduct of geological reconnaissance surveys to delimit, for investigation, suitable areas within the prescribed area ;

- (c) The conduct of detailed examinations of such areas ;
- (d) The conduct of geophysical surveys of such areas within the prescribed area as are approved by the Committee as being suitable for the purpose of such surveys ;
- (e) The boring of areas found, as the result of the geological or geophysical surveys, to be suitable for exploitation ; and
- (f) The investigation and consideration of factors incidental to the successful exploitation of such areas within the prescribed area as bear metallic minerals

8. The Committee may make and carry out such contracts for the purposes of the Survey as it thinks fit. Contracts.

9.—(1.) For the purposes of this Act, there shall be a Northern Australia Survey Trust Account, which shall be a Trust Account within the meaning of section sixty-two A of the *Audit Act* 1901–1934. Northern
Australia
Survey Trust
Account.

(2.) To that Trust Account—

- (a) there shall be credited moneys appropriated by this Act for the purposes of the Survey ; and
- (b) there may be credited—
 - (i) any moneys paid to the Commonwealth by either of the States ; and
 - (ii) any moneys received by the Committee, for the purposes of the Survey.

(3.) To that Trust Account there shall be debited—

- (a) all payments made for the purposes of the Survey, including the salaries and wages of officers and servants employed by the Committee, and expenses incidental to the carrying out of this Act and the Survey ; and
- (b) all payments of compensation made in pursuance of this Act.

(4.) The Treasurer shall cause to be furnished to the Premier of each of the States a copy of such portion of every report made by the Auditor-General as relates to that Trust Account.

10.—(1.) The Committee shall, as soon as possible after the close of each half-year ending on the thirtieth day of June or the thirty-first day of December, furnish to the Prime Minister and to the Premiers of the States, a report with respect to the conduct and progress of the Survey during that half-year. Report by
Committee.

(2.) Every such report shall be laid before both Houses of the Parliament within fourteen days after its receipt by the Prime Minister, if the Parliament is then sitting, or, if the Parliament is not then sitting, within fourteen days after the next meeting of the Parliament.

**Officers and
Servants.**

11.—(1.) The Committee may employ such officers and servants as it thinks necessary for the purposes of the Survey.

(2.) Officers and servants employed by the Committee shall not be subject to the *Commonwealth Public Service Act* 1922-1934, but shall be engaged for such periods and shall be subject to such conditions as the Committee thinks fit.

(3.) An officer of the Public Service of the Commonwealth who is employed by the Committee shall retain all his existing and accruing rights, and the provisions of the *Officers' Rights Declaration Act* 1928-1933 shall apply to that officer in like manner as if this Act and section were specified in the Schedule to that Act.

**Entry on land
by Committee.**

12.—(1.) For the purposes of the Survey, the Committee and any person thereto authorized by the Committee may enter upon any lands and there carry on such work as the Committee thinks fit or as is necessary, and shall have free access to any premises or place where any work in connexion with the Survey is being carried on.

(2.) In the exercise of the powers conferred by this Act, the Committee or persons employed or authorized, as provided in this Act, by the Committee shall do as little damage as possible, and the Committee shall make adequate compensation to all persons interested for any damage sustained by them by reason of the exercise of such powers.

(3.) The compensation, in the absence of agreement, shall be settled by arbitration in accordance with the law of the part of the Commonwealth in which the damage is sustained.

**Restrictions
upon officers.**

13. Any person executing any duty in connexion with the Survey who—

(a) without the consent in writing of the Chairman of the Committee, purchases or holds any interest in, or takes a lease, for any purpose, of any lands in the prescribed area ;

(b) discloses to any person, other than his superior officer, any discovery made by him or any other person executing any duty in connexion with the Survey, until such discovery has been reported to the Chairman of the Committee and his permission for the disclosure has been given ; or

(c) makes, otherwise than for the purposes of the Survey, any investigation or report relating to the property in the prescribed area of any individual, or holds any pecuniary interest in any mine, mineral lands, or mining works in the prescribed area.

shall be guilty of an offence.

Penalty : One hundred pounds.