

EXPLANATORY STATEMENT

Crimes at Sea Act 1979

Crimes at Sea Regulations
Statutory Rules 1987 No. 286

Section 18 of the Crimes at Sea Act 1979 (the Act) provides that the Governor-General may make regulations prescribing all matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed, for carrying out or giving effect to the Act.

Sub-section 10(1) of the Act provides that the regulations may declare that, with respect to a particular matter, Australia has jurisdiction at international law in relation to waters beyond the outer limits of the territorial sea. Where such a declaration is in force, the provisions of Australian criminal law apply in such areas with respect to those matters.

The Regulations declare that under international law Australia has, in respect of the installation and use of "sea installations", jurisdiction over each area of waters that is an "adjacent area". Both the terms "sea installation" and "adjacent area" are defined by the Sea Installations Act 1987. In applying Australian criminal law to sea installations, the Regulations complement the latter Act's scheme of administration of sea installations.

The details of the Regulations are:

Regulation 1 - is the short title.

Regulation 2 - defines the terms used in the Regulations.

Regulation 3 - declares that with respect to the establishment and use of sea installations, Australia has jurisdiction under international law over each area of waters that is an adjacent area within the meaning of the Sea Installations Act 1987.

By Authority of the
Attorney-General