

GREAT BARRIER REEF MARINE PARK AMENDMENT ACT 1978

No. 140 of 1978

An Act to amend the *Great Barrier Reef Marine Park Act 1975*.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

1. (1) This Act may be cited as the *Great Barrier Reef Marine Park Amendment Act 1978*.¹ Short title,
&c.
- (2) The *Great Barrier Reef Marine Park Act 1975*² is in this Act referred to as the Principal Act.
2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commence-
ment
3. Section 10 of the Principal Act is amended— Membership
of Authority
- (a) by omitting sub-section (5); and
- (b) by omitting from sub-section (6) “part-time”.
4. Section 22 of the Principal Act is amended— Membership
of Com-
mittee
- (a) by omitting from paragraph (1)(a) “nominated by the Authority”;
- (b) by inserting after sub-section (4) the following sub-section:
- “(4A) The member of the Committee referred to in paragraph (1)(a) shall be appointed by the Authority by writing under its common seal.”;
- (c) by inserting in sub-section (5) “referred to in paragraph (1)(b)” after “Committee”; and
- (d) by adding at the end thereof the following sub-section:
- “(9) In this section, a reference to a member of the Authority shall, where a person is acting as Chairman or as a part-time member, be read as including a reference to that person.”.
5. Section 23 of the Principal Act is amended— Tenure of
members of
Committee
- (a) by inserting before sub-section (1) the following sub-section:
- “(1A) The member referred to in paragraph 22 (1) (a) holds office during the pleasure of the Authority.”; and
- (b) by inserting in sub-sections (1) and (2) “referred to in paragraph 22 (1) (b)” after “Committee”.

Re-
muneration
of members
of
Committee

6. Section 24 of the Principal Act is amended by inserting in sub-section (4) “or a person acting as Chairman of the Authority” after “Authority”.

Chairman of
the
Committee

7. Section 25 of the Principal Act is amended by omitting from sub-section (1) “the member who is a member of the Authority” and substituting “the member referred to in paragraph 22 (1) (a)”.

8. Section 26 of the Principal Act is repealed and the following section substituted:

Resignation
of members
of
Committee

“26. (1) The member of the Committee referred to in paragraph 22 (1) (a) may resign his office by writing signed by him and delivered to the Chairman of the Authority or, if the member is the Chairman of the Authority, to another member of the Authority.

“(2) In relation to a time when a person is acting as Chairman of the Authority, references in sub-section (1) to the Chairman of the Authority shall be read as references to that person.

“(3) A member of the Committee referred to in paragraph 22 (1) (b) may resign his office by writing signed by him and delivered to the Minister.”.

Termination
of
appointment
of members
of
Committee

9. Section 27 of the Principal Act is amended—

(a) by inserting in sub-sections (1) and (2) “referred to in paragraph 22 (1) (b)” after “member of the Committee”;

(b) by inserting after sub-section (2) the following sub-section:

“(2A) The member of the Committee referred to in paragraph 22 (1) (a) ceases to hold office if he ceases to be a member, or acting member, of the Authority.”;

(c) by inserting after sub-section (3) the following sub-section:

“(3A) If the member of the Committee referred to in paragraph 22 (1) (a) fails to comply with his obligations under sub-section (5), the Authority shall terminate the appointment of the member.”; and

(d) by inserting in sub-section (4) “referred to in paragraph 22 (1) (b)” after “member of the Committee”.

Schedule

10. The Schedule to the Principal Act is repealed and the Schedule set out in Schedule 1 to this Act substituted.

Further
amendments

11. The Principal Act is amended as set out in Schedule 2 to this Act.

SCHEDULE 1

Section 10

SCHEDULE TO THE PRINCIPAL ACT

SCHEDULE

Section 3

The area the boundary of which—

- (a) commences at the point that, at low water, is the northernmost extremity of Cape York Peninsula Queensland;
- (b) runs thence easterly along the geodesic to the intersection of parallel of Latitude 10°41' South with meridian of Longitude 145°00' East;
- (c) runs thence southerly along that meridian to its intersection by the parallel of Latitude 13°00' South;
- (d) runs thence south-easterly along the geodesic to a point of Latitude 15°00' South Longitude 146°00' East;
- (e) runs thence south-easterly along the geodesic to a point of Latitude 17°30' South Longitude 147°00' East;
- (f) runs thence south-easterly along the geodesic to a point of Latitude 21°00' South Longitude 152°55' East;
- (g) runs thence south-easterly along the geodesic to a point of Latitude 24°30' South Longitude 154°00' East;
- (h) runs thence westerly along the parallel of Latitude 24°30' South to its intersection by the coastline of Queensland at low water; and
- (j) runs thence generally northerly along that coastline at low water to the point of commencement.

SCHEDULE 2

Section 11

FURTHER AMENDMENTS

1. The Principal Act is amended as set out in the following table:

Provision	Amendment
Sub-section 4 (2)	Omit "other than Papua New Guinea"
Paragraph 5 (1) (b)	Omit "Australia" (first occurring), substitute "the Commonwealth"
Sub-section 7 (3)	Omit "section 59", substitute "section 60"
Paragraph 10 (4) (a)	Omit "Australian Government", substitute "Commonwealth Government"
Sub-section 47 (6)	Omit "A warden", substitute "An inspector"
Sub-section 48 (4)	Omit "sub-section (3)", substitute "sub-section (2)"
Section 63	Omit sub-section (4)

2. The following provisions of the Principal Act are amended by omitting "Australia" (wherever occurring) and substituting "the Commonwealth":

Sections 3 (1) (definitions of "Australian coastal sea" and "Great Barrier Reef Region"), 4 (1), 5 (1) (e) and (h), 8 (1) (b), 22 (6), 34 (2), 36 (2), 37 (8), 38 (1), 42 (2), 47 (1) and (9), 59, 63 (1) and 66 (6), (7) and (8).

NOTES

1. Act No. 140, 1978; assented to 20 November 1978.
2. Act No. 85, 1975.