NORTHERN TERRITORY OF AUSTRALIA

OFF-SHORE WATERS (APPLICATION OF TERRITORY LAWS) ACT

As in force at 31 March 2001

Table of provisions

1 Short title 1
2 Interpretation 1
3 Application of laws of Territory to coastal waters and adjacent area 1
4 Regulations 3

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

This reprint shows the Act as in force at 31 March 2001. Any amendments that commence after that date are not included.

OFF-SHORE WATERS (APPLICATION OF TERRITORY LAWS) ACT

An Act to make provision for and in relation to the application of the laws of the Territory to the coastal waters of the Territory

1 Short title

This Act may be cited as the *Off-shore Waters (Application of Territory Laws) Act*.

2 Interpretation

(1) In this Act, unless the contrary intention appears:

adjacent area in respect of the Territory means adjacent area in respect of the Territory within the meaning of the *Coastal Waters (Northern Territory Powers) Act 1980* of the Commonwealth.

coastal waters of the Territory means coastal waters of the Territory within the meaning of the *Coastal Waters (Northern Territory Powers) Act 1980* of the Commonwealth.

law of the Territory means a present or future law in force in the Territory, whether written or unwritten and as in force from time to time, and includes an instrument of a legislative or administrative character made and in force under such a law, but does not include a law of the Commonwealth.

(2) A reference in this Act to the coastal waters of the Territory includes a reference to the sea-bed and subsoil beneath, and the airspace above, those waters.

3 Application of laws of Territory to coastal waters and adjacent area

(1) Subject to this section:

(a) the laws of the Territory:

(i) have effect in and in relation to the coastal waters of the Territory; and

(ii) apply to and in relation to an act done or omitted to be done at a place within those waters; and

(b) a reference in a written law of the Territory to "the Territory", "the Northern Territory" or other similar reference shall be read as including a reference to the coastal waters of the Territory.

(2) Where a written law of the Territory is in force in relation to:

(a) subterranean mining from land within the limits of the Territory or mining which includes subterranean mining from land within those limits; or

(b) ports, harbours or other shipping facilities, including installations, and dredging and other works, relating thereto, or other coastal works,

then, without limiting the generality of subsection (1), and unless the contrary intention appears in that law, that law has effect and applies:

(c) to and in relation to:

(i) subterranean mining carried out or proposed to be carried out; or

(ii) facilities and works referred to in paragraph (b) that are located or carried out or proposed to be located or carried out,

within the adjacent area of the Territory but beyond the outer limits of the coastal waters of the Territory; and

(d) to and in relation to an activity or operation carried out or proposed to be carried out within the adjacent area of the Territory but beyond the outer limits of the coastal waters of the Territory in relation to facilities or works so referred to that are located or carried out, or proposed to be located or carried out, within those outer limits.

(3) This section does not operate to apply laws of the Territory that are substantive criminal laws or laws of criminal investigation, procedure and evidence within the meaning of the cooperative scheme from time to time in force under the *Crimes at Sea Act*.

(a) in or in relation to the adjacent area specified in respect of the Territory specified in clause 14 of the cooperative scheme within the meaning of that Act; and

(b) to or in relation to an act done or omitted to be done within the adjacent area specified in respect of the Territory in clause 14 of the cooperative scheme within the meaning of that Act.

(4) Nothing in this section shall of itself be taken to limit the effect or application of a written law of the Territory in so far as it purports to have effect beyond the outer limits of the coastal waters of the Territory, or to apply to or in relation to an act done or omitted to be done beyond those limits.

4 Regulations

(1) The Administrator may make regulations, not inconsistent with this Act, prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without limiting the generality of subsection (1), the Regulations may provide that such provisions, or classes of provisions, of laws of the Territory as are specified in the Regulations do not:

(a) have effect in or in relation to the coastal waters of the Territory;

(b) apply to or in relation to specified acts or omissions within those waters, or specified classes of acts done or omitted to be done within those waters; or

(c) have effect in specified circumstances or in specified parts of those waters,

and, where such regulations are made, this Act shall be construed to apply the laws in force in the Territory subject to and in accordance with those regulations.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = *Gazette*
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

Off-Shore Waters (Application Of Territory Laws) Act 1985 (Act No. 45, 1985)

Assent date	18 September 1985
Commenced	18 September 1985

Off-Shore Waters (Application Of Territory Laws) Amendment Act 2000 (Act No. 72, 2000)

Assent date	14 December 2000
Commenced	31 March 2001 (s 2, s 2 *Crimes at Sea Act 2000* (Act No. 73, 2000) and *Gaz* G11, 21 March 2001, p 3)

3 LIST OF AMENDMENTS

s 3 amd No. 72, 2000, s 3