

**Reprint
as at 9 December 2005**



**Continental Shelf (Australia)
Order 2005
(SR 2005/324)**

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 5th day of December 2005

Present:
The Hon Dr Michael Cullen presiding in Council

Pursuant to section 2(2) of the Continental Shelf Act 1964, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This order is administered by the Ministry of Foreign Affairs and Trade.

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Order

- 1 Title**

This order is the Continental Shelf (Australia) Order 2005.
- 2 Commencement**

This order comes into force on 25 January 2006.
- 3 Interpretation**
 - (1) In this order, **Treaty** means the Treaty between the Government of New Zealand and the Government of Australia Establishing Certain Exclusive Economic Zone Boundaries and Continental Shelf Boundaries, done at Adelaide on 25 July 2004.
 - (2) In this order, a geographic co-ordinate is expressed in terms of the International Terrestrial Reference Frame 2000 as defined by the International Earth Rotation Service at epoch 1 January 2000.
- 4 Continental shelf between Australia (in respect of Lord Howe Island and Norfolk Island) and New Zealand**

For the purposes of implementing the Treaty, the boundary of the continental shelf of New Zealand is, in the area between Lord Howe Island and the North Island, and between Norfolk Island and the Three Kings Islands, delineated by the line that commences at the point of latitude 25°41'58.77" south, longitude 173°59'27.48" east, and then runs in the following order:

- (a) south-westerly along the geodesic to the point of latitude 27°05'37.98" south, longitude 171°54'30.61" east:
- (b) southerly along the geodesic to the point of latitude 27°29'53.98" south, longitude 171°58'42.98" east:
- (c) southerly along the geodesic to the point of latitude 27°52'50.38" south, longitude 171°58'51.31" east:
- (d) southerly along the geodesic to the point of latitude 28°13'20.83" south, longitude 171°56'10.22" east:
- (e) southerly along the geodesic to the point of latitude 28°52'49.54" south, longitude 171°56'16.16" east:
- (f) southerly along the geodesic to the point of latitude 30°25'42.70" south, longitude 171°56'30.44" east:
- (g) south-westerly along the geodesic to the point of latitude 30°43'29.25" south, longitude 171°28'45.57" east:
- (h) south-westerly along the geodesic to the point of latitude 30°53'11.23" south, longitude 171°13'28.85" east:
- (i) south-westerly along the geodesic to the point of latitude 31°16'01.68" south, longitude 170°37'06.34" east:
- (j) south-westerly along the geodesic to the point of latitude 31°19'31.67" south, longitude 170°31'15.10" east:
- (k) south-westerly along the geodesic to the point of latitude 31°40'26.30" south, longitude 169°56'12.27" east:
- (l) south-westerly along the geodesic to the point of latitude 31°47'23.99" south, longitude 169°44'25.06" east:
- (m) south-westerly along the geodesic to the point of latitude 32°04'50.57" south, longitude 169°14'37.00" east:
- (n) south-westerly along the geodesic to the point of latitude 32°06'52.74" south, longitude 169°11'06.79" east:
- (o) south-westerly along the geodesic to the point of latitude 32°25'18.55" south, longitude 168°39'03.72" east:
- (p) clockwise westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 32°22'18.95" south, longitude 166°58'54.37" east:
- (q) clockwise westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 32°09'22.23" south, longitude 166°17'34.30" east:

- (r) clockwise north-westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude $31^{\circ}53'49.17''$ south, longitude $165^{\circ}46'20.73''$ east:
- (s) clockwise north-westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude $31^{\circ}30'$ south, longitude $165^{\circ}13'27.08''$ east:
- (t) south-westerly along the geodesic to the point of latitude $32^{\circ}30'$ south, longitude $163^{\circ}06'58.81''$ east:
- (u) clockwise southerly along the geodesic arc of radius 200 nautical miles concave to Lord Howe Island to the point of latitude $33^{\circ}52'40.25''$ south, longitude $162^{\circ}21'59.44''$ east:
- (v) south-easterly along the geodesic to the point of latitude $36^{\circ}36'25.68''$ south, longitude $163^{\circ}15'37.64''$ east:
- (w) clockwise south-westerly along the geodesic arc of radius 350 nautical miles concave to Lord Howe Island to the point of latitude $37^{\circ}26'21.31''$ south, longitude $161^{\circ}04'38.06''$ east:
- (x) south-westerly along the geodesic to the point of latitude $37^{\circ}30'11.12''$ south, longitude $161^{\circ}00'14.00''$ east:
- (y) south-westerly along the geodesic to the point of latitude $37^{\circ}43'11.18''$ south, longitude $160^{\circ}49'46.53''$ east:
- (z) south-westerly along the geodesic to the point of latitude $37^{\circ}52'48.02''$ south, longitude $160^{\circ}41'59.88''$ east:
- (za) south-westerly along the geodesic to the point of latitude $38^{\circ}03'21.95''$ south, longitude $160^{\circ}33'24.99''$ east:
- (zb) south-westerly along the geodesic to the point of latitude $38^{\circ}19'36.19''$ south, longitude $160^{\circ}23'49.32''$ east, where it terminates.

5 Continental shelf between Australia (in respect of Macquarie Island) and New Zealand (in respect of Auckland and Campbell Islands)

For the purposes of implementing the Treaty, the boundary of the continental shelf of New Zealand is, in the area between Macquarie Island and Auckland and Campbell Islands, delineated by the line that commences at the point of latitude

51°04'48.96" south, longitude 158°01'25.98" east, and then runs in the following order:

- (a) clockwise easterly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 51°01'38.44" south, longitude 158°59'53.57" east:
- (b) clockwise easterly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 51°10'36.30" south, longitude 160°37'30.11" east:
- (c) south-easterly along the geodesic to the point of latitude 51°26'17.80" south, longitude 160°57'46.87" east:
- (d) south-easterly along the geodesic to the point of latitude 52°11'26.54" south, longitude 161°57'11.15" east:
- (e) south-easterly along the geodesic to the point of latitude 52°15'53.24" south, longitude 162°03'07.43" east:
- (f) south-easterly along the geodesic to the point of latitude 52°27'43.12" south, longitude 162°18'59.49" east:
- (g) south-easterly along the geodesic to the point of latitude 52°40'46.86" south, longitude 162°36'30.28" east:
- (h) south-easterly along the geodesic to the point of latitude 52°46'50.62" south, longitude 162°44'42.77" east:
- (i) south-easterly along the geodesic to the point of latitude 52°47'42.61" south, longitude 162°45'53.41" east:
- (j) south-easterly along the geodesic to the point of latitude 53°42'58.16" south, longitude 164°03'13.39" east:
- (k) south-easterly along the geodesic to the point of latitude 53°50'59.84" south, longitude 164°14'42.04" east:
- (l) south-easterly along the geodesic to the point of latitude 54°13'58.99" south, longitude 164°26'41.46" east:
- (m) south-easterly along the geodesic to the point of latitude 54°40'13.65" south, longitude 164°40'40.22" east:
- (n) south-easterly along the geodesic to the point of latitude 54°41'43.03" south, longitude 164°41'28.44" east:
- (o) clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 54°56'14.18" south, longitude 164°39'00.39" east:

- (p) clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55°00'11.94" south, longitude 164°38'17.35" east:
- (q) clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55°10'06.11" south, longitude 164°36'21.26" east:
- (r) clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55°14'12.61" south, longitude 164°35'21.12" east:
- (s) clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55°42'50.10" south, longitude 164°26'46.41" east:
- (t) clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55°52'23.70" south, longitude 164°23'57.71" east:
- (u) clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 56°38'56.15" south, longitude 163°56'44.86" east:
- (v) clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 56°52'19.72" south, longitude 163°44'04.71" east:
- (w) clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 57°09'53.30" south, longitude 163°23'17.53" east:
- (x) southerly along the geodesic to the point of latitude 57°48'21.07" south, longitude 163°24'47.01" east, where it terminates.

Diane Morcom,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 25 January 2006, delineates the boundaries of the continental shelf of New Zealand in those areas where it currently overlaps with the continental shelf of Australia. The order gives effect to provisions of a treaty with Australia concluded on 25 July 2004.

The continental shelf is the seabed and subsoil that extends beyond the territorial sea to the outer edge of the continental margin or to a point 200 nautical miles from the coast (whichever is greater). A coastal State has exclusive rights over minerals and sedentary living resources in its continental shelf.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 8 December 2005.

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Notes

1 *General*

This is a reprint of the Continental Shelf (Australia) Order 2005. The reprint incorporates all the amendments to the order as at 9 December 2005, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, *see*

<http://www.pco.parliament.govt.nz/legislation/reprints.shtml>
or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)

- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
