

INDEPENDENT STATE OF PAPUA NEW GUINEA

No. 26 of 1984.

*Torres Strait Treaty (Miscellaneous Amendments) Act 1984.*

Certified on : . 24. 7 84

## INDEPENDENT STATE OF PAPIA NEW GUINEA.

No. 26 of 1984.

*Torres Strait Treaty (.Miscellaneous Amendments) Act 1984.*

## ARRANGEMENT OF SECTIONS.

## PART I.

AMENDMENT OF THE CUSTOMS ACT  
(CHAPTER 101).

1. New Section 1A.  
"1A. Exemptions".

## PART II.

AMENDMENT OF THE CONTINENTAL SHELF(LIVING NATURAL RESOURCES) ACT  
(CHAPTER 210).

2. Repeal and Replacement of Section 3 of *Continental Shelf (Living Natural Resources) Act* (Chapter 210).

## PART III.

AMENDMENT OF THE FISHERIES ACT  
(CHAPTER 214).

3. Repeal and Replacement of Section 2 of the *Fisheries Act* (Chapter 214).

## PART IV.

AMENDMENT OF THE PETROLEUM ACT  
(CHAPTER 198).

4. Amendment of *Petroleum Act* (Chapter 198) by inserting new Section 15A.  
"15A. PROSPECTING, LICENCES ISSUED IN PURSUANCE OF TORRES STRAIT TREATY.

## INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. 26 of 1984.

*Torres Strait Treaty (Miscellaneous Amendments ) Act 1984 ,*

Being an Act to Amend certain Acts in consequence of the signing of the Treaty between Australia and the Independent State of Papua New Guinea concerning Sovereignty and Maritime Boundaries in the area between the two Countries, including the area known as Torres Strait and related matters signed at Sydney on 18 December 1978,

MADE by the National Parliament to come into operation in accordance with a notice published in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister.

## PART I.

AMENDMENT OF THE CUSTOM ACT  
(CHAPTER 101).

## 1. NEW SECTION 1A.

*The Customs Act* (Chapter 101) is amended by inserting after Section 1 the following new - section:-

## "1A. EXEMPTIONS.

- (1) The Minister may, by notice published in the National Gazette, exempt -  
 (a) a person; or  
 (b) a class of persons,

from all or party of the provisions of this Act.

"(2) An exemption under Subsection (1) may be subject to conditions specified in the notice".

## PART II.

AMENDMENT OF THE CONTINENTAL SHELF (LIVING NATURAL RESOURCES) ACT  
(CHAPTER 210).2. REPEAL AND REPLACEMENT OF SECTION 3 OF CONTINENTAL SHELF (LIVING NATURAL RESOURCES) ACT (CHAPTER 210) Section 3 of the *Continental shelf (Living Natural Resources Act* (Chapter 210) is repealed and is replaced by the following:

## "3. APPLICATION.

(1) Subject to Subsection (2), this Act applies to all parts of the Papua New Guinea continental shelf, and applies to all persons, including foreigners, and to all ships, including foreign ships.

"(2) This Act does not apply in respect of the area to which applies the *Fisheries (Torres Strait Protected Zone) Act 1984*".

*Torres Strait Treaty (Miscellaneous Amendments)*

PART III.

AMENDMENT OF THE FISHERIES ACT

(CHAPTER 214).

3. REPEAL AND REPLACEMENT OF SECTION 2 OF THE FISHERIES ACT (CHAPTER 214).  
Section 2 of the *Fisheries Act* (Chapter 214) is repealed and is replaced by the following:-

"3. TERRITORIAL APPLICATION.

(1) Subject to Subsection (2), this Act applies -

(a) in and in relation to the declared fishing zone and the internal waters - to all persons (including foreigners), and to all boats (including foreign boats); and

(b) in and in relation to any other waters - to all Papua New Guinea boats and to all persons on them or dealing with, or having any relevant relationship to, them or persons on them.

"(2) This Act does not apply in respect of the area to which applies the *Fisheries (Torres Strait Protected Zone) Act 1984*."

PART IV.

AMENDMENT OF THE PETROLEUM ACT

(CHAPTER 198).

4. AMENDMENT OF PETROLEUM ACT (CHAPTER 198) BY INSERTING NEW SECTION 15.A.

The *Petroleum Act* (Chapter 198) is amended by inserting in Part III immediately before Section 16, the following new section.-

"15A. PROSPECTING LICENCES ISSUED IN PURSUANCE OF TORRES STRAIT TREATY.

(1) This Part, other than this section and Divisions 3, 6, 8 and 9 does not apply to licence issued under this section.

"(2) Where, under Article % of the Treaty, a Person entitled to apply for a Petroleum prospecting licence, so applies, the Minister shall grant to him a petroleum prospecting licence.

"(3) A licence granted under Subsection (2) shall be granted on term that are not less favourable than a licence granted under Division 2.

"(4) For the purposes of this section "the Treaty" means the Treaty between the Independent State of Papua New Guinea and Australia concerning Sovereignty and Maritime Boundaries in the area between the two Countries, including the area known as Torres Strait and related matters signed at Sydney 18 December 1978.

"(5) In Divisions 3, 6, 8 and 9 "licence" shall, where applicable, include a licence granted under this section."

*Torres Strait Treaty (Miscellaneous Amendments)*

I hereby certify that the above is a fair print of the *Torres Strait Treaty (Miscellaneous Amendments) Act* 1984 which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby certify that the *Torres Strait Treaty (Miscellaneous Amendments) Act* 1984 was made by the National Parliament on 4 June 1984.

Speaker of the National Parliament.