

OFF-SHORE (APPLICATION OF LAWS).

No. 37 of 1983.

AN ACT to amend the Off-shore (Application of Laws) Act 1982.

[Assented to 1 December 1983.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Off-shore (Application of Laws) Amendment Act 1983*.

Short title
and citation.

(2) In this Act the Off-shore (Application of Laws) Act 1982 is referred to as the principal Act.

Act No. 21
of 1982.

(3) The principal Act as amended by this Act may be cited as the Off-shore (Application of Laws) Act 1982-1983.

Section 2
amended.

2. Section 2 of the principal Act is amended—

- (a) by inserting before the definition of “coastal waters of the State” the following definition—

“ “adjacent area in respect of the State” has the same meaning as, in relation to Western Australia, that expression has in the Coastal Waters (State Powers) Act 1980 of the Commonwealth; ”;

- (b) in the definition of “coastal waters of the State” by deleting “Commonwealth; and” and substituting the following—

“ Commonwealth; ”;

- (c) in the definition of “law of the State” by deleting “Commonwealth.” and substituting the following—

“ Commonwealth; ”; and

- (d) by inserting after the definition of “law of the State” the following definitions—

“ “shipping matters” means matters relating to ports, harbours and other shipping facilities, including installations and dredging and other works, relating thereto, and other coastal works;

“subterranean mining” means subterranean mining from land within the limits of the State. ”.

3. After section 3 of the principal Act the following section is inserted—

Section 3A
inserted.

“ 3A. (1) It is declared that—

Application
of certain
laws of the
State to the
adjacent
area in
respect of
the State.

(a) the provisions of every law of the State, being a law with respect to subterranean mining or shipping matters, shall be taken to have effect in and in relation to the adjacent area in respect of the State including the sea-bed and sub-soil beneath and the airspace above that adjacent area as if that adjacent area was part of Western Australia; and

(b) any reference in a written law of the State, being a law with respect to subterranean mining or shipping matters, to Western Australia or to the State or to the jurisdiction or any other like reference shall be read as including a reference to the adjacent area in respect of the State.

(2) Nothing in subsection (1) of this section shall be taken—

(a) to limit the operation of any written law of the State intended to operate beyond the coastal waters of the State; or

(b) to apply the provisions of the criminal laws within the meaning of the Crimes (Offences at Sea) Act 1979 in force in the State to or in relation to any act or omission to which section 6 (1) of that Act applies. ”.