

ENVIRONMENT PROTECTION (ALLIGATOR RIVERS REGION) ACT 1978

No. 28 of 1978

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SCHEDULE

ENVIRONMENT PROTECTION (ALLIGATOR RIVERS REGION) ACT 1978

No. 28 of 1978

An Act to provide for the appointment of a Supervising Scientist for the purpose of protecting the environment in the Alligator Rivers Region of the Northern Territory from the effects of uranium mining operations, and for other purposes.

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

PART I—PRELIMINARY

1. This Act may be cited as the *Environment Protection (Alligator Rivers Region) Act 1978*.¹ Short title
2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commencement
3. In this Act, unless the contrary intention appears— Interpretation
 - “Administrator of the Northern Territory” means the Administrator of the Northern Territory acting with the advice of the Executive Council of the Northern Territory;
 - “Alligator Rivers Region” or “Region” means—
 - (a) the area shown on the map set out in the Schedule, being a copy of the map appearing on page 14 of the Ranger Inquiry report, that is described as the “Area generally referred to in the report as ‘the Region’ ”;
 - (b) the territorial sea adjacent to the area referred to in paragraph (a); and
 - (c) the sea (if any) on the landward side of the territorial sea referred to in paragraph (b);
 - “appointed member of the Committee” or “appointed member” means a member of the Co-ordinating Committee other than the Supervising Scientist or the Director of National Parks and Wildlife;
 - “appropriate Aboriginal Land Council” means such Aboriginal Land Council established under the *Aboriginal Land Rights (Northern Territory) Act 1976* as the Minister declares by instrument under his hand to be the Aboriginal Land Council responsible for the Alligator Rivers Region for the purposes of this Act;

- “Co-ordinating Committee” or “Committee” means the Co-ordinating Committee for the Alligator Rivers Region;
- “Director of Territory Parks and Wildlife” means the person holding office as the Director of Territory Parks and Wildlife under the *Territory Parks and Wildlife Conservation Ordinance 1976* of the Northern Territory or, if a person is acting as the Director, the person so acting;
- “environment” includes all aspects of the surroundings of man, whether affecting him as an individual or in his social groupings;
- “Institute” means the Alligator Rivers Region Research Institute;
- “member of the Committee” or “member” means a member of the Co-ordinating Committee;
- “prescribed instrument” means any of the following, whether in force at the commencement of this Act or coming into force after that commencement:
- (a) a law of the Commonwealth or of the Northern Territory; or
 - (b) an instrument made, granted or issued under or for the purposes of any such law, including—
 - (i) a permit, licence or lease under any such law;
 - (ii) an authority under section 41 of the *Atomic Energy Act 1953*;
 - (iii) an agreement under Part IV of the *Aboriginal Land Rights (Northern Territory) Act 1976*; or
 - (iv) an instrument giving the approval of the Governor-General under section 10 of the *National Parks and Wildlife Conservation Act 1975*;
- “Ranger Inquiry report” means the report known as the Ranger Uranium Environmental Inquiry Second Report that was presented to the Minister for Environment, Housing and Community Development and the Minister for Aboriginal Affairs on 17 May 1977;
- “requirement” means an obligation, condition, restriction or prohibition;
- “sea” includes any waters within the ebb and flow of the tide;
- “Supervising Scientist” means the Supervising Scientist for the Alligator Rivers Region;
- “uranium mining operations” means any operations or activities for or in connexion with, or incidental to, the mining (whether by underground or surface working) or recovery of uranium-bearing ore or the production of material from that ore, and, in particular, without limiting the generality of the foregoing, includes the milling, refining, treatment and processing of uranium-bearing ore and the handling, transportation, storage

and disposal of uranium-bearing ore and of material produced from uranium-bearing ore, but does not include the construction or use of—

- (a) towns or camps, or structures connected with the construction or use of towns or camps; or
- (b) facilities for, or connected with, the supply of water, electricity or gas to towns or camps or to structures connected with the construction or use of towns or camps.

PART II—THE SUPERVISING SCIENTIST

4. There shall be a Supervising Scientist for the Alligator Rivers Region. Supervising Scientist

5. The functions of the Supervising Scientist are— Functions of Supervising Scientist

- (a) to devise and develop programs for research into, and programs for the collection and assessment of information relating to, the effects on the environment in the Alligator Rivers Region of uranium mining operations in the Region;
- (b) to co-ordinate, and supervise, the carrying out of programs referred to in paragraph (a);
- (c) to devise and develop, and to promote and assist in the devising and development of—
 - (i) standards, practices and procedures in relation to uranium mining operations in the Region for the protection of, or in so far as those standards, practices and procedures affect, the environment in the Region; and
 - (ii) measures for the protection and restoration of the environment in the Region from the effects of uranium mining operations in the Region;
- (d) to co-ordinate, and supervise, the implementation, in relation to uranium mining operations in the Region, of requirements of or having effect under prescribed instruments in so far as those requirements relate to any matter affecting the environment in the Region;
- (e) to advise the Minister with respect to—
 - (i) the effects on the environment in the Alligator Rivers Region of uranium mining operations in the Region;
 - (ii) standards, practices and procedures in relation to uranium mining operations in the Region for the protection of, or in so far as those standards, practices and procedures affect, the environment in the Region;
 - (iii) measures for the protection and restoration of the environment in the Region from the effects of uranium mining operations in the Region; and

- (iv) requirements of or having effect under prescribed instruments in relation to uranium mining operations in the Region in so far as those requirements relate to any matter affecting the environment in the Region and the implementation of those requirements;
- (f) to perform such other functions, in relation to uranium mining operations in the Region, as are conferred on him by or under a prescribed instrument (including this Act); and
- (g) to do anything incidental or conducive to the performance of any of the foregoing functions.

Powers of
Supervising
Scientist

6. The Supervising Scientist has power to do all things that are necessary or convenient to be done for, or in connexion with, the performance of his functions.

Directions of
Minister, &c.

7. The Supervising Scientist shall comply with directions given to him from time to time by the Minister in relation to the performance of his functions or the exercise of his powers and shall furnish to the Minister such information in relation to the operation of this Act as the Minister requires.

Appointment
and term of
office

8. (1) The Supervising Scientist shall be appointed by the Governor-General.

(2) Subject to sub-section (4), a person appointed as the Supervising Scientist holds office for such period, not exceeding 3 years, as is specified in his instrument of appointment.

(3) A person appointed as the Supervising Scientist is eligible for re-appointment.

(4) A person who has attained the age of 65 years shall not be appointed or re-appointed as the Supervising Scientist and a person shall not be appointed or re-appointed as the Supervising Scientist for a period that extends beyond the date on which he will attain the age of 65 years.

(5) The Supervising Scientist holds office on such terms and conditions (if any) in respect of matters not provided for by this Act as are determined by the Governor-General.

Pecuniary
interests

9. (1) A person shall not be appointed as the Supervising Scientist if he has a direct or indirect pecuniary interest in a business carried on in Australia, or in a body corporate carrying on such a business, being an interest that could be in conflict with his duties as Supervising Scientist if he were so appointed.

(2) The Supervising Scientist shall, to the best of his knowledge, disclose to the Minister any direct or indirect pecuniary interest that he has or acquires in a business carried on in Australia, or in a body corporate

carrying on such a business, being an interest that could be in conflict with his duties as Supervising Scientist.

10. (1) The Supervising Scientist shall be paid such remuneration as is determined by the Remuneration Tribunal, but, if no determination of that remuneration by the Tribunal is in operation, he shall be paid such remuneration as is prescribed. Remuneration and allowances

(2) The Supervising Scientist shall be paid such allowances as are prescribed.

(3) This section has effect subject to the *Remuneration Tribunals Act* 1973.

11. The Minister may grant leave of absence to the Supervising Scientist on such terms and conditions as to remuneration or otherwise as the Minister determines. Leave of absence

12. The Supervising Scientist may resign his office by writing under his hand delivered to the Governor-General. Resignation

13. (1) The Governor-General may terminate the appointment of the Supervising Scientist for misbehaviour or physical or mental incapacity. Termination of appointment

(2) If the Supervising Scientist—

- (a) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;
- (b) without reasonable excuse fails to comply with sub-section 9 (2) or 20 (2);
- (c) engages in paid employment outside the duties of his office without the approval of the Minister; or
- (d) is absent from duty, except on leave of absence granted by the Minister, for 14 consecutive days or for 28 days in any 12 months,

the Governor-General shall terminate his appointment.

14. (1) The Minister may appoint a person to act as the Supervising Scientist during any period, or during all periods, when— Acting Supervising Scientist

- (a) the Supervising Scientist is absent from duty or from Australia or is, for any other reason, unable to perform the functions of his office; or
- (b) there is a vacancy in the office of Supervising Scientist, whether or not an appointment has previously been made to the office.

(2) A person acting as the Supervising Scientist by reason of a vacancy in the office of Supervising Scientist shall not continue so to act—

- (a) if an appointment has not previously been made to the office—after the expiration of 12 months after the commencement of this Act; or
- (b) in any other case—after the expiration of 12 months after the occurrence of the vacancy.

(3) A person appointed to act as the Supervising Scientist has, while acting as the Supervising Scientist, all the powers, functions and duties of the Supervising Scientist, and references in Parts III, IV and V to the Supervising Scientist shall, if a person is acting as the Supervising Scientist, be read as a reference to the person so acting.

- (4) The Minister may—
 - (a) determine the terms and conditions of appointment of a person appointed to act as the Supervising Scientist; and
 - (b) at any time terminate such an appointment.

(5) If a person who holds an appointment to act as the Supervising Scientist fails, without reasonable excuse, to comply with sub-section 9 (2) as it applies by reason of sub-section (7) of this section or with sub-section 20 (2), the Minister shall terminate his appointment.

(6) A person who holds an appointment to act as the Supervising Scientist may resign his appointment by writing under his hand delivered to the Minister.

(7) Sub-section 9 (1) applies to and in relation to the appointment of a person to act as the Supervising Scientist in like manner as it applies to and in relation to the appointment of a person as the Supervising Scientist and sub-section 9 (2) applies to and in relation to a person appointed to act as the Supervising Scientist in like manner as it applies to and in relation to the Supervising Scientist.

(8) The validity of an act done by a person appointed to act as the Supervising Scientist shall not be questioned in any proceedings on a ground arising from the fact that the occasion for the appointment, or for him to act under the appointment, had not arisen or that the appointment had ceased to have effect or the occasion for him to act under the appointment had passed.

Officers'
Rights
Declaration
Act

15. Where a person appointed as the Supervising Scientist was, immediately before his appointment, an officer of the Australian Public Service or a person to whom the *Officers' Rights Declaration Act* 1928 applied—

- (a) he retains his existing and accruing rights;
- (b) for the purpose of determining those rights, his service as the Supervising Scientist shall be taken into account as if it were service in the Australian Public Service; and
- (c) the *Officers' Rights Declaration Act* 1928 applies as if this Act and this section had been specified in the Schedule to that Act.

PART III—THE CO-ORDINATING COMMITTEE

- 16.** There shall be a Co-ordinating Committee for the Alligator Rivers Region. Co-ordinating Committee
- 17.** The functions of the Co-ordinating Committee are— Functions of Co-ordinating Committee
- (a) to consider programs for research into, and programs for the collection and assessment of information relating to, the effects on the environment in the Alligator Rivers Region of uranium mining operations in the Region;
 - (b) to keep under review programs, and the carrying out of programs, referred to in paragraph (a);
 - (c) to make recommendations to the Supervising Scientist with respect to programs referred to in paragraph (a);
 - (d) to consider, and keep under review—
 - (i) standards, practices and procedures in relation to uranium mining operations in the Region for the protection of, or in so far as those standards, practices and procedures affect, the environment in the Region; and
 - (ii) measures for the protection and restoration of the environment in the Region from the effects of uranium mining operations in the Region;
 - (e) to keep under review—
 - (i) requirements of or having effect under prescribed instruments in relation to uranium mining operations in the Region in so far as those requirements relate to any matter affecting the environment in the Region; and
 - (ii) the implementation of those requirements;
 - (f) to make recommendations to the Supervising Scientist with respect to matters referred to in paragraphs (d) and (e);
 - (g) to perform such other functions, in relation to uranium mining operations in the Region, as are conferred on it by or under a prescribed instrument; and
 - (h) to do anything incidental or conducive to the performance of any of the foregoing functions.
- 18.** (1) The Co-ordinating Committee shall consist of— Membership of Co-ordinating Committee
- (a) the Supervising Scientist;
 - (b) the Director of National Parks and Wildlife;
 - (c) 2 members appointed by the Minister on the nomination of the Administrator of the Northern Territory;
 - (d) one member appointed by the Minister on the nomination of the appropriate Aboriginal Land Council; and
 - (e) such other members as are from time to time appointed by the Minister.

(2) The Minister shall cause to be prepared and kept a list setting out the name of each Department, authority, incorporated company or other body that in his opinion has an interest in uranium mining operations in the Alligator Rivers Region and—

- (a) the Minister shall request each Department, authority, incorporated company or other body the name of which is included in the list to nominate, in writing, not more than 2 persons for appointment to the Committee; and
- (b) if a person is, or persons are, nominated in accordance with such a request—the Minister shall appoint that person, or at least one of those persons, as a member of the Committee in accordance with paragraph (1) (e).

(3) The appointed members of the Committee shall hold office on a part-time basis.

(4) Subject to sub-section (5), an appointed member holds office during the pleasure of the Minister.

(5) Where a person is appointed as an appointed member on the nomination of the Administrator of the Northern Territory or the appropriate Aboriginal Land Council, or on the nomination of a Department, authority, incorporated company or other body, the Minister shall not terminate the appointment unless—

- (a) he is required to do so by sub-section 20 (1); or
- (b) the Administrator of the Northern Territory or the appropriate Aboriginal Land Council, or the Department, authority, incorporated company or other body, as the case may be, requests, in writing, the termination of the appointment.

(6) An appointed member holds office on such terms and conditions (if any) in respect of matters not provided for by this Act as are determined by the Minister.

(7) The appointment of an appointed member is not invalidated, and shall not be called in question, by reason of a defect or irregularity in, or in connexion with, his appointment.

Resignation **19.** An appointed member of the Committee may resign his office by writing under his hand delivered to the Minister.

Termination of appointment **20.** (1) If an appointed member of the Committee fails, without reasonable excuse, to comply with sub-section (2), the Minister shall terminate his appointment.

(2) A member of the Committee who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Committee, otherwise than as a member of, and in common with the other members of, an incorporated company that consists of more than 25 persons and of which he is not a director, shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Committee.

(3) A disclosure under sub-section (2) shall be recorded in the minutes of the meeting.

21. (1) The Minister may appoint a person to be the deputy of an ^{Deputies} appointed member of the Committee.

(2) If an appointed member of the Committee was appointed on the nomination of the Administrator of the Northern Territory or the appropriate Aboriginal Land Council, or on the nomination of a Department, authority, incorporated company or other body and the Administrator of the Northern Territory or the appropriate Aboriginal Land Council, or that Department, authority, incorporated company or other body nominates, in writing, a person for appointment as the deputy of that member, the Minister shall appoint that person as the deputy of that member in accordance with sub-section (1).

(3) If the Director of National Parks and Wildlife nominates a person for appointment as his deputy, the Minister shall appoint that person as the deputy of the Director.

(4) The deputy of a member is entitled to attend a meeting of the Committee not attended by the member of whom he is the deputy, and, while so attending, shall be deemed to be the member.

(5) The Minister may—

- (a) determine the terms and conditions of appointment of a person appointed as the deputy of a member; and
- (b) subject to sub-section (6), at any time terminate such an appointment.

(6) Where a person is appointed as the deputy of a member on the nomination of the Administrator of the Northern Territory or the appropriate Aboriginal Land Council, on the nomination of a Department, authority, incorporated company or other body, or on the nomination of the Director of National Parks and Wildlife, the Minister shall not terminate the appointment unless—

- (a) he is required to do so by sub-section 20 (1) as it applies by reason of sub-section (8) of this section; or
- (b) the Administrator of the Northern Territory or the appropriate Aboriginal Land Council, the Department, authority, incorporated company or other body, or the Director, as the case may be, requests, in writing, the termination of the appointment.

(7) The deputy of a member may resign his appointment by writing under his hand delivered to the Minister.

(8) The provisions of section 20 apply to and in relation to a deputy of a member in like manner as they apply to and in relation to the member.

Meetings of
Committee

22. (1) The Co-ordinating Committee shall hold such meetings as are necessary for the performance of its functions.

(2) Subject to this section, meetings of the Committee shall be held at such times and places as the Committee from time to time determines.

(3) The Supervising Scientist may at any time convene a meeting of the Committee.

(4) The members required to constitute a quorum at a meeting of the Committee, and all matters relating to procedures at meetings of the Committee (other than matters expressly provided for in this section), shall be as determined by the Minister by instrument under his hand.

(5) The Supervising Scientist shall preside at all meetings of the Committee at which he is present.

(6) If the Supervising Scientist is not present at a meeting of the Committee, the members present shall elect one of their number to preside at the meeting.

(7) Where the Minister is of the opinion that it would not, by reason of the direct or indirect pecuniary interests of a particular member or otherwise, be proper for the member to be present during the consideration by the Committee of particular matters, he may, by instrument under his hand, direct that that member is not to be present during the consideration by the Committee of those matters.

(8) The Committee shall cause a record of its proceedings to be kept.

(9) The Committee may invite a person to attend a meeting of the Committee for the purpose of advising or informing the Committee on any matter.

PART IV—THE INSTITUTE

Institute

23. There is established by this section an Alligator Rivers Region Research Institute.

Functions of
Institute

24. The functions of the Institute are—

(a) to undertake, promote and assist in research into the effects on the environment in the Alligator Rivers Region of uranium mining operations in the Region;

(b) to collect and assess, and to promote and assist in the collection and assessment of, information relating to the effects on the environment in the Alligator Rivers Region of uranium mining operations in the Region;

(c) to perform such other functions, in relation to uranium mining operations in the Alligator Rivers Region, as are conferred on it by or under a prescribed instrument; and

(d) to do anything incidental or conducive to the performance of any of the foregoing functions.

25. (1) The Institute shall be managed by the Supervising Scientist.

Institute to
be managed
by
Supervising
Scientist

(2) The Supervising Scientist has power to do all things that are necessary or convenient to be done for, or in connexion with, the management of the Institute.

PART V—MISCELLANEOUS

26. (1) Subject to sub-section (2), the staff required for carrying out or giving effect to this Act shall be persons appointed or employed under the *Public Service Act 1922*. Staff

(2) The Supervising Scientist has all the powers of, and exercisable by, a Permanent Head under the *Public Service Act 1922* in so far as those powers relate to the branch of the Australian Public Service comprising the persons referred to in sub-section (1) as if that branch were a separate Department of the Australian Public Service.

(3) For the purposes of sub-sections 25 (5) and (6) of the *Public Service Act 1922*, the Supervising Scientist shall be deemed to be a Permanent Head.

(4) The Supervising Scientist may, with the approval of the Public Service Board—

- (a) engage persons (other than persons referred to in sub-section (1)) to provide services to the Supervising Scientist; and
- (b) determine the terms and conditions of employment of persons so engaged.

27. (1) The Supervising Scientist may, by notice in writing served either personally or by post on a person, require the person—

Power of
Supervising
Scientist to
obtain
information
and
documents

- (a) to furnish to him, by writing signed by that person, or, in the case of a body corporate, by a competent officer of the body corporate, within the time and in the manner specified in the notice, such information in the possession of the person as is specified in the notice; or
- (b) to furnish to him, within the time and in the manner specified in the notice, such documents in the possession of the person as are specified in the notice,

being information that is or documents that are required for the performance of his functions or the performance of the functions of the Institute or the exercise of his powers (including his powers in relation to the management of the Institute).

(2) A person shall not, in purported compliance with a notice served on him under sub-section (1), knowingly furnish information that is false or misleading.

Penalty: \$1,000.

Application to Supreme Court for order with respect to information or documents

28. (1) Where a person who has been served with a notice under section 27 has refused or failed to comply, or to comply fully, with the notice, the Supervising Scientist may apply to the Supreme Court of the Northern Territory of Australia for an order under this section against that person.

(2) The person against whom an order under this section is sought is entitled to notice of, and to appear in, the proceedings.

(3) Where, in proceedings under this section, the Court is satisfied that all or any of the information or documents that was or were required by the notice to be furnished and has or have not been furnished—

(a) is or are in the possession of, or available to, the person against whom the order is sought; and

(b) is or are information or documents of a kind referred to in sub-section 27 (1),

the Court may make an order requiring the person against whom the order is sought to furnish to the Supervising Scientist, within the time and in the manner specified in the order, the information or documents as to which the Court is so satisfied.

(4) The Court shall not, under this section, require a person to furnish information or a document if the Court is satisfied that compliance with a requirement to furnish that information or document might tend to incriminate that person.

Supervising Scientist to have access to buildings and places in Region

29. (1) The Supervising Scientist is entitled, with the consent of the occupier, to full and free access to all buildings and places in the Alligator Rivers Region for the purpose of the performance of his functions or the performance of the functions of the Institute or the exercise of his powers (including his powers in relation to the management of the Institute).

(2) Sub-section (1) has effect in relation to any building or place on land that is Aboriginal land for the purposes of the *Aboriginal Land Rights (Northern Territory) Act 1976* notwithstanding sub-section 70 (1) of that Act.

Application to Supreme Court for order with respect to access

30. (1) Where the occupier of a building or place has refused, or is unwilling, to consent to the entry of the Supervising Scientist into that building or place under section 29, the Supervising Scientist may apply to the Supreme Court of the Northern Territory of Australia for an order under this section against the occupier.

(2) A person against whom an order under this section is sought is entitled to notice of, and to appear in, the proceedings.

(3) Where, in proceedings under this section, the Court is satisfied that access by the Supervising Scientist to the building or place to which the proceedings relate is necessary for a purpose referred to in section 29, the Court may make an order requiring the person against whom the

order is sought to give his consent, within a time specified in the order, to the entry of the Supervising Scientist into that building or place for that purpose.

31. (1) Sub-section (2) applies to every person who is or has been the Supervising Scientist or a member of the staff assisting the Supervising Scientist. Secrecy

(2) Subject to sub-section (3), a person to whom this sub-section applies shall not, either directly or indirectly, except in the performance of a duty under or in connexion with this Act, make a record of, or divulge or communicate to any person, any information concerning the affairs of any other person acquired by him by reason of his office or employment under or for the purposes of this Act.

Penalty: \$1,000 or imprisonment for 6 months, or both.

(3) Sub-section (2) does not prevent the communication of information or the production of a document by the Supervising Scientist or a member of the staff assisting the Supervising Scientist authorized by him for that purpose—

- (a) to the Minister, to the Permanent Head of the Department that deals with matters arising under this Act or to an officer of, or an employee in, that Department approved by the Permanent Head of that Department; or
- (b) to a person to whom, in the opinion of the Minister, it is in the public interest that the information be communicated or the document produced.

(4) Neither the Permanent Head of the Department that deals with matters arising under this Act nor an officer of, nor an employee in, that Department approved by him for the purposes of sub-section (3) shall, either directly or indirectly, except for the purpose of advising the Minister in connexion with this Act, make a record of, or divulge or communicate to any person, any information communicated to him by the Supervising Scientist or by a member of the staff assisting the Supervising Scientist, being information concerning the affairs of another person acquired by the Supervising Scientist or by a member of that staff by reason of his office or employment under or for the purposes of this Act.

Penalty: \$1,000 or imprisonment for 6 months, or both.

(5) Nothing in this section shall be taken to affect the operation of section 9 of the *Ombudsman Act 1976* or the operation of any similar provision in a law of the Northern Territory that confers functions on a person similar to functions conferred on the Ombudsman by that Act.

(6) A reference in this section to a member of the staff assisting the Supervising Scientist is a reference to a member of the staff referred to in sub-section 26 (1), a person engaged under sub-section 26 (4) or any other person to whom a delegation has been given under sub-section 35 (1).

Person not to obstruct or hinder Supervising Scientist

32. A person shall not, without reasonable excuse, obstruct or hinder the Supervising Scientist in the performance of his functions or the performance of the functions of the Institute or the exercise of his powers (including his powers in relation to the management of the Institute).

Penalty: \$1,000 or imprisonment for 6 months, or both.

Supervising Scientist to consult with Director of National Parks and Wildlife and Director of Territory Parks and Wildlife

33. The Supervising Scientist shall—

- (a) consult with, and have regard to the views of, the Director of National Parks and Wildlife in relation to any matter arising in the course of the performance of his functions that concerns the functions, powers or duties of the Director; and
- (b) consult with, and have regard to the views of, the Director of Territory Parks and Wildlife in relation to any matter arising in the course of the performance of his functions that concern the functions, powers or duties of the Director or the Territory Parks and Wildlife Commission established under the *Territory Parks and Wildlife Conservation Ordinance 1976* of the Northern Territory.

Supervising Scientist to comply with plan of management

34. While a plan of management or a town plan is in force under the *National Parks and Wildlife Conservation Act 1975* in relation to the whole or part of the Alligator Rivers Region, the Supervising Scientist shall perform his functions and exercise his powers in relation to the park, reserve or township to which the plan relates in accordance with that plan and not otherwise.

Delegation

35. (1) The Supervising Scientist may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him, delegate to a person any of his powers under this Act, other than this power of delegation.

(2) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act, be deemed to have been exercised by the Supervising Scientist.

(3) A delegation under this section does not prevent the exercise of a power by the Supervising Scientist.

Reports

36. (1) The Supervising Scientist shall, as soon as practicable after 30 June in each year, prepare and furnish to the Minister a report on the operation of this Act, being a report that refers in particular to the operation of this Act during the year that ended on that date.

(2) A report under sub-section (1)—

- (a) shall set out all directions given under section 7 by the Minister to the Supervising Scientist during the year to which the report relates;
- (b) shall include information concerning—
 - (i) the collection and assessment during that year of information relating to the effects on the environment in the

Alligator Rivers Region of uranium mining operations in the Region;

- (ii) standards, practices and procedures in relation to uranium mining operations in the Region adopted during that year, and changes made during that year to such standards, practices and procedures previously adopted, and the effect on the environment in the Region of those standards, practices and procedures and those changes;
- (iii) measures taken during that year for the protection and restoration of the environment in the Region from the effects of uranium mining operations in the Region;
- (iv) requirements of and having effect under prescribed instruments enacted, made, adopted or issued during that year in relation to uranium mining operations in the Region in so far as those requirements relate to any matter affecting the environment in the Region; and
- (v) the implementation during that year of requirements referred to in sub-paragraph (iv); and

(c) shall include a statement setting out the cost of his operations during the year to which the report relates.

(3) The Supervising Scientist shall furnish to the Minister such additional reports as the Minister from time to time requires and may from time to time furnish such other reports as the Supervising Scientist thinks fit.

(4) A report under sub-section (3) may set out such directions given by the Minister under section 7 to the Supervising Scientist as the Supervising Scientist considers to be relevant to the report.

(5) The Minister shall—

- (a) cause a copy of any report furnished to him under sub-section (1) or (3) to be laid before each House of the Parliament within 15 sitting days of that House after the report is received by him; and
- (b) cause a copy of every such report furnished to him on or after 1 July 1978 to be furnished to the Minister of the Northern Territory who is responsible, or principally responsible, for the administration of matters relating to parks and reserves in the Territory as soon as practicable after the report is laid before a House of the Parliament.

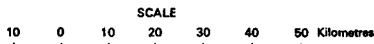
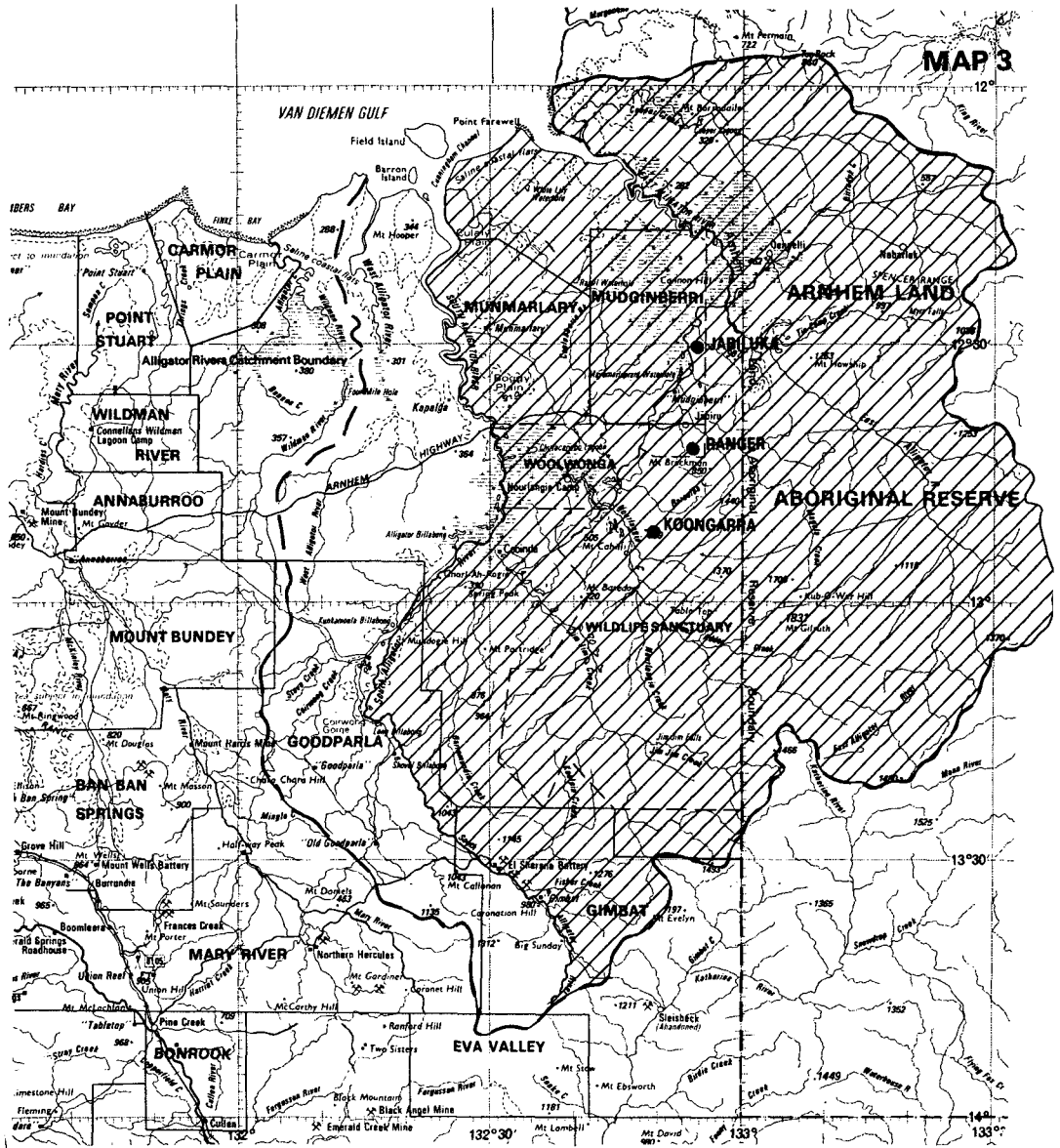
(6) For the purposes of this section, the period commencing on the day on which this Act receives the Royal Assent and ending on 30 June 1978 shall be regarded as a year.

37. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Regulations

SCHEDULE

Section 3



● Major uranium deposits

□ Area generally referred to in the report as 'the Region'

▨ Area covered by the Alligator Rivers Region Environmental Fact Finding Study

Region Referred to in the Report

NMP76/221.18

NOTE

1. Act No. 28, 1978; assented to 9 June 1978.