**Atomic Energy Amendment Act (No. 2) 1980**

**No. 119 of 1980**

**An Act to amend the *Atomic Energy Act* 1953**

[*Assented to 11 September 1980*]

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

**Short title**

**1.** **(1)** This Act may be cited as the *Atomic Energy Amendment Act* (*No.* 2) 1980.

**(2)** The *Atomic Energy Act* 1953 is in this Act referred to as the Principal Act.

**Commencement**

**2.** This Act shall come into operation on the day on which it receives the Royal Assent.

**Interpretation**

**3.** Section 5 of the Principal Act is amended—

(a) by inserting after the definition of “restricted information” in sub-section (1) the following definition:

“‘securities’ includes stocks, debentures, debenture stocks, notes, bonds, promissory notes, bills of exchange and similar instruments or documents;”; and

(b) by adding at the end thereof the following sub-section:

“(6) In this Act, a reference to dealing with securities shall be read as including a reference to—

(a) creating, executing, entering into, drawing, making, accepting, indorsing, issuing, discounting, selling, purchasing or re-selling securities;

(b) creating, selling, purchasing or re-selling rights or options in respect of securities; and

(c) entering into agreements or other arrangements relating to securities.”.

**4.** Section 30 of the Principal Act is repealed and the following sections are substituted:

**Borrowing otherwise than from the Commonwealth**

“30. (1) The Commission may, with the approval of the Treasurer but not otherwise, from time to time, borrow moneys (otherwise than from the Commonwealth) on such terms and conditions as the Treasurer approves.

“(2) Approvals for the purposes of sub-section (1) may be in respect of particular borrowings or in respect of borrowings included within a specified class, or specified classes, of borrowings.

“(3) The Treasurer may, on behalf of the Commonwealth, guarantee the repayment by the Commission of amounts borrowed under this section and the payment of interest on amounts so borrowed.

**Dealings with securities**

“30aa. (1) The Commission may, with the approval of the Treasurer but not otherwise, deal with securities.

“(2) Where the Commission borrows or otherwise raises moneys by dealing with securities, the Treasurer may determine that the repayment by the Commission of the amounts borrowed or raised, and the payment by the Commission of interest (if any) on those amounts, are, by force of this sub-section, guaranteed by the Commonwealth.

“(3) The power of the Treasurer to make a determination for the purposes of sub-section (2) extends to the making of a determination in respect of—

(a) securities included in a specified class, or specified classes, of securities; and

(b) transactions included in a specified class, or specified classes, of transactions.

**Commission may give security**

“30ab. The Commission may give security over the whole or any part of its assets—

(a) for the repayment of moneys borrowed under section 30 and the payment of any moneys that the Commission is otherwise liable to pay in respect of those borrowings; and

(b) for the payment of any moneys that the Commission is liable to pay in respect of dealings with securities in accordance with section 30aa,

including, but without limiting the generality of the foregoing, security for the payment of interest (if any) on moneys borrowed or otherwise raised by the Commission.

**Borrowings not otherwise permitted**

“30ac. The Commission shall not borrow, or otherwise raise, moneys except in accordance with sections 29, 30 and 30aa.”.

**Authority to mine prescribed substances on behalf of or in association with the Commonwealth**

**5.** Section 41 of the Principal Act is amended by inserting after sub-section (2) thefollowing sub-sections:

“(2aa) Operations carried on on the Ranger Project Area by the person or persons specified in an authority under this section (being an authority, whether granted before or after the commencement of this sub-section, that authorizes, or purports to authorize, that person, or those persons as joint venturers, to carry on, on behalf of the Commonwealth, operations in accordance with this section on the Ranger Project Area subject to conditions and restrictions specified in the authority) shall, if carried on as provided by the authority and in accordance with the Ranger Project agreement, be deemed, for the purposes of this Act, to be carried on on behalf of the Commonwealth and to be authorized by the authority.

“(2ab) The reference in sub-section (2aa) to the Ranger Project agreement shall be construed as a reference to the agreement known as the Ranger Uranium Project Government Agreement that was made on 9 January 1979 between the Commonwealth, Peko-Wallsend Operations Ltd., Electrolytic Zinc Company of Australasia Limited and the Commission or, if that agreement is amended, that agreement as amended.”.