

EXPLANATORY STATEMENT

STATUTORY RULES 1990 NO 115

REGULATION UNDER HISTORIC SHIPWRECKS ACT 1976:

HISTORIC SHIPWRECKS ACT 1976 - AMENDMENT OF REGULATIONS

The Historic Shipwrecks Act 1976 provides that an area may be declared a protected zone for the purpose of protecting an historic shipwreck. Subsection 14(1) of the Act provides for Regulations to be made to prohibit certain activities in protected zones.

The Principal Regulations made under the Act prohibit a range of activities in protected zones which would be likely to damage or interfere with an historic shipwreck or an historic relic except in accordance with a permit granted under sub-section 15(1) of the Act.

In 1982 the Queensland Government sought a declaration of a protected zone around the historic shipwreck *Yongala*, and amendment of the Principal Regulations in respect of that wreck, to allow individuals to enter the zone, moor and use a ship (provided this did not interfere with the wreck) and dive within the zone without the need for a permit. In effect this allowed individuals to dive on the wreck on a "look but do not touch" basis. The use of explosives or tools for salvage or recovery operations, trawling or fishing, or the removal of any other form of marine life associated with the wreck remained prohibited. This special protective regime for the *Yongala* was implemented through an amendment of the Principal Regulations.

The new amendment to the Principal Regulations, which was recommended by the Ministers delegate in Queensland, removes the special access arrangements for the *Yongala* protected zone. This move follows a number of incidents in recent years which have resulted in damage to the wreck site.

(Issued under the authority of the Minister for the Arts, Tourism and Territories).