



# **Environment Protection and Biodiversity Conservation (Heard Island and McDonald Islands Marine Reserve) Proclamation 2002**

**as amended**

made under subsection 344(1) of the

*Environment Protection and Biodiversity Conservation Act 1999*

**Compilation start date:** 28 March 2014

**Includes amendments up to:** Environment Protection and Biodiversity  
Conservation Amendment (Heard Island and  
McDonald Islands) Proclamation 2014

Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### This compilation

This is a compilation of the *Environment Protection and Biodiversity Conservation (Heard Island and McDonald Islands Marine Reserve) Proclamation 2002* as in force on 28 March 2014. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 28 March 2014.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of each amended provision.

### Uncommenced amendments

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Modifications

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

### Provisions ceasing to have effect

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

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I, PETER JOHN HOLLINGWORTH, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under subsection 344(1) of the *Environment Protection and Biodiversity Conservation Act 1999*:

- (a) declare the area specified in the Schedule to be a Commonwealth reserve for the purpose of protecting the conservation values of Heard and McDonald Islands and the adjacent unique and vulnerable marine ecosystems; and
- (b) assign to the reserve the name “Heard Island and McDonald Islands Marine Reserve”; and
- (c) specify that the land and seabed to a depth of 1000 metres within the declared area is within the reserve; and
- (d) assign the reserve to the World Conservation Union (IUCN) category of strict nature reserve.

## Schedule 1—Area specified as Heard Island and McDonald Islands Marine Reserve

Note: See paragraph (a).

### 1 Area specified as Heard Island and McDonald Islands Marine Reserve

- (1) The Heard Island and McDonald Islands Marine Reserve consists of:
- (a) the land that forms part of Heard Island and McDonald Islands; and
  - (b) the territorial sea of Australia adjacent to Heard Island and McDonald Islands; and
  - (c) the area bounded by a line starting at latitude 51°30'35"S, longitude 71°15'40"E then running progressively:
    - (i) along the geodesic to the intersection of the meridian of longitude 71°10'00"E and the French maritime boundary; and
    - (ii) along the French maritime boundary to latitude 51°36'00"S; and
    - (iii) along the parallel to latitude 51°36'00"S, longitude 71°00'00"E; and
    - (iv) along the geodesic to latitude 51°30'35"S, longitude 71°15'40"E; and
  - (d) the area bounded by a line starting at latitude 51°50'00"S, longitude 70°54'00"E then running progressively:
    - (i) along the geodesic to latitude 52°25'30"S, longitude 71°32'30"E; and
    - (ii) along the geodesic to latitude 52°40'00"S, longitude 72°00'00"E; and
    - (iii) along the geodesic to latitude 52°30'51"S, longitude 72°23'26"E; and
    - (iv) along the geodesic to latitude 51°38'00"S, longitude 71°24'00"E; and
    - (v) along the geodesic to latitude 51°50'00"S, longitude 70°54'00"E; and
  - (e) the area bounded by a line starting at latitude 52°57'00"S, longitude 72°08'00"E then running progressively:
    - (i) along the geodesic to latitude 53°03'00"S, longitude 72°14'30"E; and
    - (ii) along the meridian to latitude 53°30'00"S, longitude 72°14'30"E; and
    - (iii) along the parallel to latitude 53°30'00"S, longitude 74°12'00"E; and
    - (iv) along the meridian of longitude 74°12'00"E to its intersection by the outer limit of the territorial sea; and
    - (v) along the outer limit of the territorial sea to longitude 74°12'00"E; and
    - (vi) along the meridian to latitude 52°04'00"S, longitude 74°12'00"E; and
    - (vii) along the geodesic to the intersection of the meridian of longitude 73°17'00"E and the French maritime boundary; and
    - (viii) along the French maritime boundary to longitude 72°17'00"E; and
    - (ix) along the geodesic to latitude 52°08'00"S, longitude 73°20'00"E; and
    - (x) along the meridian of longitude 73°20'00"E to its intersection by the outer limit of the territorial sea; and
    - (xi) along the outer limit of the territorial sea to longitude 72°48'00"E; and
    - (xii) along the geodesic to latitude 52°33'28"S, longitude 72°26'21"E; and
    - (xiii) along the geodesic to latitude 52°52'28"S, longitude 72°18'09"E; and
    - (xiv) along the geodesic to latitude 52°57'00"S, longitude 72°08'00"E; and

- (f) the area bounded by a line starting at latitude 51°55'00"S, longitude 75°35'09"E then running progressively:
- (i) along the parallel to latitude 51°55'00"S, longitude 76°30'00"E; and
  - (ii) along the meridian to latitude 51°46'27"S, longitude 76°30'00"E; and
  - (iii) along the parallel to latitude 51°46'27"S, longitude 76°35'42"E; and
  - (iv) along the geodesic to latitude 51°55'00"S, longitude 76°53'46"E; and
  - (v) along the parallel of latitude 51°55'00"S to the outer limit of the exclusive economic zone; and
  - (vi) along the outer limit of the exclusive economic zone to the French maritime boundary; and
  - (vii) along the French maritime boundary to longitude 75°00'00"E; and
  - (viii) along the geodesic to latitude 50°40'00"S, longitude 75°30'18"E; and
  - (ix) along the parallel to latitude 50°40'00"S, longitude 74°41'00"E; and
  - (x) along the geodesic to latitude 51°55'00"S, longitude 75°35'09"E.

- (2) In this clause:

***French maritime boundary*** means the line described in article 2 of the Agreement on Maritime Delimitation between the Government of Australia and the Government of the French Republic, done at Melbourne on 4 January 1982.

Note: The Agreement is in Australian Treaty Series 1983 No. 3 ([1983] ATS 3) and could in 2014 be viewed in the Australian Treaties Library on the AustLII website ([www.austlii.edu.au](http://www.austlii.edu.au)).

- (3) The geographic coordinates in subclause (1) are expressed in terms of the World Geodetic System 1984.

## Endnotes

### Endnote 1—About the endnotes

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## Endnotes

### Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history
- Endnote 5—Uncommenced amendments
- Endnote 6—Modifications
- Endnote 7—Misdescribed amendments
- Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

### Abbreviation key—Endnote 2

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

### Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in endnote 5.

### Modifications—Endnote 6

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

### Misdescribed amendments—Endnote 7

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

### Miscellaneous—Endnote 8

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

**Endnote 2—Abbreviation key**

ad = added or inserted	pres = present
am = amended	prev = previous
c = clause(s)	(prev) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expired or ceased to have effect	rep = repealed
hdg = heading(s)	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
mod = modified/modification	Sdiv = Subdivision(s)
No = Number(s)	SLI = Select Legislative Instrument
o = order(s)	SR = Statutory Rules
Ord = Ordinance	Sub--Ch = Sub--Chapter(s)
orig = original	SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s) /sub--subparagraph(s)	

## Endnotes

### Endnote 3—Legislation history

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### Endnote 3—Legislation history

Title	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
Environment Protection and Biodiversity Conservation (Heard Island and McDonald Islands Marine Reserve) Proclamation 2002 (F2007B00733)	16 Oct 2002 ( <i>see</i> Gazette 2002, No GN41)	16 Oct 2002	
Environment Protection and Biodiversity Conservation Amendment (Heard Island and McDonald Islands) Proclamation 2014	27 Mar 2014 ( <i>see</i> F2014L00361)	28 Mar 2014	—



Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Sch 1	
Sch 1 .....	rs F2014L00361

## Endnotes

Endnote 5—Uncommenced amendments [none]

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**Endnote 5—Uncommenced amendments [none]**

**Endnote 6—Modifications [none]**

**Endnote 7—Misdescribed amendments [none]**

**Endnote 8—Miscellaneous [none]**