

SHORT TITLE

NO & YEAR

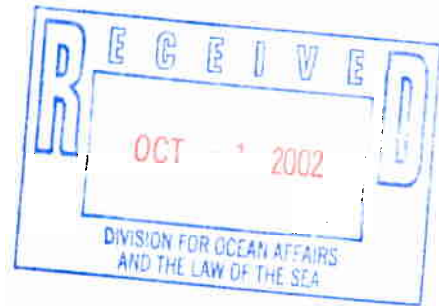
CERTIFIED

IN OPERATION

National Seas Act 1977
(No. 7 of 1977)

28.2.1977

31.3.1978
(Gaz.No. 24 of 1978)



INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 361.

National Seas.

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was vested in the Minister for Foreign Affairs and Trade at the date of its preparation for inclusion.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

TABLE OF CONTENTS.

	<i>Page.</i>
<i>National Seas Act</i>	3
<i>Regulations</i>	—
<i>Subsidiary Legislation</i>	11
Appendix— Source of Act.	



INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 361.

National Seas Act.

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

1. Interpretation—
 - "baseline"
 - "low water elevation"
 - "low water line"
 - "miles".

PART II.—TERRITORIAL SEA.

2. Description of territorial sea.
3. Location of limits of territorial sea.
4. Baselines where no determination made.

PART III.—INTERNAL WATERS.

5. Description of internal waters.

PART IV.—OFFSHORE SEAS.

6. Description of offshore seas.

PART V.—ARCHIPELAGIC WATERS.

7. Description of archipelagic waters.

PART VI.—MISCELLANEOUS.

8. Location of lines in cases of doubt.

PART VII.—TRANSITIONAL.

9. Interim delimitation of archipelagic waters.

SCHEDULES

SCHEDULE 1.—Principles for Ascertaining Baselines.

- Sch.1.1.—Interpretation of Schedule 1.
- Sch.1.2.—General principle.
- Sch.1.3.—Bays.
- Sch.1.4.—Low water elevations.
- Sch.1.5.—Rivers.

SCHEDULE 2.—Interim Delimitation of Archipelagic Waters.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 361.

National Seas Act.

Being an Act to describe and provide for the demarcation of—

- (a) the territorial sea; and
- (b) the internal waters; and
- (c) the offshore seas; and
- (d) the archipelagic waters,

for the purpose of asserting the rights of the State in relation to those areas.

PART I.—PRELIMINARY.

1. Interpretation.

(1) In this Act, unless the contrary intention appears—

“baseline” means territorial sea baseline;

“low water elevation” means a naturally formed area of land surrounded by and above water at mean low water springs but submerged at high water;

“low water line” means the low water line at mean low water springs;

“miles” means international nautical miles.

(2) For the purposes of this Act—

(a) the eastern part of the island of New Guinea; and

(b) each island under the sovereignty of the State,

shall be deemed to have a separate continuous baseline.

PART II.—TERRITORIAL SEA.

2. Description of territorial sea.

The territorial sea of the State comprises all the waters, being waters forming part of the offshore seas, contained between the baselines and the outer-limit lines except for any such waters proclaimed under this section by the Head of State, acting on advice, not to form part of the territorial sea.

3. Location of limits of territorial sea.

(1) In this section “limit point” means a point that is 12 miles seaward from the nearest point on a baseline.

(2) For the purposes of Section 2—

(a) the location of a baseline or a part of a baseline may be determined by the Head of State, acting on advice, by notice in the National Gazette; and

(b) an outer-limit line is the line every point of which is a limit point.

4. Baselines where no determination made.

Where no determination has been made under Section 3 in relation to any part of the coast, then to that extent the location of the baseline shall be ascertained in accordance with Schedule 1.

PART III.—INTERNAL WATERS.

5. Description of internal waters.

(1) In this section, "waters" includes bays, gulfs, inlets of the sea, rivers, rivulets, streams, lakes and lagoons.

(2) The internal waters of the State comprise the waters in any part of the country including all waters on the landward side of the baselines.

PART IV.—OFFSHORE SEAS.

6. Description of offshore seas.

Subject to delimitation of boundaries in relation to neighbouring states, the offshore seas of the State—

(a) extend to a distance of 200 miles seaward from the baselines; and

(b) unless otherwise specified, shall be deemed to comprise all the waters outside the baselines and within a line proclaimed for the purposes of this section by the Head of State, acting on advice, in the National Gazette.

PART V.—ARCHIPELAGIC WATERS.

7. Description of archipelagic waters.

(1) In this section—

"associated feature" means any—

(a) islet; or

(b) rock; or

(c) drying reef; or

(d) off-lying low water elevation,

that is within the area of the offshore seas and is adjacent to, near or associated with a feature of the coastline;

"feature of the coastline" includes promontory, cape, reef, mud bank, and sandbar;

"low water point" means the mark at mean low water springs on a feature of the coastline or on an associated feature;

"the Nukumanu Islands Archipelago" means all of the islands lying between the parallels 4°20' and 4°50' south latitude and between the meridians 159° and 160° east longitude;

"the Tauu Islands Archipelago" means all of the islands lying between the parallels 4°30' and 5° south latitude and between the meridians 156°30' and 157°30' east longitude.

(2) The archipelagic waters of the State comprise all the waters of the archipelagos under the sovereignty of the State, being waters which, subject to Subsection (3), form part of the offshore seas.

(3) The internal waters of the Tauu Islands Archipelago and of the Nukumanu Islands Archipelago may form part of the archipelagic waters.

(4) For the purposes of Subsection (2) the waters of an archipelago are the waters within a line delimited, for the purposes of this section, by the Head of State, acting on advice, by notice in the National Gazette.

(5) Archipelagic waters may be delimited in relation to land areas by reference to low water points.

PART VI.—MISCELLANEOUS.

8. Location of lines in cases of doubt.

(1) In any case where there is doubt as to the location of a baseline or any other line delimited under this Act the Minister may, by notice in the National Gazette, declare the location of the baseline or other line by whatever method appears to him to be appropriate.

(2) A reference in Subsection (1) to a baseline or other line includes a reference to part of a baseline or other line.

PART VII.—TRANSITIONAL

9. Interim delimitation of archipelagic waters.

(1) This section and Schedule 2 expire on the commencement of the first notice made under Section 7.

(2) Until the archipelagic waters are delimited in accordance with Section 7 the archipelagic waters shall be deemed to have been delimited under that section in accordance with the line described in Schedule 2.

SCHEDULE 1.

Sec. 4.

PRINCIPLES FOR ASCERTAINING BASELINES.

Sch.1.1. Interpretation of Schedule 1.

(1) In this Schedule "bay" means an indentation in the coastline the area of which is at least as great as that of a semicircle with a diameter equal to the distance across the mouth of the indentation.

(2) For the purposes of this Schedule the outermost permanent harbour works that form an integral part of a harbour system shall be deemed to form part of the coast.

Sch.1.2. General principle.

Subject to this Schedule, in respect of each part of the coast the baseline follows the low water line.

Sch.1.3. Bays.

Where the distance between the low water line on each natural entrance point of a bay—

- (a) does not exceed 24 miles, the baseline follows a straight line between those two points;
or
- (b) exceeds 24 miles, the baseline follows a straight line of 24 miles length within the bay positioned so as to enclose the maximum area of water.

Sch.1.4. Low water elevations.

- (1) Where a low water elevation is situated wholly or partly within 12 miles of the coast the baseline follows the low water line of the elevation.
- (2) A low water elevation does not become part of the coast by virtue of Subsection (1).

Sch.1.5. Rivers.

In respect of the mouth or each mouth of a river which flows into the sea the baseline follows a straight line across the river mouth between the points on the low water line of each bank.

SCHEDULE 2.

Sec. 9(2).

INTERIM DELIMITATION OF ARCHIPELAGIC WATERS.

PART 1.

The Principal Archipelago.

A line commencing at the southernmost point of the land boundary with Indonesia and following that boundary to its northernmost point and then following the geodesic lines successively linking the outermost low water points of the following land areas, namely :-

- (a) Wuvulu Island;
- (b) Aua Island;
- (c) Manu Island;
- (d) Palitolla Island (Pellelehu Group);
- (e) Heina Islands;
- (f) Sae Islands;
- (g) Kaniet Islands;
- (h) Marengan Island;
- (i) Ahet Island;
- (j) Ponam Island;
- (k) Andra Island;
- (l) Hapinbuch Island;
- (m) Hus Island;
- (n) Onpeta Island;
- (o) Mandcindr Island;
- (p) Pityilu Island;
- (q) Hauwei Island;
- (r) Ndrilo Island;
- (s) Koruniat Island;
- (t) Los Negros Island;
- (u) Pak Island;
- (v) Tong Island;
- (w) Towi Island;
- (x) Putuli Island;

- (y) Mbatmanda Island;
- (z) Mussau Island;
- (za) Emirau Island;
- (zb) Elomusao Island;
- (zc) Eous Island;
- (zd) Simberi Island;
- (ze) Mahur Island;
- (zf) Boang Island;
- (zg) Malum Islands;
- (zh) Southern Nuguria Islands;
- (zi) Kilinailau Islands;
- (zj) Anusagaio Island;
- (zk) Islands and low water points around the south east and south coast of Bougainville to Kabukeai Island;
- (zl) Morupena Point;
- (zm) Puruata Island;
- (zn) Islands and low water points along the north west coast of Bougainville to Cape Rungnour;
- (zo) Cape St. George (New Ireland);
- (zp) Cape Orford (New Britain);
- (zq) Islands and low water points along the south coast of New Britain to Kaupitmeti Island;
- (zr) Tami Island;
- (zs) Mitre Rock;
- (zt) Cape Nelson;
- (zu) Kanapu Island;
- (zv) Gwadarab Island;
- (zw) Kuaniagal Island;
- (zx) Simlindon Island;
- (zy) Kadai Island;
- (zz) Bomatu Point (Kiriwina Island);
- (zza) Iwa Island;
- (zzb) Dugumenu Island;
- (zzc) Cam Point (Madau Island);
- (zzd) Woodlark Island;
- (zze) Cannac Island;
- (zzf) Wabomat Island;
- zzg) Budelun Island;
- (zzb) Bukulan Island;
- (zzi) Oburak Island;
- (zzj) Tokona Island;
- (zzk) Cape Henry (Misima Island);

Ch. No. 361

National Seas

- (zzf) Renard Islands;
- (zzm) Rossel Island;
- (zzn) Lou Boloba Island;
- (zzo) Tagula Island;
- (zyp) Duchateau Island;
- (zzq) Pana Boba Island;
- (zzr) Montemont Island;
- (zzs) Pana Waipona Island;
- (zzt) Punawan Island;
- (zzu) Dupette Islets;
- (zzv) Lejeune Island;
- (zzw) Long Reef Island;
- (zzx) Sable Island;
- (zzy) Quessant Island;
- (zzz) Steuers Island;
- (zzza) Dumoulin Island;
- (zzzb) Harikoa Island;
- (zzzc) Brumer Island;
- (zzzd) Baibesiga Island;
- (zzze) Susu Island;
- (zzzf) the southern coast of the island of New Guinea (in a westerly direction to the point of commencement).

PART 2.

The Tauu Islands Archipelago.

A line enclosing all islands, shoals, rocks and reefs (whether or not submerged) lying between the parallels 4°30' and 5° south latitude and between the meridians 156°30' and 157°30' east longitude the line being a continuous line drawn between the outermost points of islands, shoals, rocks and reefs and shown on a chart designated by the Minister by notice in the National Gazette.

PART 3.

The Nukumanu Islands Archipelago.

A line enclosing all islands, shoals, rocks and reefs (whether or not submerged) lying between the parallels 4°20' and 4°50' south latitude and between the meridians 159° and 160° east longitude the line being a continuous line drawn between the outermost points of islands, shoals, rocks and reefs and shown on a chart designated by the Minister by notice in the National Gazette.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 361.

National Seas.

SUBSIDIARY LEGISLATION.

Act, Section 6—Offshore Seas Proclamation.

A proclamation—

- (a) to delimit the offshore seas of the State;
 - (b) to provide that certain waters do not form part of the territorial sea of the State. Gaz.No.24, 30.3.1978.
-

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 361.

National Seas.

APPENDIX.

SOURCE OF THE NATIONAL SEAS ACT.

Part A.—Previous Legislation.

National Seas Act 1977 (No.7 of 1977).

Part B.—Cross References.

Section, etc. in Revised Edition.	Previous References ¹ .
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
Schedule 1	Schedule 1
Schedule 2	Schedule 2

¹Unless otherwise indicated, references are to the Act set out in Part A.

INSTRUMENT			Instrument—continued		
DECLARATION of the baselines by method of co-ordinates of base points for purposes of the location of Archipelagic baselines.			Schedule—continued		
SCHEDULE					
Location of Archipelagic Baselines and co-ordinates of Principal Archipelago.					
Islands and High Water Elevation Features	Geographical Co-ordinate (WGS 84 Geodetic Datum)		Islands and High Water Elevation Features	Geographical Co-ordinate (WGS 84 Geodetic Datum)	
Base Points	Longitude	Latitude	Base Points	Longitude	Latitude
1. Wuvulu Island	S 2 35 36.85423	E 142 49 52.0	38. Purua Island	S 6 14 57.85579	E 155 01 38.0
2. Aua Island	S 1 27 22.85387	E 143 02 53.0	39. Islands and low water points along the north west coast of Bougainville (1) to Cape Rungnoui	S	E
3. Maone Island	S 1 18 35.85383	E 143 34 35.0	40. Cape St. George (New Ireland)	S 4 51 12.85513	E 152 52 40.0
4. Palitola Island (Pellelehu Group)	S 1 04 32.85376	E 144 23 46.0	41. Cape Orford (New Britain)	S 5 26 54.85540	E 152 05 00.0
5. Heina Islands	S 1 06 34.85377	E 144 29 18.0	42. Islands and low water points along the south coast of New Britain to Kauptimete Island	S 6 11 10.85576	E 148 57 05.0
6. Sac Islands	S 0 45 27.85368	E 145 18 10.0	43. Tami Island	S 6 45 59.85606	E 147 54 38.0
7. Kaniet Island	S 0 52 27.85371	E 145 33 55.0	44. Mitre Rock	S 8 03 14.85677	E 148 07 50.0
8. Marengan Island	S 1 54 07.85401	E 146 34 45.0	45. Cape Nelson	S 8 59 54.85735	E 149 15 00.0
9. Ahet Island	S 1 54 24.85401	E 146 36 10.0	46. Kanapu Island	S 8 20 44.85695	E 150 07 05.0
10. Poman Island	S 1 54 22.85401	E 146 52 30.0	47. Owadarab Island	S 8 18 14.85692	E 150 06 33.0
11. Andra Island	S 1 56 04.85402	E 146 59 55.0	48. Kuaniagal Island	S 8 20 34.85695	E 150 25 30.0
12. Hapinhuch Island	S 1 56 19.85402	E 147 01 03.0	49. Simlindon Island	S 8 19 36.85694	E 150 34 20.0
13. Hus Island	S 1 56 19.85402	E 147 06 13.0	50. Kudai Island	S 8 19 04.85693	E 150 49 00.0
14. Orpeta Island	S 1 56 34.85402	E 147 07 58.0	51. Bomatu Point (Kiriwina Island)	S 8 24 11.85698	E 151 07 13.0
15. Mandrindr Island	S 1 56 59.85402	E 147 11 23.0	52. Iwa Island	S 8 41 47.85716	E 151 40 40.0
16. Pitulu Island	S 1 57 19.85402	E 147 13 08.0	53. Dugumenu Island	S 8 47 54.85722	E 151 55 18.0
17. Hauwei Island	S 1 57 32.85403	E 147 17 18.0	54. Cam Point (Madau Island)	S 8 56 42.85731	E 152 27 00.0
18. Ndirito Island	S 1 57 37.85403	E 147 19 56.0	55. Woodlark Island	S 9 00 21.85735	E 152 47 25.0
19. Koruniat Island	S 1 58 16.85403	E 147 21 05.0	56. Carnac Island	S 9 16 07.85752	E 153 30 25.0
20. Iar Negroe Island	S 1 58 24.85403	E 147 21 58.0	57. Wabomat Island	S 9 15 31.85751	E 153 40 15.0
21. Pak Island	S 2 03 59.85406	E 147 39 20.0	58. Budehun Island	S 9 17 16.85753	E 153 41 48.0
22. Tong Island	S 2 02 07.85405	E 147 45 40.0	59. Bukulan Island	S 9 18 21.85754	E 153 40 35.0
23. Towi Island	S 1 59 49.85404	E 147 55 48.0	60. Tokona Island	S 9 34 17.85771	E 152 29 18.55400
24. Potuli Island	S 1 58 57.85403	E 148 01 40.0	61. Cape Henry (Misima Island)	S 10 39 41.85844	E 152 52 00.55400
25. Albatmanda Island	S 1 58 17.85403	E 148 03 58.0	62. Renard Islands	S 10 48 21.85854	E 152 59 40.55400
26. Mussau Island	S 1 18 52.85383	E 149 32 53.0	63. Rossel Island	S 11 17 33.85889	E 154 12 38.55400
27. Emirau Island	S 1 37 26.85392	E 149 57 30.0	64. Lou Boloba Island	S 11 26 59.85900	E 154 23 52.55400
28. Elomusao Island	S 1 40 33.85394	E 150 01 50.0	65. Tagula Island	S 11 37 39.85913	E 153 45 52.55400
29. Enus Island	S 1 38 43.85393	E 150 40 18.0	66. Duchateau Island	S 11 16 57.85888	E 152 22 15.55400
30. Simberi Island	S 2 35 49.85424	E 151 59 45.0	67. Montemont Island	S 11 18 22.85890	E 152 17 57.55400
31. Mahur Island	S 2 46 11.85430	E 152 39 40.0	68. Punawan Island	S 11 11 44.85882	E 152 01 40.55400
32. Bouang Island	S 3 22 14.85452	E 153 19 55.0	69. Duperre Islets	S 11 10 41.85881	E 151 57 20.55400
33. Malum Islands	S 3 06 22.85442	E 154 26 25.0	70. Lejeune Island	S 11 10 34.85880	E 151 48 55.55400
34. Southern Niguria Islands	S 3 15 14.85447	E 154 40 28.0	71. Long Reef Island	S 11 09 14.85879	E 151 40 10.55400
35. Anusagaia Island	S 6 03 36.85570	E 155 30 30.0	72. Quessant Island	S 11 09 21.85879	E 151 15 20.55400
36. Islands and low water points around the south east and south east of Bougainville to Kabukelai Island	S 6 57 29.85616	E 155 30 30.0	73. Steuers Island	S 11 06 11.85875	E 151 07 52.55400
37. Motupena Point	S 6 31 37.85593	E 155 09 30.0	74. Dumoulin Island	S 10 55 29.85863	E 150 47 18.55400
			75. Harikoia Island	S 10 46 09.85852	E 150 24 38.55400
			76. Bruner Island	S 10 46 17.85852	E 150 21 45.55400
			77. Baibesiga Island	S 10 44 04.85849	E 150 17 00.55400
			78. Suau Island	S 10 43 37.85849	E 150 14 28.55400

National Seas Act Section 8

DECLARATION of the baselines by methods of co-ordinates of base points for purposes of the location of the Archipelagic waters.

I, the Minister for Foreign Affairs, John D. Waiko, MP, Minister for the *National Seas Act*, by virtue of Section 8 of the *National Seas Act 1998*, and all other powers and enabling, hereby make the following Declaration for purposes of location of Papua New Guinea Archipelagic baselines and base points co-ordinates of the Principal Archipelago.

The high waters elevating appearing on Schedule 1 relate to islands, reefs and other features used and their relevant co-ordinates.

Dated this 25th day of July, 2002.

The Honourable Professor J. D. WAIKO, Ph.D., MP,
Minister for Foreign Affairs.

Fisheries Management Act 1998**REVOCATION AND APPOINTMENT OF PROVINCIAL FISHERY OFFICERS**

I, Antony Lewis, Acting Managing Director of the National Fisheries Authority, by virtue of the powers conferred upon me under Section 48(1)(b) of the *Fisheries Management Act 1998*, hereby revoke all previous appointments of Provincial Fisheries Officers and appoint the following Provincial Fishery Officers for the purpose of fisheries enforcement under the said Act in relation to their respective Provinces.

Name of Officers	Province Designate
Stanley Jogo	Western Province
Kolonia Odori	Western Province
Robert Alphones	Western Province
Geowa Tamala	Gulf Province
Enoch Pabon	Gulf Province
Ronald Wala	Central Province
Pepena Gantini	Central Province
Ousa Kelokelo	Milne Bay Province
Jane Bagita	Milne Bay Province
Robert Filai	Oro Province
Paul Anabere	Oro Province
John Joseph	Morobe Province
Tim Tomui	Morobe Province
Paul Mangem	Morobe Province
Terry Sibangane	Madang Province
Max Balim	Madang Province
Thomas Amepou	Madang Province
Joachim Nianguma	East Sepik Province
Stanley Abola	East Sepik Province
Cassian Saroya	Sandaun Province
Sylvester Mala	Sandaun Province
Stephen Nakilai	Manus Province
Mantuai Matawai	Manus Province
Satarek Taput	New Ireland Province
Venantius Kabuak	New Ireland Province
Clement Kambu	East New Britain Province
Dickson Kondaul	East New Britain Province
Issac Ave Mesulam	West New Britain Province
Noah Numa Taia	West New Britain Province
Kevin Anana	Bougainville
Ginro Boisen	Bougainville

The revocations and appointments of Fishery Officers will be effective from the date of publication of this instrument in the *National Gazette*.

Dated this 22nd day of July, 2002.

A. LEWIS,
Acting Managing Director.

Land Registration Act (Chapter 191)**ISSUE OF OFFICIAL COPY OF STATE LEASE**

NOTICE is hereby given that after the expiration of fourteen clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of the State Lease referred to in the Schedule below under Section 162 of *Land Registration Act (Chapter 191)*, it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

SCHEDULE

State Lease Volume 103, Folio 59, evidencing a leasehold estate in all that piece or parcel of land known as Allotment 14, Section 39, Rabaul, East New Britain Province containing an area of 1.595 hectares more or less the registered proprietor of which is Papua New Guinea Adventist Association Limited.

Dated this 17th day of July, 2002.

T. PISAE,
Deputy Registrar of Titles.

Land Groups Incorporation Act**NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 8433

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:—

Tomoinoi Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- (1) Its members are from Bitapabeke Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in Kukopo/Vunamami Local Level Government Area, East New Britain Province.

Dated this 20th day of June, 2002.

T. PISAE,
A Delegate of the Registrar of Incorporated Land Groups.

Land Groups Incorporation Act**NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 9065

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:—

Tiasapi Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:

- (1) Its members are from Pawabi-Kaiam Villages.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in Kikori/Erave Local Level Government Area, Gulf Province.

Dated this 26th day of July, 2002.

T. PISAE,
A Delegate of the Registrar of Incorporated Land Groups.



Papua New Guinea
National Gazette

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No. G24]

PORT MORESBY, THURSDAY, 30th MARCH

[1978

NOTICE OF COMMENCEMENT

I, Tore Lokoloko, G.C.M.G., Governor-General, by virtue of the powers conferred by the undermentioned Acts and all other powers me enabling, acting with, and in accordance with, the advice of the Minister for Primary Industry, hereby advise that the said Acts shall come into operation on and from 31st March, 1978—

No. 5 of 1977.—*Continental Shelf (Living Natural Resources) (National Seas) Act 1977.*

No. 6 of 1977.—*Fisheries (Declared Fishing Zone) Act 1977.*

No. 9 of 1977.—*Tuna Resources Management (National Seas) Act 1977.*

Dated this 17th day of March, 1978.

TORE LOKOLOKO,
 Governor-General.

NOTICE OF COMMENCEMENT

I, Tore Lokoloko, G.C.M.G., Governor-General, by virtue of the powers conferred by the undermentioned Act and all other powers me enabling, acting with, and in accordance with, the advice of the Minister for Foreign Affairs and Trade, hereby advise that the said Act shall come into operation on and from 31st March, 1978.

No. 7 of 1977.—*National Seas Act 1977.*

Dated this 17th day of March, 1978.

TORE LOKOLOKO,
 Governor-General.

Fisheries Act 1974

DECLARATION OF FISHING ZONE

I, Tore Lokoloko, G.C.M.G., Governor-General, by virtue of the powers conferred by Section 2(2) of the *Fisheries Act 1974* and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby declare the whole of the offshore seas to be the declared fishing zone.

Dated this 17th day of March, 1978.

TORE LOKOLOKO,
 Governor-General.

"Offshore Seas Proclamation '78
 P.T.C."

THE INDEPENDENT STATE OF PAPUA NEW GUINEA.

National Seas Act 1977.

OFFSHORE SEAS PROCLAMATION 1978.

Being a Proclamation -

- (a) to delimit the offshore seas of the State;
and
- (b) to provide that certain waters do not form part of the territorial sea of the State,

and for other purposes,

MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the *National Seas Act 1977.*

1. - OUTER LIMIT OF OFFSHORE SEAS.

The line consecutively described in Schedules 1, 2 and 3 is the line for the purposes of Section 6 of the *National Seas Act 1977* and, subject to Sections 3(2) and 4 of this Proclamation, the offshore seas of the State shall be deemed to comprise all the waters outside the baselines and within the line so described.

2. - LINE DESCRIBED IN SCHEDULES 1 AND 3.

(1) That part of the line described in Schedules 1 and 3 is drawn -

- (a) to give effect to agreements with other states where agreement on the line has been reached;
and
- (b) without prejudice to the ultimate location of appropriate boundary lines, to adopt an interim boundary in areas where no agreement with other states has been reached; and
- (c) to adopt limits of 200 miles from the baselines where no boundary lines with other states may appropriately be drawn.

(2) Subject to Subsection (3), the description contained in Schedules 1 and 3 is based on the nautical charts BA3250, BA3832, BA3830, BA214, BA3419, BA208 and BA2759a in respect of the areas covered by those charts.

(3) The points described in the Schedules as Points 30 to 42 inclusive, and the descriptions of those parts of the line commencing at Point 30 and ending at Point 38 and commencing at Point 39 and ending at Point 42 respectively, have been based on the current World Aeronautical Charts of the area in which those points and parts of the line are located.

3. - TEMPORARY LIMIT.

(1) In this section "Secondary Area" means the area of sea bounded by the temporary line described in Schedule 2 and a more southerly line between Points 38 and 39 provisionally agreed upon between the State and Australia to be proclaimed after an opportunity for further consultation between the two governments on outstanding matters of substance concerning the nature and manner of exercise of jurisdiction in that area so as to safeguard the interests of all affected parties.

(2) For the purposes of this Proclamation, so much of the waters of the sea as are within three miles of the land of the islands specified in Schedule 5 that would not, but for this section, fall within the Secondary Area shall be deemed to be within the Secondary Area.

(3) Nothing in Subsection (2) shall be construed as indicating that the State abandons its seabed resources jurisdiction associated with the islands specified in Schedule 5, but that subsection shall be read as indicating only that the State intends to suspend temporarily the exercise of such jurisdiction over and in respect of so much of the area of those waters as lies north of the temporary line described in Schedule 2 pending the outcome of further negotiations between the State and Australia.

4. - CERTAIN WATERS NOT INCLUDED IN OFFSHORE SEAS.

The offshore seas of the State shall not be deemed to include the waters described in Schedule 4.

5. - CERTAIN WATERS NOT INCLUDED IN TERRITORIAL SEA.

For the purposes of Section 2 of the *National Seas Act* 1977, so much of the waters of the sea in the area described in Schedule 6 as are contained between the baselines and the 12 mile outer-limit line that are more than three miles seaward from the nearest point on the baselines do not form part of the territorial sea.

Secs. 1. and 2.

SCHEDULE 1.

PART OF PROCLAIMED LINE.

Commencing at the point of the intersection of the meridian 141° east longitude with the mean low water line on the northern coast of the island of New Guinea (Point 1) thence along straight lines successively linking that point and the following points :-

Point 2 : the intersection of the parallel $2^{\circ} 08' 30''$ south latitude with the meridian $141^{\circ} 01' 30''$ east longitude.

Point 3 : the intersection of the parallel $1^{\circ} 04' 00''$ south latitude with the meridian $141^{\circ} 23' 42''$ east longitude.

Point 4 : the intersection of the parallel $0^{\circ} 55' 54''$ south latitude with the meridian $141^{\circ} 20' 30''$ east longitude.

Point 5 : the intersection of the parallel $0^{\circ} 47' 00''$ north latitude with the meridian $140^{\circ} 49' 00''$ east longitude,

thence along a straight line towards the intersection of the parallel $2^{\circ} 41' 00''$ north latitude with the meridian $140^{\circ} 46' 00''$ east longitude to the most northerly point on that line (Point 6) that is 200 miles from the nearest point on a baseline, thence in a generally easterly direction along a line every point on which is 200 miles from the nearest point on a baseline to the first point (Point 7) on that line that is 200 miles from a base point in the Caroline Islands (hereinafter called "the Micronesian base point") which base point shall be deemed to be the intersection of the parallel $1^{\circ} 02' 00''$ north latitude with the meridian $154^{\circ} 46' 00''$ east longitude; thence in a generally easterly direction along a median line between the nearest points on the baselines and the Micronesian base point to the next point on that median line (Point 8) that is 200 miles from the nearest point on a baseline; thence in a generally easterly and southerly direction along a line every point on which is 200 miles from the nearest points on the baselines to the first point on that line (Point 9) that is 200 miles from the nearest point of land in the Solomon Islands; thence in a generally westerly direction along a median line between the nearest points on the baselines and the nearest points of land in the Solomon Islands to the point on that median line (Point 10) that is 20 miles in a generally south easterly direction from the nearest point on a baseline of Nukumanu Atoll; thence along the geodesics successively linking Point 10 and the following points :-

Point 11 : the intersection of the parallel $4^{\circ} 48' 30''$ south latitude with the meridian $158^{\circ} 46' 30''$ east longitude.

Point 12 : the intersection of the parallel $4^{\circ} 45' 00''$ south latitude with the meridian $158^{\circ} 26' 00''$ east longitude.

Point 13 : the intersection of the parallel $4^{\circ} 47' 00''$ south latitude with the meridian $158^{\circ} 09' 00''$ east longitude.

Point 14 : the intersection of the parallel $5^{\circ} 04' 30''$ south latitude with the meridian $158^{\circ} 07' 00''$ east longitude.

Point 15 : the intersection of the parallel $5^{\circ} 37' 00''$ south latitude with the meridian $157^{\circ} 59' 00''$ east longitude.

Point 16 : the intersection of the parallel $5^{\circ} 52' 00''$ south latitude with the meridian $157^{\circ} 56' 00''$ east longitude.

- Point 17 : the intersection of the parallel $5^{\circ} 54' 00''$ south latitude with the meridian $157^{\circ} 20' 00''$ east longitude.
- Point 18 : the intersection of the parallel $5^{\circ} 40' 00''$ south latitude with the meridian $156^{\circ} 30' 00''$ east longitude.
- Point 19 : the intersection of the parallel $5^{\circ} 54' 00''$ south latitude with the meridian $156^{\circ} 26' 00''$ east longitude.
- Point 20 : the intersection of the parallel $6^{\circ} 19' 00''$ south latitude with the meridian $156^{\circ} 16' 30''$ east longitude;

thence along the geodesic to Point 21 that is the first point 12 miles seaward and equidistant from the nearest point on the baseline of OTUA Island and the nearest point of land in the Solomon Islands; thence along a line passing to the south of Bougainville Island being a median line between the nearest points on the baselines and the nearest points of land in the Solomon Islands, to a point on that line (Point 22) 12 miles in a generally south easterly direction from the nearest point on the baseline of KABUKEA Island; thence along the geodesics successively linking Point 22 and the following points :-

- Point 23 : the intersection of the parallel $7^{\circ} 15' 00''$ south latitude with the meridian $155^{\circ} 13' 30''$ east longitude.
- Point 24 : the intersection of the parallel $7^{\circ} 29' 00''$ south latitude with the meridian $154^{\circ} 52' 00''$ east longitude.
- Point 25 : the intersection of the parallel $9^{\circ} 20' 00''$ south latitude with the meridian $155^{\circ} 31' 00''$ east longitude.
- Point 26 : the intersection of the parallel $10^{\circ} 41' 00''$ south latitude with the meridian $156^{\circ} 40' 00''$ east longitude.
- Point 27 : the intersection of the parallel $11^{\circ} 14' 00''$ south latitude with the meridian $157^{\circ} 05' 00''$ east longitude.
- Point 28 : the intersection of the parallel $12^{\circ} 52' 00''$ south latitude with the meridian $157^{\circ} 25' 00''$ east longitude.
- Point 29 : the intersection of the parallel $13^{\circ} 43' 00''$ south latitude with the meridian $157^{\circ} 07' 30''$ east longitude.
- Point 30 : the intersection of the parallel $14^{\circ} 05' 00''$ south latitude with the meridian $156^{\circ} 40' 00''$

east longitude.

- Point 31 : the intersection of the parallel $14^{\circ} 45' 00''$ south latitude with the meridian $154^{\circ} 15' 00''$ east longitude.
- Point 32 : the intersection of the parallel $14^{\circ} 38' 00''$ south latitude with the meridian $152^{\circ} 07' 00''$ east longitude.
- Point 33 : the intersection of the parallel $13^{\circ} 15' 00''$ south latitude with the meridian $148^{\circ} 10' 00''$ east longitude.
- Point 34 : the intersection of the parallel $13^{\circ} 10' 00''$ south latitude with the meridian $148^{\circ} 03' 00''$ east longitude.
- Point 35 : the intersection of the parallel $12^{\circ} 35' 00''$ south latitude with the meridian $147^{\circ} 05' 00''$ east longitude.
- Point 36 : the intersection of the parallel $12^{\circ} 20' 00''$ south latitude with the meridian $146^{\circ} 30' 00''$ east longitude.
- Point 37 : the intersection of the parallel $9^{\circ} 51' 00''$ south latitude with the meridian $144^{\circ} 44' 00''$ east longitude.
- Point 38 : the intersection of the parallel $9^{\circ} 30' 00''$ south latitude with the meridian $144^{\circ} 15' 00''$ east longitude.

Sec. 1.

SCHEDULE 2.

TEMPORARY LINE.

Commencing at Point 38 described in Schedule 1 and proceeding in a northerly direction along the meridian $144^{\circ} 15' 00''$ east longitude to the intersection of that meridian with a composite line being the line every point of which is on -

- (a) the seaward limit of the declared offshore area under the *Petroleum (Submerged Lands) Act 1975* as at 16th September 1975; or
- (b) the seaward limit of the declared fishing zone described in Section 2 of the *Fisheries Act 1974*, as in force on 16th September 1975, as if the baseline within the meaning of the *National Seas Act 1977* were the baseline referred to in that section,

whichever limit is, on any meridian of longitude, the more southern; thence in a generally westerly direction along that composite line to its intersection with the meridian $141^{\circ} 20' 00''$ east longitude; and thence along that meridian of longitude

south to Point 39 being the intersection of that meridian with the parallel $10^{\circ} 10' 30''$ south latitude.

Sec. 1.

SCHEDULE 3.

PART OF PROCLAIMED LINE.

Commencing at Point 39 described in Schedule 2 and thence along the geodesics successively linking that point and the following points :-

Point 40 : the intersection of the parallel $10^{\circ} 59' 00''$ south latitude with the meridian $140^{\circ} 00' 00''$ east longitude.

Point 41 : the intersection of the parallel $11^{\circ} 09' 00''$ south latitude with the meridian $139^{\circ} 23' 00''$ east longitude.

Point 42 : the intersection of the parallel $10^{\circ} 50' 00''$ south latitude with the meridian $139^{\circ} 12' 00''$ east longitude;

thence along straight lines successively linking Point 42 and the following points :-

Point 43 : the intersection of the parallel $10^{\circ} 24' 00''$ south latitude with the meridian $139^{\circ} 46' 00''$ east longitude.

Point 44 : the intersection of the parallel $9^{\circ} 52' 00''$ south latitude with the meridian $140^{\circ} 29' 00''$ east longitude.

Point 45 : the intersection of the parallel $9^{\circ} 24' 30''$ south latitude with the meridian $140^{\circ} 49' 30''$ east longitude.

Point 46 : the intersection of the parallel $9^{\circ} 23' 00''$ south latitude with the meridian $140^{\circ} 52' 00''$ east longitude;

and thence along a straight line between Point 46 and a point described as "point B3" in Articles 3 and 4 of the Agreement set forth in the Schedule to the *Indonesian Border Agreement Act* 1973, to the point where that line crosses the southern coast of the island of New Guinea, or if that line does not cross that coast, to that point B3 and thence by a straight line between that point and the position of the marker described as "MM14" in Article 1 of that Agreement to the point where that line first crosses the coast or enters the internal waters of the State, as the case may be.

Sec. 4. SCHEDULE 4.

WATERS NOT INCLUDED IN OFFSHORE SEAS.

1. The waters of the sea contained in the area bounded by a line every point on which is three miles seaward from the nearest points on the coast of the islands of SAIBAI (including for this purpose, KAUAMAG) and DAUAN, except where such a line is less than three miles from any other land, where the line shall be a median line between those islands and that other land.
2. The waters of the sea contained in the area bounded by a line every point on which is three miles seaward from the nearest point on the coast of EOIGU Island (including for this purpose, AUBUSI and MOIMI), except where such a line is less than three miles from any other land, where the line shall be a median line between that island and that other land.

Sec. 3(2). SCHEDULE 5.

ISLANDS.

1. Deliverance Island.
2. Black Rocks.
3. Bramble Cay.
4. Anchor Cay.
5. East Cay.

Sec. 5. SCHEDULE 6.

AREA FOR PURPOSES OF SECTION 5.

The area bounded by a line commencing at the intersection of the parallel $9^{\circ} 21' 30''$ south latitude with the meridian $142^{\circ} 33' 15''$ east longitude; thence along the geodesic to the intersection of the parallel $9^{\circ} 08' 15''$ south latitude with the meridian $143^{\circ} 52' 00''$ east longitude; thence south along that meridian of longitude to the parallel $9^{\circ} 40' 00''$ south latitude; thence west along that parallel of latitude to the meridian $142^{\circ} 03' 30''$ east longitude; thence north along that meridian of longitude to its point of intersection with the southern coastline of the island of New Guinea at mean low water springs; thence in a generally easterly direction along the coastline to its intersection with the meridian $142^{\circ} 33' 15''$ east longitude; and thence south along that meridian to the point of commencement.

Dated this 28th day of March, 1978.

TORE LOKO
GOVERNOR-GENERAL.