

5. INSTITUTIONAL AND LEGAL ASPECTS

Tourism in the Great Barrier Reef Region is subject to very few direct controls. However a number of Commonwealth and State Government Statutes contain provisions which have an effect on the operation of particular components of tourism.

Only a brief outline has been provided of the powers and responsibilities, as applicable to tourism, which are contained in the Statutes. More detailed interpretation of the legislation would need to be supplied by persons with abilities in the legal field. The following is an outline of the Queensland and Commonwealth Government Statutes which have a direct effect on the operation of development of tourism:-

Commonwealth Legislation

Act	Powers or responsibilities
1. Fisheries Act 1952	Control of commercial fishing in Australian waters, declaration of fishing zones; proclamation of fisheries areas.
2. Seas and Submerged Lands Act 1973	Act relating to sovereignty in respect of certain waters of the sea, airspace above the sea, the sea-bed and sub-soils.
3. Great Barrier Reef Marine Park Act 1975	Act to ensure the control, care and development of the Great Barrier Reef as a resource.
4. Air Navigation Act 1920	Regulates aircraft movements and aircraft type for Australia.
5. Air Navigation (Charges) Act 1952	Regulates use and procedures at aerodromes and charges for use.
6. Airlines Agreement Act 1952	Regulates domestic airline arrangements between T.A.A. and Ansett Airlines of Australia.

Queensland Legislation

Act	Powers or responsibilities
1. Land Act 1962-1978	Regulates the leasing and alienation by the Crown of public lands of the State. Leases for Tourism purposes have been granted for most island resorts under the Act.
2. Fisheries Act 1976	An act to provide for the management, protection and conservation of the fisheries resources of the State. Licenses persons and vessels for commercial fishing; licenses persons to take corals and the like; restricts fishing activities through open and closed seasons, empowered to declare marine parks.
3. Harbours Act 1955-1979	Provides for registration or licensing of vessels used for hire or commercial purposes; provides for registration or licensing of master boatmen in charge of vessels; provides for the establishment of Harbour Corporations and Harbour Boards who may provide harbour facilities and other facilities as appropriate.
4. Local Government Act 1936-1979	The Local Authorities Act of 1902 established the role of Local Authorities in Queensland. Part XI of the Local Government Act, 1936-1979 delineates the functions and powers of Local Government bodies. Some of these functions are:- roads, sewerage and sanitation, water supply, town planning and building approvals. Local Authorities in Queensland are directly involved in most tourism development in the State through their building approvals function.

Queensland Legislation (continued)

<u>Act</u>	<u>Powers or responsibilities</u>
5. State Transport Act 1960-1972	Provides for licences for carriage of passengers for commercial purposes, provides for restrictions on the number of passengers carried per vehicle type.
6. Liquor Act 1912-1978	Provides for licences for the operation of tourist resorts on islands in Queensland and for tourist parks in Queensland.
7. Forestry Act 1959-1975	Provides for the declaration and establishment of National Parks in Queensland.
8. Fauna Conservation Act 1974-1979	Provides for the protection and management of fauna in Queensland. For example, kangaroos, koalas, etc.