

Queensland



**AURUKUN ASSOCIATES
AGREEMENT REPEAL
BILL 2004**

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AURUKUN ASSOCIATES AGREEMENT REPEAL BILL 2004

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2004

A BILL

FOR

An Act to repeal the *Aurukun Associates Agreement Act 1975*, and for related purposes

The Parliament of Queensland enacts—	1
1 Short title	2
This Act may be cited as the <i>Aurukun Associates Agreement Repeal Act 2004</i> .	3 4
2 Definitions	5
In this Act—	6
“ the agreement ” means the agreement under the agreement Act.	7
“ the agreement Act ” means the <i>Aurukun Associates Agreement Act 1975</i> .	8
“ the lease ” means the following—	9
(a) the Special Bauxite Mining Lease mentioned in the agreement, to the extent that lease is in force immediately before the commencement of this section;	10 11 12
(b) Mining Lease 7032, to the extent that lease is in force immediately before the commencement of this section.	13 14
“ Pechiney ” means Aluminium Pechiney Holdings Pty. Ltd. ACN 001 274 639.	15 16
3 Cancellation of lease	17
The lease is cancelled.	18
4 Agreement of no force and effect	19
The agreement has no force and effect and has had no force and effect since 31 December 1988.	20 21
5 Repeal of agreement Act	22
The Aurukun Associates Agreement Act 1975 No. 76 is repealed.	23

6	Reimbursement relating to lease rental, interest and costs	1
	(1) The State must pay to Pechiney the amount of \$572 160 within 20 business days after the repeal of the agreement Act.	2 3
	(2) The State must also pay to Pechiney an amount for costs, to be assessed on a standard basis, for Supreme Court, Brisbane, proceedings number 8822 of 2003 commenced by the State.	4 5 6
7	No other amount payable	7
	(1) This section operates subject to section 6.	8
	(2) No amount, whether by way of compensation, reimbursement or otherwise is payable by the State to Pechiney or any other person for or in connection with—	9 10 11
	(a) the continuation, or purported continuation, of the lease after 31 December 1988; or	12 13
	(b) the enactment or operation of this Act; or	14
	(c) anything done to carry out or give effect to this Act.	15
	(3) Without limiting subsection (2), the State is not liable to Pechiney or any other person for any claim arising out of or in any way connected to the cancellation of the lease.	16 17 18
	(4) This section applies despite any other Act or law.	19
	(5) In this section—	20
	“State” includes any person acting, or purportedly acting, for or on behalf of the State at any time.	21 22
8	Consequential amendments of Acts	23
	The schedule amends the Acts it mentions.	24
9	Expiry of this Act	25
	This Act expires on 31 December 2004.	26

SCHEDULE	1
CONSEQUENTIAL AMENDMENTS	2
section 8	3
ABORIGINAL LAND ACT 1991	4
1 Section 26(2), from ‘following Acts’—	5
<i>omit, insert—</i>	6
<i>‘Fisheries Act 1994.’</i>	7
ENVIRONMENTAL PROTECTION ACT 1994	8
1 Section 614(2), definition “special agreement Act”,	9
paragraph (b)—	10
<i>omit.</i>	11
INTEGRATED PLANNING ACT 1997	12
1 Schedule 8, part 3, item 10, paragraph (a), second dot point—	13
<i>omit.</i>	14

SCHEDULE (continued)

INTEGRATED PLANNING AND OTHER LEGISLATION AMENDMENT ACT 2003	1 2
1 Section 109, inserted schedule 9, table 5, item 1, paragraph (a), second dot point—	3 4
<i>omit.</i>	5
 LAND AND RESOURCES TRIBUNAL ACT 1999	 6
1 Section 86(4), definition “designated Acts”, second dot point—	7
<i>omit.</i>	8
 LOCAL GOVERNMENT (ABORIGINAL LANDS) ACT 1978	 9 10
1 Section 27(3)—	11
<i>omit.</i>	12
 MINERAL RESOURCES ACT 1989	 13
1 Section 735(2), definition “special agreement Act”, paragraph (b)—	14 15
<i>omit.</i>	16

SCHEDULE (continued)

	TRANSPORT INFRASTRUCTURE ACT 1994	1
1	Section 511(1)(a), ‘or for the <i>Aurukun Associates Agreement Act 1975</i>’	2 3
	<i>omit.</i>	4