

NORTHERN TERRITORY OF AUSTRALIA

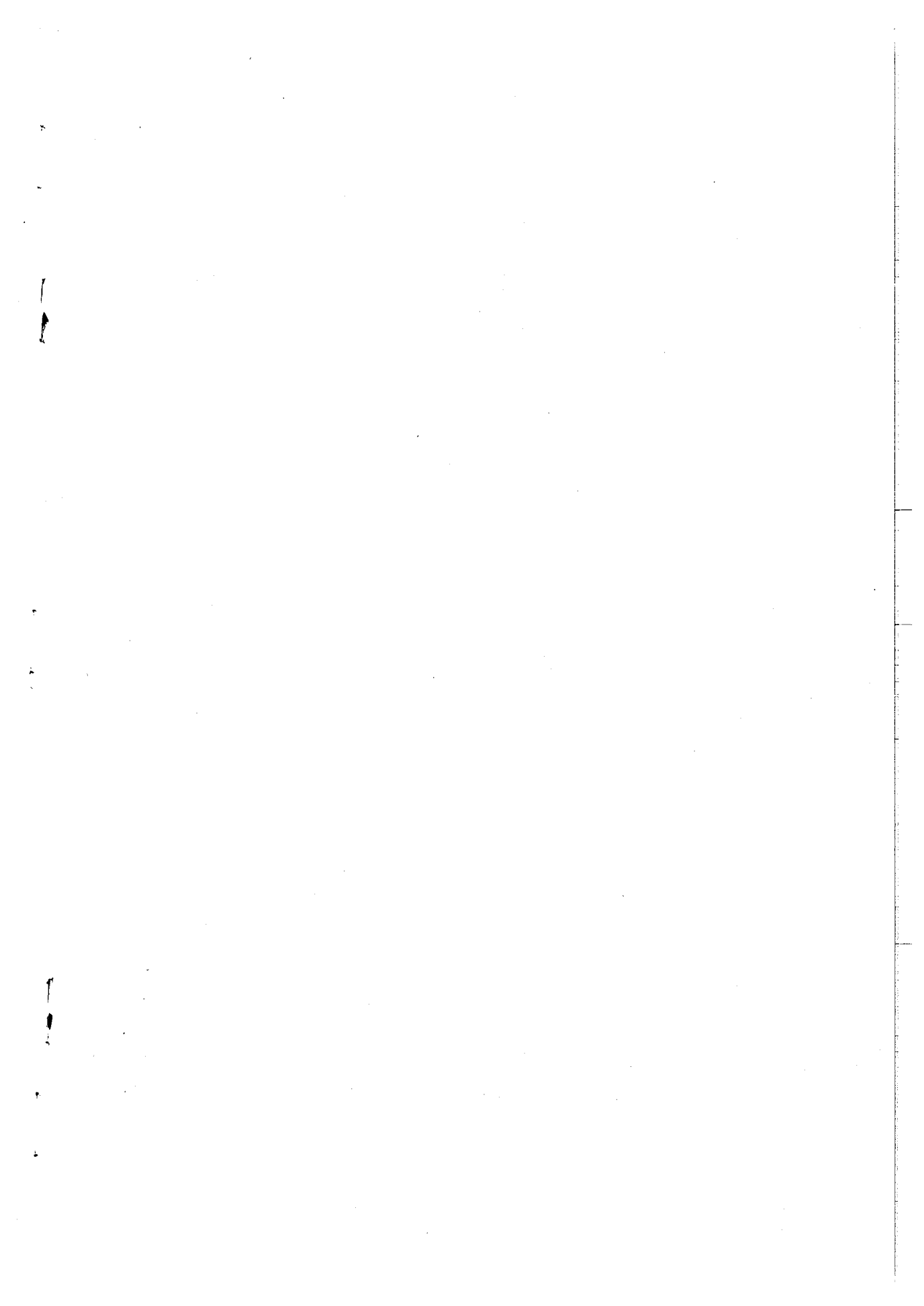
METEORITES ACT 1988

No. 18 of 1988

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NORTHERN TERRITORY OF AUSTRALIA

No. 18 of 1988

AN ACT

to make provision for the protection of
meteorites and tektites

[Assented to 15 June 1988]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Meteorites Act 1988*.

2. DEFINITIONS

In this Act, unless the contrary intention appears -

"Board" means the Museums and Art Galleries Board of the Northern Territory established by section 5 of the *Museums and Art Galleries Act*;

"meteorite" means a natural mass that has fallen to the earth from beyond the atmosphere and includes a tektite.

3. PROPERTY IN AND MANAGEMENT OF METEORITES

(1) Subject to subsection (2), and notwithstanding the degree of their attachment to land, all meteorites in the Territory are the property of the Territory and their management and control is vested in the Board.

(2) A meteorite which had been severed or otherwise removed from the ground in which it was naturally imbedded or on which it naturally lay (whether or not as the result of erosion) and taken into possession by a person -

Meteorites

- (a) before the commencement of this Act; or
- (b) outside the Territory,

is not by virtue of subsection (1) the property of the Territory nor is its management and control vested in the Board by virtue of that subsection.

(3) The onus of proving that a meteorite had been severed or otherwise removed from the ground in which it was naturally imbedded or on which it naturally lay and taken into possession by a person -

- (a) before the commencement of this Act; or
- (b) outside the Territory,

rests on the person asserting that fact.

(4) Notwithstanding that a meteorite is the property of the Territory, neither the Territory nor the Board are liable for any damage or loss naturally resulting from the impact of a meteor or the presence of the meteorite.

(5) To the extent that subsection (1) effects an acquisition of property by the Territory, the Territory shall pay just compensation to the person whose property in a meteorite is so acquired and such compensation is recoverable in a court of competent jurisdiction.

(6) For the avoidance of doubt, the property in a meteorite does not pass under or by virtue of a law of the Territory relating to mining.

4. PRESERVATION AND SCIENTIFIC INVESTIGATION

(1) Subject to subsection (2), the Board shall take such steps as it thinks fit to preserve a meteorite *in situ* or at such other place as it thinks fit.

(2) The Board may allow or make arrangements for scientific or other investigation of a meteorite.

5. DUTIES OF PERSONS FINDING METEORITES

A person who finds a meteorite the property of the Territory shall, as soon as practicable after the finding, give notice of it to the Board.

6. PROTECTION AND RECOVERY OF METEORITES

Notwithstanding any other law of the Territory, no person shall -

- (a) except with the permission of the Board, wilfully damage or destroy a meteorite the property of the Territory or the Board; or

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- (b) except for the purpose of recovering it and delivering it to the Board, remove or be in possession of a meteorite the property of the Territory.

Penalty: \$1,000.

7. REIMBURSEMENT OF EXPENSES

(1) The Board may, in its discretion, refund the reasonable expenses incurred by a person, in -

- (a) notifying the Board of the finding of a meteorite;
- (b) furnishing information to the Board which results in the finding of a meteorite; or
- (c) recovering and delivering a meteorite to the Board.

(2) Notwithstanding subsection (1), the Board may offer and pay a reward in a case referred to in that subsection.

(3) Where damage is occasioned to land in the course of the recovery of a meteorite by or on the authority of the Board, the Board shall compensate the owner of the land for that damage and such compensation is recoverable in a court of competent jurisdiction.

8. SACRED SITES, &c.

Nothing in this Act derogates from the *Aboriginal Sacred Sites Act* or the *Native and Historical Objects and Areas Preservation Act*.

