...  
WHEREAS it is provided by sub-section 7(1) of the Seas and Submerged Lands Act 1973 that the Governor-General may, from time to time, by Proclamation, declare, not inconsistently with Section II of Part I of the Convention on the Territorial Sea and the Contiguous Zone, the limits of the whole or any part of the territorial sea:

AND WHEREAS it is provided by sub-section 7(2) of that Act that, for the purposes of such a Proclamation, the Governor-General may, in particular, determine either or both of the following:

(a) the breadth of the territorial sea;

(b) the baseline from which the breadth of the territorial sea, or any part of the territorial sea, is to be measured;

NOW THEREFORE I, Sir Ninian Martin Stephen, the Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council in pursuance of section 7 of the Seas and Submerged Lands Act 1973--

(c) hereby revoke, with effect on and from 14 February 1983, the Proclamation under section 7 of that Act made on 24 October 1974 and published in the Gazette on 31 October 1974, and

(d) hereby declare that, on and from 14 February 1983, the inner limit of a part of the territorial sea of Australia referred to in the Schedule is the baseline determined in accordance with that Schedule.

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**SCHEDULE**

1. (1) In this Schedule--

"Convention" means the Convention on the Territorial Sea and the Contiguous Zone;

"low-tide elevation" has the same meaning as in the Convention;

"low-water" means Lowest Astronomical Tide, and

"low-tide" has a corresponding meaning;

"mile" means an international nautical mile, being a distance of 1,852 metres;

"straight line" means geodesic;
"the territorial sea" means the territorial sea of Australia.

(2) For the purposes of this Schedule--

(a) subject to paragraphs (b) and (c), an indentation is a bay if the distance between the low-water marks of the natural entrance points of the indentation does not exceed 24 miles;

(b) an indentation having one mouth is not a bay if the area of the indentation is less than that of the semi-circle whose diameter is a line drawn across the mouth of the indentation;

(c) an indentation which, because of the presence of islands, has more than one mouth is not a bay if the area of the indentation is less than that of the semi-circle drawn on a line as long as the sum total of the lengths of the lines across the different mouths;

(d) the area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water marks of its natural entrance points, islands within the indentation being included as if they were part of the water areas of the indentation.

(3) For the purposes of this Schedule, the outermost permanent harbour works forming integral parts of a harbour system shall be regarded as forming part of the coast.

(4) For the purposes of paragraphs 2(d), 3(d) and 4(2)(d), the low-water line of a low-tide elevation shall not be taken into account unless a lighthouse or similar installation that is permanently above sea level has been built on the low-tide elevation.

(5) Where for the purposes of this Schedule it is necessary to determine the position on the surface of the Earth of a point, line or area by reference to the Australian Geodetic Datum--

(a) that position shall be determined by reference to a spheroid having its centre at the centre of the Earth and a major (equatorial) radius of 6,378,160 metres and a flattening of 100/29825 and by reference to the position of the Johnston Geodetic Station in the Northern Territory; and

(b) The Johnston Geodetic Station shall be taken to be situated at Latitude 25° 56' 54.5515" South and at Longitude 133° 12' 30.0771" East and to have a ground level of 571.2 metres above the spheroid referred to in paragraph (a).

2. Subject to clauses 5, 6 and 7, the baseline from which the breadth of that part of the territorial sea adjacent to the mainland of Australia is to be measured is the line constituted by the following lines:

(a) the low-water line along the coast, except where that low-water line is landward of a line referred to in paragraph (b), (c) or (d);

(b) in the case of each river that flows directly into the sea on that coast, a straight line drawn across the mouth of the river between points on the respective low-tide lines of its banks, except where the line is landward of a line referred to in paragraph (c) or (d);

(c) in the case of each bay on that coast, a straight line drawn between respective low-water marks of the natural entrance points of the bay, except where the line is landward of, or identical with, a line referred in paragraph (d);

(d) the straight lines joining each of the points on the low-water line of the coast that are on or closest to the points
of latitude and longitude specified in column 2 of an item in Table 1 (being points of latitude and longitude determined by reference to the Australian Geodetic Datum).

3. Subject to clauses 5, 6 and 7, the baseline from which the breadth of that part of the territorial sea adjacent to the mainland of the State of Tasmania is to be measured is the line constituted by the following lines:

(a) the low-water line along the coast, except where that low-water line is landward of a line referred to in paragraph (b), (c) or (d);

(b) in the case of each river that flows directly into the sea on that coast, a straight line drawn across the mouth of the river between points on the respective low-tide lines of its banks, except where the line is landward of a line referred to in paragraph (c) or (d);

(c) in the case of each bay on that coast, a straight line drawn between the respective low-water marks of the natural entrance points of the bay, except where the line is landward of, or identical with, a line referred to in paragraph (d); and

(d) the straight lines joining each of the points on the low-water line of the coast that are on or closest to the points of latitude and longitude specified in column 2 of an item in Table 2 (being points of latitude and longitude determined by reference to the Australian Geodetic Datum).

4. (1) In this clause -

(a) a reference to the baseline on the mainland of a State or territory is a reference -

(i) in the case of a State (other than Tasmania) or the Northern Territory - to the line determined in accordance with clauses 2, 5, 6 and 7; and

(ii) in the case of Tasmania - to the line determined in accordance with clauses 3, 5, 6 and 7;

(b) a reference to an island does not include a reference to -

(i) an island declared by sub-clause (3) to be an excluded island for the purpose of sub-clause (2); or

(ii) an island included in a group of islands declared by sub-clause (4) to be an excluded group of islands for the purpose of sub-clause (2); and

(c) a reference to a group of islands does not include a reference to a group of islands declared by sub-clause (4) to be an excluded group of islands for the purpose of sub-clause (2).

(2) Subject to clauses 5, 6 and 7, the baseline from which the breadth of that part of the territorial sea adjacent to each island or group of islands comprised within a State or the Northern Territory and seaward of the baseline of the mainland of that State or territory, as the case may be, is to be measured is the line constituted by the following lines:
(a) the low-water line along the coast of the island, or, in the case of a group of islands, along the coast of each island included in the group, except where that low-water line is landward of a line referred to in paragraph (b), (c) or (d);

(b) in the case of each river that flows directly into the sea on the coast of the island, or on the coast of an island included in the group of islands, as the case may be, a straight line drawn across the mouth of the river between points on the respective low-tide lines of its banks, except where the line is landward of a line referred to in paragraph (c) or (d);

(c) in the case of each bay on the coast of the island, or on the coast of an island included in the group of islands, as the case may be, a straight line drawn between the respective low-water marks of the natural entrance points of the bay, except where the line is landward of, or identical with, a line referred to in paragraph (d); and

(d) the straight lines joining each of the points on the low-water line of the coast of the island, or on the low-water lines of the coasts of islands, included in the group, as the case may be, that are on or closest to the points of latitude and longitude specified in column 2 or an item in Table 3 (being points of latitude and longitude determined by reference to the Australian Geodetic Datum).

(3) Each of the following islands comprised within the State of Queensland, namely, Turnagain Island, Turu Cay and Pearce Cay, is an excluded island for the purpose of sub-clause (2).

(4) Each of the following groups of islands comprised within the State of Queensland is an excluded group of islands for the purpose of sub-clause (2):

(a) the islands known as Aubusi, Boigu and Moimi;
(b) the islands known as Dauan, Kaumag and Saibai;
(c) the islands known as Anchor Cay and East Cay;
(d) the islands known as Black Rocks and Bramble Cay;
(e) the islands known as Deliverance Island and Kerr Islet.

5. The baseline from which that part of the territorial sea adjacent to a low-tide elevation situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the mainland or an island is to be measured is the low-water line on that low-tide elevation.

6. (1) If the low-water line of a naturally formed area of land which is above water at high tide would intersect a straight baseline drawn in accordance with a provision of this Schedule, there shall be substituted for the part of that baseline that would be between the points of intersection of that low-water line and that baseline the line that would be the baseline between those points if the seaward part of the area of land were part of the coast of the mainland of Australia.

(2) In sub-clause (1) -

(a) a reference to the points of intersection of the low-water line of an area of land and a straight baseline is, where that low-water line and baseline intersect at more than two points, a reference to the two outermost points of intersection; and

(b) a reference to the seaward part of the area of land is a reference to the part or parts of the area of land on the seaward side of that straight baseline.
7. (1) Where straight lines referred to in any of paragraphs 2(d), 3(d) or 4(2)(d) of this Schedule join different points on the low-water line of the same island, the baseline from which the part of the territorial sea adjacent to that island or a group of islands in which that island is included, as the case may be, between those points is to measured is the line that would be the baseline if the seaward part of the coast of the island between those points were part of the mainland of Australia.

(2) In sub-clause (1), a reference to the seaward part of the coast of an island between two points is a reference to that part of the coast of the island between those points that includes the most seaward point of the island.
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STRAIGHT BASELINE POINTS UNDER ARTICLE 4 OF THE CONVENTION - COAST OF THE MAINLAND OF AUSTRALIA

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### TABLE 3
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