

**Constitution (Bill of Rights for the Great Barrier Reef) Amendment Bill 2016**



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**2016**

**A Bill**

for

**An Act to provide for a Bill of Rights for the Great Barrier Reef**

Constitution (Bill of Rights for the Great Barrier Reef) Amendment Bill 2016

Part 1 Preliminary

[s 1]

**The Parliament of Queensland enacts—**

**Part 1 Preliminary**

**1 Short title**

This Act may be cited as the *Constitution (Bill of Rights for the Great Barrier Reef) Amendment Act 2016*.

**1A Commencement**

(1) This Act commences on the date of enactment.

**Part 2 Amendment of Constitution of**

**Queensland 2001**

**2 Act amended**

This part amends the *Constitution of Queensland 2001*.

**3 Insertion of new ch 11**

After ch 10, section 95—

*insert*—

**Chapter 11 Bill of Rights for the Great**

**Barrier Reef**

**Part 1 Bill of Rights for the Great Barrier Reef**

**96 Bill of Rights**

(1) The Great Barrier Reef possesses the fundamental and inalienable right—

(a) to naturally exist, flourish, regenerate, and evolve;

(b) to a climate system unaltered by human-caused pollution or emissions; and

(c) to a natural environment unaltered by human-caused pollution or emissions, or by human activity.

**97 Prohibitions**

(1) Public or private activities that violate the rights conferred in this Chapter are prohibited.

**98 Enforcement**

(1) The Great Barrier Reef, and the ecosystems, natural communities, and species which depend upon it, may enforce the rights conferred in this Chapter through an action brought by the Government of Queensland or any citizen.

(2) To enforce the rights conferred in this Chapter, the Government of Queensland or citizen shall file a petition in any court possessing jurisdiction over activities that occur on or impact the Great Barrier Reef, or any ecosystem, natural community, or species that depends upon it, in the name of the Great Barrier Reef, ecosystem, natural community, or species as the real party in interest.

(3) Damages shall be measured by the cost of restoring the Great Barrier Reef, ecosystem, natural community, or species, and shall be paid to the Government of Queensland to be used exclusively for the full and complete restoration of the Great Barrier Reef, ecosystem, natural community, or species.