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16 JUL 2009

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13 July 2009

The Secretariat,

Review of Historic Shipwrecks Act, 1976.

Dear Secretary,

I wish to offer the following comments on the above Review. Although I am a member of ANCODS I submit these comments as an individual, not as views of the Committee. I list the points below, with reference to the question numbers in the document. As a starting point I believe the 1976 Act must be reconcilable with the Unesco Convention and should be amended, if necessary, to conform.

- Q.12 Yes
- Q. 15 Yes, if this means specific funding, including Commonwealth funding for State Delegates.
- Q. 19 Yes, for such time as is needed to assess the cultural and historic value of the item.
- Q. 20 there should be no retrospective legislation in this matter. If found before the Act and properly registered there should be no restriction on trading the item with the possible exception that the NMMA or the WAM should have first option.
- Q. 21 Yes, if limited to post 1976 finds.
- Q. 26 This depends on the definition of "illegal". If such activities are legal within the waters of another country and Australian ships are operating within those waters and are, furthermore, willing to comply with the local laws regarding the subsequent management of recovered materials, then those ships should not be limited by Australian law.

Sincerely,

(Dr) J. P. S Bach

