

# **Hazardous Waste (Regulation of Exports and Imports) (Waigani Convention) Amendment Regulations 1999 (No. 1) 1999 No. 312**

## **EXPLANATORY STATEMENT**

### **Statutory Rules 1999 No. 312**

Issued by the Authority of the Minister for the Environment and Heritage

*Hazardous Waste (Regulation of Exports and Imports) Act 1989*

Hazardous Waste (Regulation of Exports and Imports) (Waigani Convention) Amendment Regulations 1999 (No. 1)

Section 62 of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989* (the Act) provides that the Governor-General may make regulations for the purposes of the Act.

The purpose of the amendment is to change the commencement date of the *Hazardous Waste (Regulation of Exports and Imports) (Waigani Convention) Regulations 1999* from 1 January 2000 to 1 January 2002. The Regulations were signed by the Governor-General on 4 February 1999. At the time, it was anticipated that the commencement date of 1 January 2000 may need to be adjusted to ensure the Regulations do not come into operation before the Convention comes into force.

Article 24 of the Waigani Convention states that the Convention shall enter into force thirty days after the date of deposit of the tenth instrument of ratification. To date, only five of the ten requisite ratifications have been received and consequently the Regulations will need to be changed before 1 January 2000.

A Regulatory Impact Statement is not required because the proposed amendments are of a minor and machinery nature and do not substantially alter existing arrangements.

The regulations provide that the Principal Regulations commence on 1 January 2002, as this is a reasonable estimate of the date on which the Waigani Convention is likely to enter into force. As we are unable to anticipate when the requisite tenth ratification of the Convention is likely to occur, we must again set an arbitrary commencement date which may need to be adjusted nearer that time.

The Amending Regulations commenced on gazettal.