

EXPLANATORY STATEMENT

STATUTORY RULES 1983 NO.8

ENVIRONMENT PROTECTION (SEA DUMPING) REGULATIONS

(Issued under the authority of the Minister of State
for Home Affairs and Environment)

The Environment Protection (Sea Dumping) Regulations
provide as follows:-

(a) Regulations 1 and 2

Formal. Provide for citation and interpretation.

(b) Regulation 3

Sub-section 15(3) of the Act provides that it is a defence to a charge of dumping without a permit if, inter alia, the dumping was necessary to secure the safety of human life and a report of the dumping setting out prescribed information is furnished to the Minister. Regulation 3 provides that reports to the Minister are to include such matters as the date and time of the dumping; the co-ordinates of the dumping site; a description of the wastes dumped; and the reason for the dumping.

(c) Regulation 4

Section 33 of the Act provides that prescribed State and Territory courts may grant injunctions to restrain breaches of the Act. Regulation 4 provides that, except for N.S.W., the Supreme Courts of the States and Territories are prescribed courts. The Land and Environment Court is the relevant court in N.S.W.

(d) Regulation 5

Provides for the fees that are to be payable in respect of applications for dumping or incineration permits.

(e) Regulation 6

Provides for the manner of service of notices under the Act.

S.R. No. 354/82