

Hazardous Waste (Regulation of Exports and Imports) Amendment Regulations 2003 (No. 1) 2003 No. 83

EXPLANATORY STATEMENT

Statutory Rules 2003 No. 83

Minute No 03/569 of 2001 - Minister for the Environment and Heritage

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

Hazardous Waste (Regulation of Exports and Imports) Amendment Regulations 2003 (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, not inconsistent with the Act, prescribing matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The Act implements Australia's obligations under the Basel Convention, an international treaty set up to control the movement of hazardous waste from one country to another.

Subsection 18A(2) of the Act states that the Minister may grant a Basel Export Permit authorising the export of hazardous waste destined for final disposal if, at the time of the decision to grant the permit, particulars of the export are specified in the Regulations.

The purpose of the proposed Regulations is to specify the particulars of a proposed export of hazardous waste to Belgium for final disposal so that the proposed export can proceed. The hazardous waste consists of a solution containing potentially explosive compounds which cannot be disposed of in an environmentally sound manner within Australia. The total weight of the waste is 15 tonnes.

Details of the proposed Regulations are set out in the Attachment.

The proposed Regulations would commence on gazettal.

The Minute recommends that the Regulations be made in the form proposed.

Authority: Section 62 of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*

ATTACHMENT

**Hazardous Waste (Regulation of Exports and Imports) Amendment Regulations 2003
(No. 1)**

Details of the proposed Regulations are:

Regulation 1 states the name of these Regulations.

Regulation 2 provides that these Regulations will commence on gazettal.

Regulation 3 provides for Schedule 1 to amend the existing Regulations.

Schedule 1 item [1] provides particulars of the nature of the hazardous waste it is proposed to export, its present storage arrangements, its quantity, the nature of the containers in which it is stored and will be transported, the ports of loading and unloading and the address of the facility in Belgium where waste will be disposed of by high temperature incineration followed by disposal of all solid residues into specially engineered landfill.

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