

Statutory Rules 1983 No. 1

81

Environment Protection (Sea Dumping) Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and in pursuance of section 4 of the *Acts Interpretation Act 1901*, hereby make the following Regulations under the *Environment Protection (Sea Dumping) Act 1981*.

Dated 27 January 1983.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

(Sgd) D. T. McVeigh

Minister of State for
Home Affairs and Environment

Citation

1. These Regulations may be cited as the Environment Protection (Sea Dumping) Regulations.

Interpretation

2. In these Regulations, "the Act" means the *Environment Protection (Sea Dumping) Act 1981*.

Prescribed information for the purposes of paragraph 15 (3) (d) of the Act

3. For the purposes of paragraph 15 (3) (d) of the Act, the prescribed information in relation to a report of a dumping is the following:

- (a) the name and address of the person furnishing the report;
- (b) the date of the dumping and the time of day expressed by reference to Greenwich Mean Time at which the dumping took place;
- (c) the depth of water at the dumping site and the co-ordinates of the dumping site specified in degrees, minutes and seconds of latitude and longitude ascertained with such accuracy as is practicable in the circumstances of the particular case;

- (d) the name (if any) and the registration or other identifying mark or marking of the vessel, aircraft or platform from which the dumping took place;
- (e) the name of the person in charge of the vessel, aircraft or platform from which the dumping took place;
- (f) a description of the method employed in carrying out the dumping;
- (g) the reason for the dumping;
- (h) where wastes or other matter (not being a vessel, aircraft or platform) were, or was, dumped—
 - (i) the general description;
 - (ii) the chemical composition;
 - (iii) the form;
 - (iv) the volume or mass; and
 - (v) the method of packaging or containment (if any),of the wastes or other matter dumped ascertained with such accuracy as is practicable in the circumstances of the particular case;
- (i) where a vessel, aircraft or platform was dumped—
 - (i) whether the thing dumped was a vessel, an aircraft or a platform;
 - (ii) the name (if any) and the registration or other identifying mark or marking of the vessel, aircraft or platform dumped;
 - (iii) the dimensions, including the mass, of the vessel, aircraft or platform dumped ascertained with such accuracy as is practicable in the circumstances of the particular case;
 - (iv) the method of packaging or containment (if any) of the vessel, aircraft or platform dumped.

Prescribed courts

4. The court specified in Column 1 of the Schedule opposite to the State or Territory specified in Column 2 of the Schedule is declared to be a prescribed court in relation to that State or Territory for the purposes of section 33 of the Act.

Fees

5. (1) For the purposes of sub-section 40 (1) of the Act, the fee in respect of an application for a permit for dumping or incineration at sea is—

- (a) where the application is for a general permit—\$2,500; or
- (b) where the application is for a special permit—\$5,000.

(2) The time prescribed for the purposes of the payment, under sub-section 40 (2) of the Act, of a fee in respect of an application for a permit is a time not later than 30 days after the day on which the application was made.

Service of notices

6. A notice to an applicant for a permit under sub-section 18 (3) of the Act or to the holder of a permit under sub-section 20 (1) or 21 (2) of the Act shall be served by being sent by post to the person concerned at the address shown on his application for the permit or, if he has, in relation to that application or permit, notified the Minister in writing of another address for service of such notices, at that other address.

SCHEDULE

Regulation 4

PRESCRIBED COURTS

Column 1 Court	Column 2 State or Territory
Land and Environment Court	State of New South Wales
Supreme Court of Victoria	State of Victoria
Supreme Court of Queensland	State of Queensland
Supreme Court of South Australia	State of South Australia
Supreme Court of Western Australia	State of Western Australia
Supreme Court of Tasmania	State of Tasmania
Supreme Court of the Australian Capital Territory	Australian Capital Territory
Supreme Court of the Northern Territory of Australia	Northern Territory
Supreme Court of Norfolk Island	Norfolk Island
Supreme Court of Christmas Island	Territory of Christmas Island
Supreme Court of the Territory of Cocos (Keeling) Islands	Territory of Cocos (Keeling) Islands

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on

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1983.

4 February