

1985

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

(Presented pursuant to leave granted and read 1^o, 22 May 1985)

(SENATOR MASON)

A B I L L

FOR

An Act to prohibit the dumping or disposal of radioactive wastes or other radioactive matter into the sea

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title, &c.

5 1. (1) This Act may be cited as the Environment Protection (Sea Dumping) Amendment Act 1985.

(2) The Environment Protection (Sea Dumping) Act 1981 is in this Act referred to as the Principal Act.

Commencement

10 2. This Act shall come into operation on the day on which it receives the Royal Assent.

Radioactive Wastes

3. Section 22 of the Principal Act is repealed and the following section substituted:

"22. (1) Notwithstanding any other provision of this Act, the dumping at sea of any radioactive wastes or other radioactive matter, being dumping to which this section applies, is prohibited. 5

"(2) The incineration at sea of any radioactive wastes or other radioactive matter, being incineration to which this section applies, is prohibited. 10

"(3) The loading of any radioactive wastes or other radioactive matter for the purpose of being dumped at sea or incinerated at sea, being loading to which this section applies, is prohibited.

"(4) This section applies to dumping at sea and incineration at sea carried out from or by - 15

(a) any vessel, platform or aircraft in or into Australian waters or in or into the sea above the continental shelf of Australia or of an external Territory; and

(b) any Australian vessel, Australian aircraft or Australian platform in or into any part of the sea. 20

"(5) This section applies to loading on or onto -

(a) any vessel, aircraft or platform in Australia or in Australian waters or in the sea above the continental shelf of Australia or of an external Territory; and 25

- (b) any Australian vessel, Australian aircraft or Australian platform in or in the territorial sea of a country that is not a party to the Convention.

5 "(6) The owner and person in charge of a vessel, platform or aircraft on or from which loading, dumping at sea or incineration at sea in contravention of this section is carried out and the owner of the wastes or other matter so loaded, dumped or incinerated are each guilty of an offence, punishable on conviction by a fine not exceeding -

- 10 (a) if the person is a natural person - \$50,000; or
- (b) if the person is a corporation - \$100,000."

