



New South Wales

Environmental Offences and Penalties Amendment (Waste) Regulation 1999

under the

Environmental Offences and Penalties Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Offences and Penalties Act 1989*.

PAM ALLAN, M.P.,

Minister for the Environment

Explanatory note

The object of this Regulation is to amend the list of officers who are authorised by the *Environmental Offences and Penalties Act 1989* to issue penalty notices in respect of certain offences under the *Waste Minimisation and Management Act 1995*.

As a result of the amendment council officers who have been appointed “authorised officers” under the *Waste Minimisation and Management Act 1995* for the purposes of sections 65 and 66 of that Act (which deal with directions by authorised officers and the power of authorised officers to require certain information be given) will be empowered to issue penalty notices in respect of breaches of sections 65 (3) and 66 (2) of that Act.

This Regulation is made under the *Environmental Offences and Penalties Act 1989*, including section 8G (penalty notices) and section 28 (the general regulation-making power).

Environmental Offences and Penalties Amendment (Waste) Regulation 1999

1 Name of Regulation

This Regulation is the *Environmental Offences and Penalties Amendment (Waste) Regulation 1999*.

2 Amendment of Environmental Offences and Penalties Act 1989

The *Environmental Offences and Penalties Act 1989* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Schedule 2 Penalty notices

Insert after clause 4 of Part 1 of Schedule 2:

- 5** For the purposes of this Schedule, a class 10 officer means an employee of a council of a local government area who is appointed under section 81 of the *Waste Minimisation and Management Act 1995* as an authorised officer for the purposes of sections 65 and 66 of that Act.

[2] Schedule 2, Part 2

Omit “2” wherever occurring under the heading “Officer” in the matter relating to sections 65 (3) and 66 (2) of the *Waste Minimisation and Management Act 1995*.

Insert instead “2, 10”.