



New South Wales

Protection of the Environment Operations (Savings and Transitional) Amendment Regulation 2006

under the

Protection of the Environment Operations Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

BOB DEBUS, M.P.,
Minister for the Environment

Explanatory note

The object of this Regulation is to amend the *Protection of the Environment Operations (Savings and Transitional) Regulation 1998*:

- (a) to make it clear that the power conferred on a court by the *Protection of the Environment Operations Amendment Act 2005* to make additional orders in respect of offences applies to offences committed before the commencement of the relevant amendments, and
- (b) to make it clear that additional functions, or changes to functions, of authorised officers resulting from that Act extend to matters arising before the commencement of the relevant amendments.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including section 323 (the general regulation-making power) and clause 2 (1) of Schedule 5.

2006 No 227

Clause 1 Protection of the Environment Operations (Savings and Transitional)
Amendment Regulation 2006

Protection of the Environment Operations (Savings and Transitional) Amendment Regulation 2006

under the

Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Savings and Transitional) Amendment Regulation 2006*.

2 Amendment of Protection of the Environment Operations (Savings and Transitional) Regulation 1998

The *Protection of the Environment Operations (Savings and Transitional) Regulation 1998* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 27

Insert after clause 26:

27 Provisions consequent on Protection of the Environment Operations Amendment Act 2005

- (1) Section 250 of the Act, as amended by the *Protection of the Environment Operations Amendment Act 2005*, extends to the making of orders in proceedings in respect of an offence that was committed before the commencement of the amendments to that section, whenever those proceedings commenced.
- (2) The functions of an authorised officer, as amended or conferred by amendments made to the Act by the *Protection of the Environment Operations Amendment Act 2005*, extend to matters arising before the commencement of those amendments.