



New South Wales

Protection of the Environment Operations (Noise Control) Amendment (Maximum Exhaust Noise Levels) Regulation 2010

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*.

FRANK SARTOR, MP
Minister for Climate Change and the Environment

Explanatory note

The *Protection of the Environment Operations Act 1997* makes it an offence for a person to sell a prescribed article that emits a noise exceeding the prescribed noise level for the article. For the purposes of this offence, the *Protection of the Environment Operations (Noise Control) Regulation 2008* prescribes noise levels for 2 categories of motor vehicles that are certified to *Australian Design Rule 83/00—External Noise (ADR 83/00)*. For certified motor vehicles with an identification plate showing a date (the **compliance plate date**) that is on or before 1 March 2010, the prescribed noise level is the greater of that prescribed for the vehicle by ADR 83/00 plus 5 decibels, or in Schedule 1 to that Regulation. For all other certified motor vehicles, the noise level is that prescribed for the vehicle by ADR 83/00 plus 5 decibels.

The object of this Regulation is to extend (to 1 September 2011) the compliance plate date relevant to the first category of certified motor vehicle.

This Regulation is made under sections 136 and 323 (the general regulation-making power) of the *Protection of the Environment Operations Act 1997*.

2010 No 65

Clause 1

Protection of the Environment Operations (Noise Control) Amendment
(Maximum Exhaust Noise Levels) Regulation 2010

Protection of the Environment Operations (Noise Control) Amendment (Maximum Exhaust Noise Levels) Regulation 2010

under the

Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations (Noise Control) Amendment (Maximum Exhaust Noise Levels) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Protection of the Environment Operations (Noise Control) Regulation 2008

Clause 4 Sale of motor vehicles generally

Omit “the date that is 2 years after the commencement of this Regulation” from clause 4 (b) (i).

Insert instead “1 September 2011”.