

**MISCELLANEOUS ACTS (MARINE POLLUTION)
AMENDMENT ACT 1987 No. 300**

NEW SOUTH WALES



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**MISCELLANEOUS ACTS (MARINE POLLUTION) AMENDMENT
ACT 1987 No. 300**

NEW SOUTH WALES



Act No. 300, 1987

An Act to amend certain Acts as a result of the enactment of the Marine Pollution Act 1987. [Assented to 16 December 1987]

Miscellaneous Acts (Marine Pollution) Amendment 1987

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Miscellaneous Acts (Marine Pollution) Amendment Act 1987.

Commencement

2. This Act shall commence on a day to be appointed by proclamation.

Amendment of certain Acts

3. Each Act specified in Schedule 1 is amended as set out in that Schedule.

SCHEDULE 1—AMENDMENTS

(Sec. 3)

Clean Waters Act 1970 No. 78—

(1) Section 4 (2), (3)—

Omit “Where” wherever occurring, insert instead “Except as provided by subsection (4), where”.

(2) Section 4 (2), (3)—

Omit “the Prevention of Oil Pollution of Navigable Waters Act, 1960, or” wherever occurring.

(3) Section 4 (4), (5)—

After section 4 (3), insert:

(4) Where the provisions of this Act or a regulation made under this Act are inconsistent with—

- (a) Part 2, 3, 5 or 6 of the Marine Pollution Act 1987; or
- (b) a regulation made under Part 2, 3, 5 or 6 of that Act,

in its application to the seas of the State, the provisions of the Marine Pollution Act 1987 shall prevail.

(5) In this section—

“seas of the State” means—

- (a) the territorial sea adjacent to the State; and
- (b) the sea on the landward side of the territorial sea adjacent to the State that is not within the limits of the State.

State Pollution Control Commission Act 1970 No. 95—

(1) Section 4 (1), (2)—

Omit “Where” wherever occurring, insert instead “Except as provided by subsection (4), where”.

*Miscellaneous Acts (Marine Pollution) Amendment 1987*SCHEDULE 1—AMENDMENTS—*continued*

(2) Section 4 (1)—

Omit “(other than the Prevention of Oil Pollution of Navigable Waters Act 1960)”.

(3) Section 4 (2)—

Omit “(other than a regulation made under the Prevention of Oil Pollution of Navigable Waters Act 1960)”.

(4) Section 4 (4), (5)—

After section 4 (3), insert:

(4) Where the provisions of this Act or a regulation made under this Act are inconsistent with—

- (a) Part 2, 3, 5 or 6 of the Marine Pollution Act 1987; or
- (b) a regulation made under Part 2, 3, 5 or 6 of that Act,

in its application to the seas of the State, the provisions of the Marine Pollution Act 1987 shall prevail.

(5) In this section—

“seas of the State” means—

- (a) the territorial sea adjacent to the State; and
- (b) the sea on the landward side of the territorial sea adjacent to the State that is not within the limits of the State.

Waste Disposal Act 1970 No. 97—

(1) Section 4 (1), (2)—

Omit “Where” wherever occurring, insert instead “Except as provided by subsection (3), where”.

(2) Section 4 (1), (2)—

Omit “, the Clean Waters Act, 1970, or the Prevention of Oil Pollution of Navigable Waters Act, 1960,”, insert instead “or the Clean Waters Act 1970”.

(3) Section 4 (3), (4)—

After section 4 (2), insert:

(3) Where the provisions of this Act or a regulation made under this Act are inconsistent with—

- (a) Part 2, 3, 5 or 6 of the Marine Pollution Act 1987; or
- (b) a regulation made under Part 2, 3, 5 or 6 of that Act,

in its application to the seas of the State, the provisions of the Marine Pollution Act 1987 shall prevail.

Miscellaneous Acts (Marine Pollution) Amendment 1987

SCHEDULE 1—AMENDMENTS—*continued*

(4) In this section—

“seas of the State” means—

- (a) the territorial sea adjacent to the State; and
- (b) the sea on the landward side of the territorial sea adjacent to the State that is not within the limits of the State.