

**MARINE POLLUTION (PENALTIES) AMENDMENT
ACT 1993 No. 66**

NEW SOUTH WALES



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SCHEDULE 1—AMENDMENTS

**MARINE POLLUTION (PENALTIES) AMENDMENT
ACT 1993 No. 66**

NEW SOUTH WALES



Act No. 66, 1993

An Act to amend the Marine Pollution Act 1987 to increase penalties for offences under that Act. [Assented to 9 November 1993]

Marine Pollution (Penalties) Amendment Act 1993 No. 66

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Marine Pollution (Penalties) Amendment Act 1993.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Amendment of Marine Pollution Act 1987 No. 299

3. The Marine Pollution Act 1987 is amended as set out in Schedule 1 .

SCHEDULE 1—AMENDMENTS

(Sec. 3)

(1) Section 8 (Prohibition of discharge of oil or oily mixtures into State waters):

- (a) From section 8 (1) (a), omit “500 penalty units”, insert instead “2000 penalty units”.
- (b) From section 8 (1) (b), omit “2500 penalty units”, insert instead “10 000 penalty units”.

(2) Section 9 (Oil residues):

- (a) From section 9 (1) (a), omit “500 penalty units”, insert instead “2000 penalty units”.
- (b) From section 9 (1) (b), omit “2500 penalty units”, insert instead “10 000 penalty units”.

(3) Section 10 (Duty to report certain incidents involving oil or an oily mixture):

- (a) From section 10 (1), omit “100 penalty units”, insert instead “500 penalty units”.
- (b) From section 10 (3) (c), omit “100 penalty units”, insert instead “500 penalty units”.
- (c) From section 10 (3) (d), omit “250 penalty units”, insert instead “2500 penalty units”.
- (d) From section 10 (6), omit “100 penalty units”, insert instead “200 penalty units”.

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- (e) From section 10 (7), omit “100 penalty units”, insert instead “200 penalty units”.
- (f) From section 10 (8), omit “100 penalty units”, insert instead “200 penalty units”.
- (4) Section 11 (**Oil record book**):
 - (a) From section 11 (4) (a), omit “50 penalty units”, insert instead “200 penalty units”.
 - (b) From section 11 (4) (b), omit “250 penalty units”, insert instead “1 000 penalty units”.
 - (c) From section 11 (5), omit “50 penalty units”, insert instead “200 penalty units”.
 - (d) From section 11 (7), omit “50 penalty units”, insert instead “200 penalty units”.
- (5) Section 12 (**False entries in oil record book**):

Omit “100 penalty units”, insert instead “200 penalty units”.
- (6) Section 13 (**Oil record book to be retained**):
 - (a) From section 13 (2) (a), omit “50 penalty units”, insert instead “200 penalty units”.
 - (b) From section 13 (2) (b), omit “250 penalty units”, insert instead “1 000 penalty units”.
- (7) Section 18 (**Prohibition of discharge of substances into State waters**):
 - (a) From section 18 (1) (a), omit “500 penalty units”, insert instead “2000 penalty units”.
 - (b) From section 18 (1) (b), omit “2 500 penalty units”, insert instead “10 000 penalty units”.
- (8) Section 20 (**Duty to report certain incidents involving certain substances**):
 - (a) From section 20 (1), omit “100 penalty units”, insert instead “500 penalty units”.
 - (b) From section 20 (3) (c), omit “100 penalty units”, insert instead “500 penalty units”.

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- (c) From section 20 (3) (d), omit “250 penalty units”, insert instead “2 500 penalty units”.
- (d) From section 20 (6), omit “100 penalty units”, insert instead “200 penalty units”.
- (e) From section 20 (7), omit “100 penalty units”, insert instead “200 penalty units”.
- (f) From section 20 (8), omit “100 penalty units”, insert instead “200 penalty units”.
- (9) Section 21 (**Cargo record book**):
 - (a) From section 21 (4) (a), omit “50 penalty units”, insert instead “200 penalty units”.
 - (b) From section 21 (4) (b), omit “250 penalty units”, insert instead “1 000 penalty units”.
 - (c) From section 21 (5), omit “50 penalty units”, insert instead “200 penalty units”.
 - (d) From section 21 (8), omit “50 penalty units”, insert instead “200 penalty units”.
- (10) Section 22 (**False entries in cargo record book**):

Omit “100 penalty units”, insert instead “200 penalty units”.
- (11) Section 23 (**Cargo record book to be retained**):
 - (a) From section 23 (2) (a), omit “50 penalty units”, insert instead “200 penalty units”.
 - (b) From section 23 (2) (b), omit “250 penalty units”, insert instead “1 000 penalty units”.
 - (c) From section 23 (4) (a), omit “50 penalty units”, insert instead “200 penalty units”.
 - (d) From section 23 (4) (b), omit “250 penalty units”, insert instead “1 000 penalty units”.
- (12) Section 27 (**Prohibition of discharges to which Part applies**):
 - (a) From section 27 (1) (a), omit “500 penalty units”, insert instead “2 000 penalty units”.
 - (b) From section 27 (1) (b), omit “2 500 penalty units”, insert instead “10 000 penalty units”.

SCHEDULE 1—AMENDMENTS—*continued*(13) Section 28 (**Duty to report discharge**):

- (a) From section 28 (1), omit “100 penalty units”, insert instead “500 penalty units”.
- (b) From section 28 (3), omit “1 00 penalty units”, insert instead “200 penalty units”.
- (c) From section 28 (4), omit “100 penalty units”, insert instead “200 penalty units”.

(14) Section 29 (**Keeping of records relating to transfer etc.**):

- (a) From section 29 (4), omit “50 penalty units”, insert instead “200 penalty units”.
- (b) From section 29 (5), omit “50 penalty units”, insert instead “200 penalty units”.
- (c) From section 29 (5), omit “250 penalty units”, insert instead “1 000 penalty units”.
- (d) From section 29 (6), omit “100 penalty units”, insert instead “200 penalty units”.

(15) Section 32 (**Restrictions on transfer of oil etc. at night**):

From section 32 (3), omit “100 penalty units”, insert instead “500 penalty units”.

(16) Section 45 (**Reception facilities**):

From section 45 (6), omit “250 penalty units”, insert instead “1 000 penalty units”.

(17) Section 50 (**Non-compliance with notice**):

- (a) From section 50 (1), omit “1 000 penalty units”, insert instead “2 000 penalty units”.
- (b) From section 50 (2), omit “1 000 penalty units”, insert instead “2 000 penalty units”.

(18) Section 52C (**Departure of ships under detention**):

- (a) From section 52C (1), omit “100 penalty units”, insert instead “1 000 penalty units”.
- (b) From section 52C (1), omit “50 penalty units”, insert instead “200 penalty units”.

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(19) Section 53 (**Powers of inspectors etc.**):

From section 53 (3), omit “20 penalty units”, insert instead
“200 penalty units”.

[Minister’s second reading speech made in—

Legislative Assembly on 14 October 1993

Legislative Council on 29 October 1993 a.m.]