



New South Wales

# Protection of the Environment Operations (Penalty Notices) Amendment (Pollution and Other Offences) Regulation 2006

under the

Protection of the Environment Operations Act 1997

His Excellency the Lieutenant-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 (Penalty Notices) Regulation 2004* to enable offences relating to failing to comply with smoke abatement notices, land pollution, supplying false or misleading information about waste, failing to pay an administrative fee for a noise control notice (under the *Protection of the Environment Operations Act 1997*) and contravening conditions of licences and chemical control orders (under the *Environmentally Hazardous Chemicals Act 1985*) to be dealt with by the issue of penalty notices.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including Division 3 of Part 8.2 and section 323 (the general regulation-making power).

**2006 No 218**

Clause 1 Protection of the Environment Operations (Penalty Notices) Amendment  
(Pollution and Other Offences) Regulation 2006

---

**Protection of the Environment Operations (Penalty Notices) Amendment (Pollution and Other Offences) Regulation 2006**

under the

Protection of the Environment Operations Act 1997

**1 Name of Regulation**

This Regulation is the *Protection of the Environment Operations (Penalty Notices) Amendment (Pollution and Other Offences) Regulation 2006*.

**2 Commencement**

This Regulation commences on 1 May 2006.

**3 Amendment of Protection of the Environment Operations (Penalty Notices) Regulation 2004**

The *Protection of the Environment Operations (Penalty Notices) Regulation 2004* is amended as set out in Schedule 1.

## Schedule 1 Amendments

(Clause 3)

### [1] Schedule 1 Penalty notice offences

Insert in appropriate order in Schedule 1:

#### Environmentally Hazardous Chemicals Act 1985

Column 1	Column 2	Column 3	Column 4
Provision of Act	Officer	Penalty (individuals)	Penalty (corporations)
Section 26	2	\$1500	\$5000
Section 32 (2)	2	\$1500	\$5000

### [2] Schedule 1

Insert in numerical order in Columns 1, 2, 3 and 4, respectively, under the heading “**Protection of the Environment Operations Act 1997**”:

Section 135C (1)	1 (limited to officer or employee of local authority)	\$200	\$400
Section 142A	1, 2	\$750	\$1500
Section 144AA (1): Supply information, or cause or permit information to be supplied, that is false or misleading in a material respect about waste that is asbestos waste or hazardous waste (within the meaning of Schedule 1 to the Act)	2	\$1500	\$5000
Section 144AA (1): Supply information, or cause or permit information to be supplied, that is false or misleading in a material respect about any other waste	2	\$750	\$1500
Section 267A (7)	1, 2, 3, 13	\$500	\$1000

BY AUTHORITY