



New South Wales

Marine Pollution Amendment Regulation 2024

under the

Marine Pollution Act 2012

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Marine Pollution Act 2012*.

JO HAYLEN, MP
Minister for Transport

Explanatory note

The object of this regulation is to amend the *Marine Pollution Regulation 2024* to clarify the intended operation of certain sections and to correct cross-references. For example, the amendments clarify that the *Marine Pollution Act 2012* (***the Act***), Part 13 applies to all special recreational vessels, as defined in the *Special Recreational Vessels Act 2019* of the Commonwealth, including those that would otherwise be excluded by the Act, section 173(a).

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1 Name of regulation

This regulation is the *Marine Pollution Amendment Regulation 2024*.

2 Commencement

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

Schedule 1 Amendment of Marine Pollution Regulation 2024

- [1] **Section 5 Trading ships visiting Lord Howe Island must have oil spill response plan—the Act, s 243(2)(c)**
Omit “A ship to which this section applies must have on board” from section 5(2).
Insert instead “The master and owner of the ship are each guilty of an offence if the following are not carried on board the ship”.
- [2] **Section 5(2)(a)(iv)**
Omit “crew, and”. Insert instead “crew,”.
- [3] **Section 5(3)**
Omit “master and crew of the ship must be”.
Insert instead “master and owner of the ship are each guilty of an offence if the master and crew of the ship have not been”.
- [4] **Section 5(4)**
Omit the subsection.
- [5] **Section 6 Oil record books**
Omit “sections 113 and” from section 6(1). Insert instead “section”.
- [6] **Section 8, heading**
Omit “—the Act, s 173”.
- [7] **Section 8(1)**
Omit the subsection. Insert instead—
(1) For the Act, section 173(a), it is declared that the Act, Part 13 applies to a special recreational vessel.
- [8] **Section 46, heading**
Omit “s 87”. Insert instead “s 243(2)(a) and (c)”.
- [9] **Section 47, heading**
Omit “s 90”. Insert instead “s 243(2)(a) and (c)”.
- [10] **Schedule 5 NSW sewage standards**
Omit “section 17”. Insert instead “Schedule 7, definition of *NSW sewage standards*”.