

Natural Resources Access Regulator Regulation 2018

[2018-174]



New South Wales

Status Information

Currency of version

Repealed version for 12 February 2021 to 24 August 2023 (accessed 4 July 2024 at 4:19)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

This regulation was repealed by the [Natural Resources Access Regulator Regulation 2023](#), sec 7(1) with effect from 25.8.2023.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 25 August 2023

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Natural Resources Access Regulator Regulation 2018



New South Wales

1 Name of Regulation

This Regulation is the *Natural Resources Access Regulator Regulation 2018*.

2 Commencement

This Regulation commences on 30 April 2018 and is required to be published on the NSW legislation website.

3 Definition

(1) In this Regulation—

the Act means the *Natural Resources Access Regulator Act 2017*.

Note—

The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

(2) Notes included in this Regulation do not form part of this Regulation.

4 Existing enforcement notices

(1) This clause applies to an enforcement notice issued by Water NSW, or by a person appointed by Water NSW, that—

(a) was in force immediately before the commencement of this Regulation, and

(b) relates to a function specified in clause 1 of Schedule 2 to the Act on that commencement, and

(c) is an enforcement notice, or is of a class of enforcement notice, specified by the Regulator by order in writing.

(2) An enforcement notice to which this clause applies is taken to have been issued by the Regulator and may be varied, revoked or enforced by the Regulator.

(3) In this clause—

enforcement notice means any notice, order or direction issued in connection with the enforcement of the natural resources management legislation (including for the purposes of determining whether there has been compliance with or a contravention of that legislation).

5 Construction of certain references in *Water Management Act 2000*

A reference to the Minister in section 353E or 362C of the *Water Management Act 2000* is to be construed as including a reference to the Regulator.

6 Register—additional information

For the purposes of section 12A of the Act, the following information may be included in the register of information about enforcement actions taken by or on behalf of the Regulator under the *Water Management Act 2000*—

- (a) the identity of any person who has been convicted of an offence under that Act,
- (b) the identity of any person who has given a written undertaking under section 336E of that Act,
- (c) particulars of any written undertaking accepted under section 336E of that Act (including the reasons for the decision to accept the undertaking under section 336F of that Act),
- (d) particulars of any charge imposed or order made under section 60G of that Act,
- (e) particulars of any compliance audit undertaken under section 326A of that Act,
- (f) particulars of any injunction granted under section 335 of that Act,
- (g) particulars of any order made for a remedy or to restrain a breach under section 336 of that Act,
- (h) particulars of any measures authorised to be taken under section 336A of that Act,
- (i) particulars of any fee, charge or civil penalty recovered under section 362C of that Act.

7 Prescribed relevant agencies

For the purposes of paragraph (d) of the definition of **relevant agency** in section 16(1) of the Act, the following are prescribed as relevant agencies—

- (a) Australian Competition and Consumer Commission,
- (b) Australian Federal Police,
- (c) Commonwealth Department of Agriculture, Water and the Environment,

- (d) Commonwealth Environmental Water Office,
- (e) Local Land Services,
- (f) Murray-Darling Basin Authority,
- (g) NSW Environment Protection Authority,
- (h) NSW Fair Trading,
- (i) NSW Police Force,
- (j) NSW State Emergency Service,
- (k) South Australia Police,
- (l) Tasmania Police,
- (m) Queensland Police Service,
- (n) Victoria Police.