

8A. Injunctions

- (1) The Minister may apply to a court for an injunction to prevent a person from doing anything that would involve —
 - (a) the construction or operation of a nuclear waste storage facility in the State;
 - (b) the use of any place in the State for the storage or disposal of nuclear waste;
 - (c) the transport of nuclear waste in the State,or that would facilitate or provide assistance in relation to any of those matters.
- (2) It is not necessary for the Minister to prove that the act or failure sought to be prevented by the injunction has previously occurred or would, if the injunction were not granted, be likely to occur or continue.
- (3) An interim injunction may be granted before final determination of an application under subsection (1).
- (4) The court is not to require, as a condition of granting an interim injunction, that an undertaking be given as to damages or costs.
- (5) The taking of proceedings against any person for an offence under this Act is not affected by —
 - (a) the making of an application under subsection (1) for an injunction;
 - (b) the grant or refusal of an injunction upon an application under subsection (1); or
 - (c) the rescission, variation, or expiry of an injunction granted upon an application under subsection (1).

[Section 8A inserted by No. 2 of 2004 s. 12.]