

9. Incineration at sea

- (1) This section applies to incineration at sea carried out on —
 - (a) a vessel in coastal waters; or
 - (b) a Western Australian platform.
- (2) The incineration at sea of wastes or other matter listed in paragraphs 2, 3, 4, 6 and 7 of Annex I to the Convention, being incineration to which this section applies, is prohibited.
- (3) The incineration at sea, otherwise than in accordance with a permit, of wastes or other matter listed in paragraphs 1 and 5 of Annex I to the Convention, being incineration to which this section applies, is prohibited.
- (4) The incineration at sea, otherwise than in accordance with a permit, of wastes or other matter listed in Annex II to the Convention, being incineration to which this section applies, is prohibited.
- (5) The incineration at sea, otherwise than in accordance with a permit, of any wastes or other matter (other than wastes or other matter referred to in subsection (2), (3) or (4)), being incineration to which this section applies, is prohibited.
- (6) The owner and the person in charge of a vessel or platform on which incineration at sea in contravention of this section is carried out and the owner of the wastes or other matter so incinerated are each guilty of an offence against this section punishable, on conviction, by a fine not exceeding —
 - (a) where the incineration was in contravention of subsection (2), \$50 000 if the offender is a natural person or \$100 000 if the offender is a body corporate;
 - (b) where the incineration was in contravention of subsection (3), \$40 000 if the offender is a natural person or \$80 000 if the offender is a body corporate;
 - (c) where the incineration was in contravention of subsection (4), \$25 000 if the offender is a natural person or \$50 000 if the offender is a body corporate; or
 - (d) where the incineration was in contravention of subsection (5), \$10 000 if the offender is a natural person or \$20 000 if the offender is a body corporate.