



Western Australia

Western Australian Marine (Sea Dumping) Regulations 1982

Compare between:

[16 Nov 2005, 01-b0-08] and [29 Nov 2016, 01-c0-01]

Western Australian Marine (Sea Dumping) Regulations 1982

1. Citation

These regulations may be cited as the *Western Australian Marine (Sea Dumping) Regulations 1982*¹.

2. Commencement

These regulations shall come into operation on the coming into operation of the *Western Australian Marine (Sea Dumping) Act 1981*¹.

3. Interpretation

In these regulations, unless the contrary intention appears —

regulation means one of these regulations;

section means section of the Act;

subregulation means subregulation of the regulation in which the term is used;

the Act means the *Western Australian Marine (Sea Dumping) Act 1981*.

4. Prescribed information for reports of dumping

For the purposes of section 10(d), the prescribed information in relation to a report of a dumping is —

- (a) the name and address of the person furnishing that information;
- (b) the date of the dumping and the time of day, expressed by reference to Co-ordinated Universal Time as defined in the *Standard Time Act 2005* section 3, at which the dumping took place;
- (c) the co-ordinates of the dumping site specified in degrees, minutes and seconds of latitude and longitude;
- (d) the approximate depth of water at the dumping site;
- (e) if the dumping took place from a vessel, aircraft or platform —
 - (i) the name (if any) and the registration or other identifying mark or marking of the vessel, aircraft or platform; and
 - (ii) the name of the person in charge of the vessel, aircraft or platform;
- (f) a description of the method employed in carrying out the dumping;
- (g) the reason for the dumping, including information relating to whether or not the dumping —
 - (i) was necessary to secure the safety of human life, or of a vessel, aircraft or platform at sea in a case of *force majeure* caused by stress of weather; or
 - (ii) appeared to be the only way of averting a threat to human life, or to the safety of a vessel, aircraft or platform, at sea and whether or not there was every probability that the damage caused by the dumping would be less than would otherwise occur,

and whether or not the dumping was so conducted as to minimize the likelihood of damage to human or marine life, and information on the weather and sea conditions prevailing at the time and place of the dumping;

- (h) if wastes or other matter (not being a vessel, aircraft or platform) were, or was, dumped —
 - (i) a general description;
 - (ii) the physical properties (for example, solubility, density and, in the case of solids, particle size), the chemical and biochemical properties (for example, oxygen demand and nutrients) and the biological properties (for example, presence or absence of viruses, bacteria, yeasts and parasites);
 - (iii) the form (for example, solid, sludge, liquid or gaseous);
 - (iv) the volume or mass;
 - (v) the method of packaging or containment (if any); and
 - (vi) the physical, chemical and biological persistence, of the wastes or other material dumped; and
- (i) if a vessel, aircraft or platform was dumped —
 - (i) whether the thing dumped was a vessel, an aircraft or a platform;
 - (ii) the name (if any) and the registration or other identifying mark or marking of the vessel, aircraft or platform dumped;
 - (iii) the mass of the vessel, aircraft or platform dumped; and
 - (iv) the method of packaging or containment (if any) of the vessel, aircraft or platform dumped.

[Regulation 4 amended by No. 21 of 2005 s. 7.]

5. Fees

- (1) For the purposes of section 34(1), the fee to be paid in respect of an application for a permit for dumping or incineration at sea is —

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- (a) if that application is for a general permit, \$2 500; or
 - (b) if that application is for a special permit, \$5 000.
- (2) For the purposes of section 34(2), the time prescribed for the payment of a fee referred to in subregulation (1) is a time not later than 30 days after the day on which the relevant application was made.

6. Service of notices

A notice to an applicant for a permit under section 13(3) or to the holder of a permit under section 15(1) shall be served by being sent by post to the person concerned at the address shown on his application for the permit or, if he has, in relation to that application or permit, notified the Minister in writing of another address for service of such a notice, at that other address.

Notes

- ¹ This is a compilation of the *Western Australian Marine (Sea Dumping) Regulations 1982* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

| Citation | Gazettal | Commencement |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------------------------------------------------|
| <i>Western Australian Marine (Sea Dumping) Regulations 1982</i> | 21 Jan 1983 p. 285-6 | 19 Apr 1984 (see r. 2 and <i>Gazette</i> 19 Apr 1984 p. 1103) |
| Reprint 1: The <i>Western Australian Marine (Sea Dumping) Regulations 1982</i> as at 7 May 2004 | | |
| <i>Standard Time Act 2005</i> s. 7 assented to 15 Nov 2005 | | 16 Nov 2005 (see s. 2) |
| <u>These regulations were repealed as a consequence of the principal Act being repealed by the <i>Statutes (Repeals) Act 2016</i> (No. 50 of 2016) s. 23 as at 29 Nov 2016 (see s. 2(b)).</u> | | |