



Western Australia

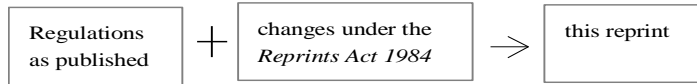
Western Australian Marine (Sea Dumping) Act 1981

Western Australian Marine (Sea Dumping) Regulations 1982

Reprint 1: The regulations as at 7 May 2004

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original regulations are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions that would amend the text if they were to come into operation. The table refers to another endnote setting out the text of the amendments in full.

Notes amongst text (italicised and within square brackets)

Editorial notes show if something has been omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything omitted can be found in an earlier reprint (if there is one) or the regulations as published.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the
Reprints Act 1984 as
at 7 May 2004

Western Australia

Western Australian Marine (Sea Dumping) Regulations 1982

CONTENTS

1.	Citation	1
2.	Commencement	1
3.	Interpretation	1
4.	Prescribed information for reports of dumping	2
5.	Fees	4
6.	Service of notices	4
	Notes	
	Compilation table	5



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Western Australian Marine (Sea Dumping) Act 1981

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 Greenwich Mean Time, 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.

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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 —
 - (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.

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Notes

- ¹ This is a reprint as at 7 May 2004 of the *Western Australian Marine (Sea Dumping) Regulations 1982*. The following table contains information about those regulations and 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		