

EP302

## ENVIRONMENTAL PROTECTION ACT 1986

ENVIRONMENTAL PROTECTION AMENDMENT REGULATIONS (No. 2)  
1991

Made by His Excellency the Governor in Executive Council on the recommendation of the Environmental Protection Authority.

## Citation

1. These regulations may be cited as the *Environmental Protection Amendment Regulations (No. 2) 1991*.

## Regulation 16 inserted

2. After regulation 15 of the *Environmental Protection Regulations 1987\**, the following regulation is inserted—

**Control of organotin anti-fouling paint**

- “ 16. (1) On and from 1 November 1991, a person shall not apply organotin anti-fouling paint to, or cause or permit such paint to be applied to—
- (a) a piling, pier, buoy, mooring or other structure in an enclosed water body or a semi-enclosed water body;
  - (b) a vessel that is 25 metres or less in length; or
  - (c) a vessel that is more than 25 metres in length, unless the paint has been formulated so that in respect of each square centimetre of surface to which it is applied—
    - (i) not more than 210 micrograms of organotin are released during the first 14 days after the application of the paint; and
    - (ii) not more than 5 micrograms of organotin are released during each subsequent day.

(2) On and from 1 September 1991, a person shall not sell organotin anti-fouling paint that is formulated other than as described in subregulation (1) (c).

(3) On and from 1 September 1991, a person who has a container containing organotin anti-fouling paint shall ensure that it has a clearly readable label with the words "NOT TO BE APPLIED TO VESSELS 25 METRES OR LESS IN LENGTH".

(4) In this regulation—

"enclosed water body" means a body of water, such as a lake, not connected to the sea;

"length" means the hull length of a ship, boat or hovercraft or the overall length of any other vessel;

"Organotin anti-fouling paint" means a coating, paint or treatment that contains an organic derivative of tin;

"semi-enclosed water body" means a partially enclosed coastal water, such as an estuary, river, port, harbour, bay, marina or yacht club;

"vessel" means any ship, boat, hovercraft or hulk and any vehicle, whether floating or submersible and whether self-propelled or not, that is capable of being used in or on water.

[\*Published in the Gazette of 20 February 1987 at pp. 444-449. For amendments to 20 June 1991 see p. 228 of 1990 Index to Legislation of Western Australia.]

Recommended by resolution of the Environmental Protection Authority made on 2nd August 1990.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

---