

---

---

**ENVIRONMENT**

---

---

EV301

Environmental Protection Act 1986

**Environmental Protection Amendment  
Regulations (No. 2) 2021**

SL 2021/190

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Environmental Protection Amendment Regulations (No. 2) 2021*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Environmental Protection Regulations 1987*.

**4. Part 3A inserted**

After regulation 5O insert:

**Part 3A — Use of mercury in manufacturing****5P. Terms used**

In this Part —

*mercury* means elemental mercury (Hg(0), CAS No. 7439-97-6);

***mercury-added product*** means a product or product component that contains mercury or a mercury compound that was intentionally added;

***mercury compound*** means any substance consisting of atoms of mercury and 1 or more atoms of another chemical element, which can only be separated into different components by a chemical reaction;

***prohibited manufacturing process*** —

- (a) means a process that uses mercury or a mercury compound to produce any of the following —
  - (i) acetaldehyde;
  - (ii) chlor-alkali;
  - (iii) polyurethane;
  - (iv) potassium ethylate;
  - (v) potassium methylate;
  - (vi) sodium ethylate;
  - (vii) sodium methylate;
  - (viii) vinyl chloride monomer;but
- (b) does not include a process that uses a mercury-added product instead of mercury or a mercury compound.

**5Q. Offence to conduct a prohibited manufacturing process**

A person must not conduct a prohibited manufacturing process.

Penalty: a fine of \$20 000.

N. HAGLEY, Clerk of the Executive Council.

---