

NORTHERN TERRITORY OF AUSTRALIA

**WASTE MANAGEMENT AND POLLUTION CONTROL (ADMINISTRATION)
REGULATIONS**

As in force at 13 January 1999

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 13 January 1999

WASTE MANAGEMENT AND POLLUTION CONTROL (ADMINISTRATION) REGULATIONS

Regulations under the *Waste Management and Pollution Control Act*

1 Citation

These Regulations may be cited as the *Waste Management and Pollution Control (Administration) Regulations*.

2 Interpretation

In these Regulations, unless the contrary intention appears:

infringement notice means an infringement notice issued in pursuance of these Regulations.

offence means an offence against a provision specified in Schedule 1.

offender means a person who an authorised officer reasonably believes has committed an offence.

3 Period in which application to renew licence to be made

For the purposes of section 40(2)(a) of the Act, the prescribed period is not earlier than 90 days and not later than 30 days before the licence expires.

4 Application fee for registration as qualified environmental auditor

For the purposes of section 68(2) of the Act, the fee to apply to be registered as a person qualified to perform environmental audits for the purposes of an environmental audit program is \$1300.

5 Exemption from application fee

The Chief Executive Officer may exempt from the requirement to pay a fee under section 68(2) of the Act a person who:

- (a) is accredited by a body or organisation approved by the Chief Executive Officer under section 69 of the Act; or

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- (b) is a person, or is a member of a class of persons, who or which the Chief Executive Officer has approved under section 69(2) of the Act.

6 Issuing of infringement notices

If an authorised officer has reason to believe that an offence has been committed, the officer may serve an infringement notice on the offender.

7 Particulars to be shown on infringement notice

An infringement notice is to have clearly shown on it:

- (a) the name of the offender, if known;
- (b) the date, time and place of the offence;
- (c) the nature of the offence and the penalty payable in accordance with section 8 of the *Environmental Offences and Penalties Act*;
- (d) the place or places at which the penalty may be paid;
- (e) the date of the infringement notice and a statement that the penalty may be paid within 28 days after that date;
- (f) a statement to the effect that, if the appropriate amount specified in the infringement notice as the penalty for the offence is tendered at a place referred to in the notice within the time specified in the notice, no further action will be taken; and
- (g) any other approved particulars.

8 Payment before expiry date of infringement notice

- (1) If the total amount of the penalty specified in an infringement notice is paid in accordance with the notice, the offender is to be taken to have expiated the offence by paying the penalty and no further proceedings are to be taken in respect of the offence.
- (2) If the amount of a penalty specified in an infringement notice is paid by cheque, the amount is not to be taken to have been paid unless the cheque is cleared on presentation.

9 **General**

Nothing in these Regulations:

- (a) prevents more than one infringement notice being served in relation to the same offence but it is sufficient for the application of regulation 8 to a person on whom more than one notice has been served for the person to pay the amount of the penalty in accordance with any one of the notices;
- (b) prejudices or affects (except as provided by regulation 8) proceedings being instituted or prosecuted, or limits the penalty that may be imposed by a court, in relation to an offence; or
- (c) is to be construed as requiring an infringement notice to be served or as affecting the liability of a person to be prosecuted in a court in relation to an offence in respect of which an infringement notice has not been served.

Schedule 1 Offences

regulation 2

1. *Waste Management and Pollution Control Act*

Sections 14(1), 30(1), (2) and (3), 39(2), 43(1), 51(1), 58(2), 61(5), 63(2), 67, 76(c), 80(2), 83(5) and (7) and 112(2), (3), (4) and (5).

ENDNOTES

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KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

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LIST OF LEGISLATION

Waste Management and Pollution Control (Administration) Regulations (SL No. 65, 1998)

Notified	13 January 1999
Commenced	13 January 1999