

NORTHERN TERRITORY OF AUSTRALIA

ENVIRONMENTAL OFFENCES AND PENALTIES AMENDMENT  
ACT (NO. 2) 2010

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Act No. 44 of 2010

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. 44 of 2010

An Act to amend the *Environmental Offences and Penalties Act*

[Assented to 13 December 2010]  
[Second reading 21 October 2010]

The Legislative Assembly of the Northern Territory enacts as follows:

## 1 Short title

This Act may be cited as the *Environmental Offences and Penalties Amendment Act (No. 2) 2010*.

## 2 Commencement

This Act commences on the day fixed by the Administrator by *Gazette* notice.

## 3 Act amended

This Act amends the *Environmental Offences and Penalties Act*.

## 4 Long title amended

Long title

*omit*

relating to the protection of the environment

*insert*

under prescribed Acts

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**5 Section 3 amended**

(1) Section 3(1)

*omit*

all words from "Where" to "character"

*insert*

If, under an Act that is prescribed by regulation

(2) Section 3(1)(d)

*omit*

4,

*insert*

4;

**6 Section 11 inserted**

After section 10

*insert*

**11 Validation provision relating to designations before  
*Environmental Offences and Penalties Amendment Act  
(No. 2) 2010***

(1) It is declared that an existing designation of an offence as an environmental offence at a particular level was validly made and continues to be validly made, as if the offence were so designated after the commencement.

(2) In this section:

***commencement*** means the commencement of this section.

***existing designation***, in relation to an offence, means a designation or purported designation of an offence as an environmental offence that was made in any way before the commencement, including a way mentioned in section 3.