

NORTHERN TERRITORY OF AUSTRALIA

ENVIRONMENTAL OFFENCES AND PENALTIES AMENDMENT ACT 2010

Act No. 28 of 2010

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NORTHERN TERRITORY OF AUSTRALIA

Act No. 28 of 2010

An Act to amend the *Environmental Offences and Penalties Act 1996*

[Assented to 9 September 2010]

[Second reading 9 June 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 2010*.

2 Act amended

This Act amends the *Environmental Offences and Penalties Act 1996*.

3 Amendment of section 3 (Reference to environmental offences)

(1) Section 3(1)(a) and (b), at the end

insert

or

-
- (2) After section 3(1)
insert
- (2) For examples of the designation of offences as mentioned in subsection (1)(a) to (d), see section 58C of the *Energy Pipelines Act*.

4 Amendment of section 4 (Penalty for environmental offence level 1)

- (1) Section 4(1)(a)
omit, substitute
- (a) not less than 385 penalty units and not more than 3 850 penalty units; or

- (2) Section 4(2)
omit
- \$125,000 and not more than \$1,250,000
substitute
- 1 924 penalty units and not more than 19 240 penalty units

5 Amendment of section 5 (Penalty for environmental offence level 2)

- (1) Section 5(1)
omit
- \$10,000 and not more than \$100,000

- substitute*
- 154 penalty units and not more than 1 540 penalty units

- (2) Section 5(2)
omit
- \$50,000 and not more than \$500,000
substitute
- 770 penalty units and not more than 7 700 penalty units

6 Amendment of section 6 (Penalty for environmental offence level 3)

(1) Section 6(1)

omit

\$5,000 and not more than \$50,000

substitute

77 penalty units and not more than 770 penalty units

(2) Section 6(2)

omit

\$25,000 and not more than \$250,000

substitute

385 penalty units and not more than 3 850 penalty units

7 Amendment of section 7 (Penalty for environmental offence level 4)

(1) Section 7(1)

omit

\$5,000

substitute

77 penalty units

(2) Section 7(2)

omit

\$25,000

substitute

385 penalty units

8 Amendment of section 8 (Infringement offences)

(1) Section 8(a)(i)

omit

\$200

substitute

3.5 penalty units

(2) Section 8(a)(ii)

omit

\$1,000

substitute

17.5 penalty units

(3) Section 8(b)(i)

omit

\$100

substitute

1.5 penalty unit

(4) Section 8(b)(ii)

omit

\$500

substitute

7.5 penalty units

9 Amendment of section 10 (Regulations)

Section 10

omit

all the words after "make"

substitute

regulations under this Act.