

**PREVENTION OF OIL POLLUTION OF NAVIGABLE
WATERS (AMENDMENT) BILL, 1985**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are—

- (a) to amend the Prevention of Oil Pollution of Navigable Waters Act, 1960, so as—
 - (i) to increase the amount of penalties for certain offences under that Act (Schedule 1 (1)–(3)); and
 - (ii) to provide that proceedings for offences under that Act may be taken in the Land and Environment Court rather than in the Supreme Court (Schedule 1 (5) (a) and (c));
 - (b) to provide for the continuance in the Supreme Court of proceedings pending in that Court before the commencement of the provisions referred to in paragraph (a) (ii) (clause 4); and
 - (c) to make other provisions of a minor, consequential or ancillary nature.
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**PREVENTION OF OIL POLLUTION OF NAVIGABLE
WATERS (AMENDMENT) BILL, 1985**

No. , 1985.

A BILL FOR

An Act to amend the Prevention of Oil Pollution of Navigable Waters Act, 1960, to increase the penalties that may be imposed under that Act and to provide that proceedings for offences under that Act may be taken in the Land and Environment Court.

Prevention of Oil Pollution of Navigable Waters (Amendment) 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 Short title.

1. This Act may be cited as the "Prevention of Oil Pollution of Navigable Waters (Amendment) Act, 1985".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

10 (2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment of Act No. 48, 1960.

15 3. The Prevention of Oil Pollution of Navigable Waters Act, 1960, is amended in the manner set forth in Schedule 1.

Continuation, etc., of certain legal proceedings.

20 4. Any proceedings referred to in section 18 (1) of the Prevention of Oil Pollution of Navigable Waters Act, 1960, which were pending in the Supreme Court immediately before the day appointed and notified under section 2 (2) shall be continued and disposed of in the Supreme Court as if this Act had not been enacted.

Prevention of Oil Pollution of Navigable Waters (Amendment) 1985

SCHEDULE 1.

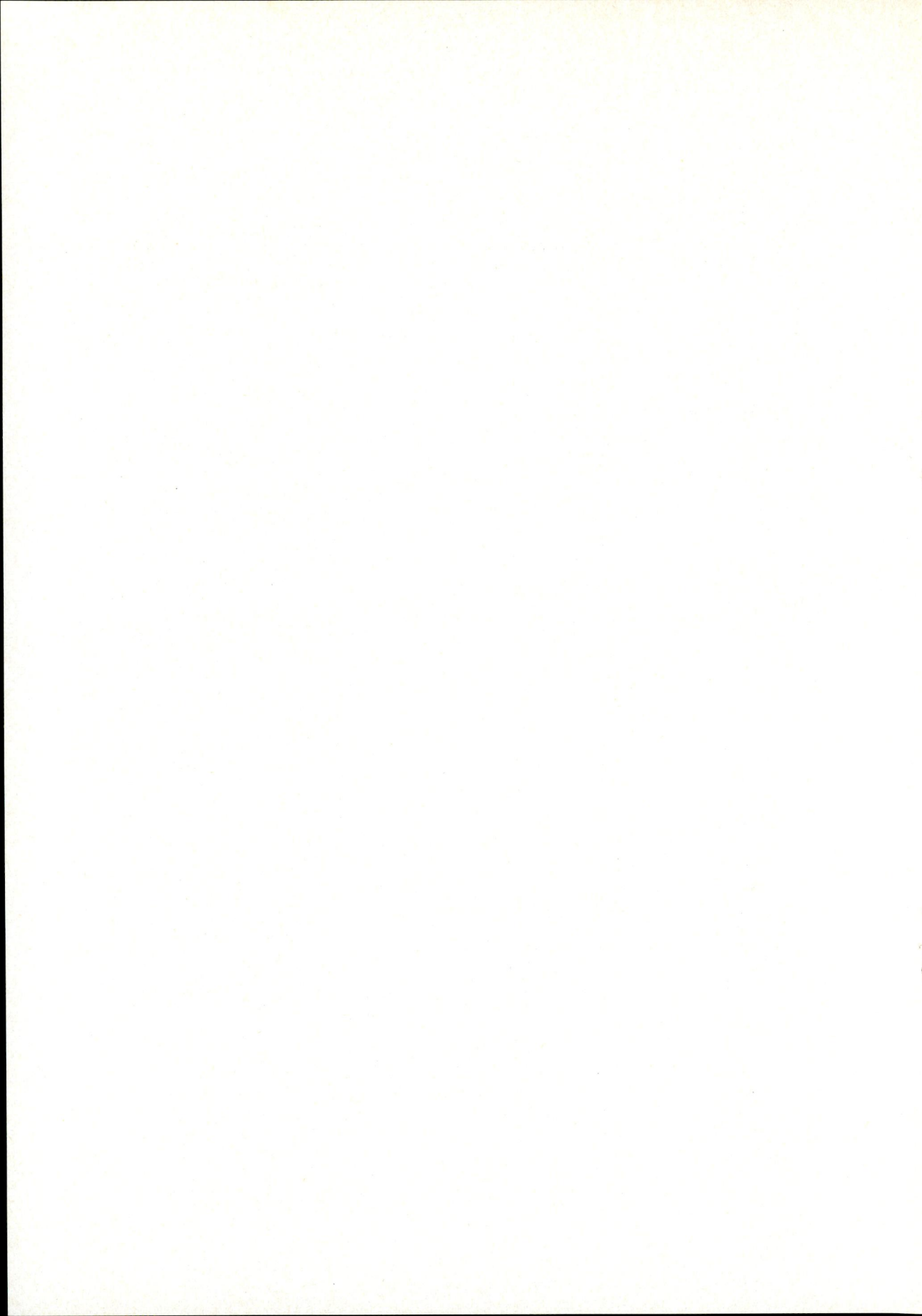
(Sec. 3.)

AMENDMENTS TO THE PREVENTION OF OIL POLLUTION OF NAVIGABLE
WATERS ACT, 1960.

- 5 (1) Sections 6, 6A (2), 7C (1), (2), (4), 7F (2)—
Omit "\$50,000" wherever occurring, insert instead "\$100,000".
- (2) Sections 11 (5), 13 (3), 14 (2), 15 (2), 18 (2)—
Omit "\$2,000" wherever occurring, insert instead "\$10,000".
- (3) Section 12 (6)—
- 10 Omit "\$5,000", insert instead "\$25,000".
- (4) Section 16 (2), proviso—
After "section 6", insert "or 6A".
- (5) (a) Section 18 (1)—
- 15 Omit "stipendiary magistrate sitting alone or before the
Supreme Court", insert instead "Local Court constituted by a
Magistrate sitting alone or before the Land and Environment
Court".
- (b) Section 18 (2)—
- 20 Omit "court of petty sessions held before a stipendiary
magistrate", insert instead "Local Court constituted by a
Magistrate".
- (c) Section 18 (3)—
Omit "Supreme Court" wherever occurring, insert instead
"Land and Environment Court".

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985





**PREVENTION OF OIL POLLUTION OF NAVIGABLE WATERS
(AMENDMENT) ACT, 1985, No. 69**

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

* * * * *

Act No. 69, 1985.

An Act to amend the Prevention of Oil Pollution of Navigable Waters Act, 1960, to increase the penalties that may be imposed under that Act and to provide that proceedings for offences under that Act may be taken in the Land and Environment Court. [Assented to, 15th May, 1985.]

Prevention of Oil Pollution of Navigable Waters (Amendment) 1985

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Prevention of Oil Pollution of Navigable Waters (Amendment) Act, 1985".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment of Act No. 48, 1960.

3. The Prevention of Oil Pollution of Navigable Waters Act, 1960, is amended in the manner set forth in Schedule 1.

Continuation, etc., of certain legal proceedings.

4. Any proceedings referred to in section 18 (1) of the Prevention of Oil Pollution of Navigable Waters Act, 1960, which were pending in the Supreme Court immediately before the day appointed and notified under section 2 (2) shall be continued and disposed of in the Supreme Court as if this Act had not been enacted.

Prevention of Oil Pollution of Navigable Waters (Amendment) 1985

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE PREVENTION OF OIL POLLUTION OF NAVIGABLE
WATERS ACT, 1960.

- (1) Sections 6, 6A (2), 7C (1), (2), (4), 7F (2)—
Omit "\$50,000" wherever occurring, insert instead "\$100,000".
- (2) Sections 11 (5), 13 (3), 14 (2), 15 (2), 18 (2)—
Omit "\$2,000" wherever occurring, insert instead "\$10,000".
- (3) Section 12 (6)—
Omit "\$5,000", insert instead "\$25,000".
- (4) Section 16 (2), proviso—
After "section 6", insert "or 6A".
- (5) (a) Section 18 (1)—
Omit "stipendiary magistrate sitting alone or before the
Supreme Court", insert instead "Local Court constituted by a
Magistrate sitting alone or before the Land and Environment
Court".
- (b) Section 18 (2)—
Omit "court of petty sessions held before a stipendiary
magistrate", insert instead "Local Court constituted by a
Magistrate".
- (c) Section 18 (3)—
Omit "Supreme Court" wherever occurring, insert instead
"Land and Environment Court".

In the name and on behalf of Her Majesty I assent to this Act.

J. A. ROWLAND,
Governor.

Government House,
Sydney, 15th May, 1985.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985

