

Queensland



POLLUTION OF WATERS BY OIL AMENDMENT BILL 1992

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AMENDMENT BILL 1992**

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1992

A BILL

FOR

An Act to amend the *Pollution of Waters by Oil Act 1973*

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with 1
the advice and consent of the Legislative Assembly of Queensland in 2
Parliament assembled, and by the authority of the same, as follows. 3

Short title 4

Clause1. This Act may be cited as the *Pollution of Waters by Oil* 5
Amendment Act 1992. 6

Amended Act 7

Clause2. The *Pollution of Waters by Oil Act 1973* is amended as set out in 8
this Act. 9

SCHEDULE 1	1
INCREASED PENALTIES	2
section 2	3
1. Section 9—	4
<i>omit—</i>	5
‘Penalty: \$50 000.’,	6
<i>insert—</i>	7
‘Maximum penalty—	8
(a) in the case of an individual—3333 penalty units; or	9
(b) in the case of a corporation—16667 penalty units.’.	10
2. Section 10(2)—	11
<i>omit—</i>	12
‘Penalty: \$50 000.’,	13
<i>insert—</i>	14
‘Maximum penalty—	15
(a) in the case of an individual—3333 penalty units; or	16
(b) in the case of a corporation—16667 penalty units.’.	17
3. Section 14(2)—	18
<i>omit—</i>	19
‘Penalty: \$50 000.’,	20
<i>insert—</i>	21
‘Maximum penalty—	22
(a) in the case of an individual—3333 penalty units; or	23

SCHEDULE 1 (continued)

(b) in the case of a corporation—16667 penalty units.’.	1
4. Section 22(1)—	2
<i>omit—</i>	3
‘Penalty: \$50 000.’,	4
<i>insert—</i>	5
‘Maximum penalty—	6
(a) in the case of an individual—3333 penalty units; or	7
(b) in the case of a corporation—16667 penalty units.’.	8
5. Section 32(5)—	9
<i>omit—</i>	10
‘Penalty: \$10 000.’,	11
<i>insert—</i>	12
‘Maximum penalty—	13
(a) in the case of an individual—667 penalty units; or	14
(b) in the case of a corporation—3333 penalty units.’.	15
6. Section 33(4)—	16
<i>omit—</i>	17
‘Penalty: \$5 000.’,	18
<i>insert—</i>	19
‘Maximum penalty—	20
(a) in the case of an individual—333 penalty units; or	21
(b) in the case of a corporation—1667 penalty units.’.	22

SCHEDULE 1 (continued)

7. Section 33(6)—	1
<i>omit—</i>	2
‘Penalty: \$5 000.’,	3
<i>insert—</i>	4
‘Maximum penalty—	5
(a) in the case of an individual—333 penalty units; or	6
(b) in the case of a corporation—1667 penalty units.’.	7
 8. Section 34(1)—	8
<i>omit—</i>	9
‘Penalty: \$10 000.’,	10
<i>insert—</i>	11
‘Maximum penalty—833 penalty units.’.	12
 9. Section 34(6)—	13
<i>omit—</i>	14
‘Penalty: \$2 000.’,	15
<i>insert—</i>	16
‘Maximum penalty—333 penalty units.’.	17
 10. Section 35(8)—	18
<i>omit—</i>	19
‘Penalty: \$5 000.’,	20
<i>insert—</i>	21
‘Maximum penalty—333 penalty units.’.	22

SCHEDULE 1 (continued)

11. Section 36—	1
<i>omit—</i>	2
‘Penalty: \$2 000.’,	3
<i>insert—</i>	4
‘Maximum penalty—133 penalty units.’	5
 12. Section 37(2)—	6
<i>omit—</i>	7
‘Penalty: \$2 000.’,	8
<i>insert—</i>	9
‘Maximum penalty—133 penalty units.’	10
 13. Section 39—	11
<i>omit</i> ‘penalty not exceeding \$2 000’,	12
<i>insert</i> ‘maximum penalty of—	13
(a) in the case of an individual—133 penalty units; or	14
(b) in the case of a corporation—333 penalty units.’.	15

SCHEDULE 2	1
MINOR AMENDMENTS	2
section 2	3
1. Section 3—	4
<i>omit.</i>	5
2. Section 6—	6
<i>omit.</i>	7
3. Section 7 (definitions “Director-General”, “Minister”)—	8
<i>omit.</i>	9
4. Section 15(1)—	10
<i>omit</i> ‘Director-General’, <i>insert</i> ‘chief executive of the department’.	11
5. Section 35(7)(a)—	12
<i>omit</i> ‘Director-General’, <i>insert</i> ‘chief executive of the department’.	13
6. Section 39(3)—	14
<i>omit</i> ‘\$50 000’, <i>insert</i> ‘at least 833 penalty units’.	15
7. Schedule—	16
<i>omit.</i>	17
	18