

Media Release:

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Draft Legislation Released for Public Comment

The Department of Natural Resources, Environment, the Arts and Sport (NRETAS) is inviting public comment on draft legislation aimed at strengthening the Territory's environment laws.

NRETAS Environment and Heritage executive director, Matt Darcey, said proposed amendments to the *Waste Management and Pollution Control Act* would improve NRETAS's ability to investigate and successfully prosecute breaches of the Act, regardless of whether environmental harm has occurred.

The key amendments proposed by the Bill will:

- introduce new offences of unauthorised pollution;
- remove the protection against self incrimination for corporate entities;
- clarify responsibilities to report pollution; and
- clarify the elements of existing environmental offences.

"The proposed changes follow last year's successful prosecution of the Darwin Port Corporation and are intended to address issues identified with the legislation during that investigation" Mr Darcey said.

"These changes will mean that anyone who deliberately harms our environment or fails to exercise a reasonable level of care and cause damage to the environment will be subject to legal consequences.

"The proposed amendments will improve the enforceability of the existing general pollution offences that continue to require proof of environmental harm and there will be new offences of unauthorised pollution.

"The maximum penalty for the new offences will be \$105,490 for individuals and \$527,450 for a body corporate.

"Penalties for existing offences will remain the same with the maximum penalty for environmental harm offences being \$490,460 or five years imprisonment for an individual and \$2 635 880 for a body corporate."

Public consultation closes at close of business on 15 March 2012. The proposed amendments and a summary of them can be viewed at www.nt.gov.au/consult

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