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Subordinate Legislation Act 1994

PROPOSED ENVIRONMENT PROTECTION (SHIPS' BALLAST WATER) REGULATIONS 2006

Notice is given in accordance with section 11 of the **Subordinate Legislation Act 1994** of the proposed making of the Environment Protection (Ships' Ballast Water) Regulations 2006.

The objective of the proposed regulations, which are to be made under the **Environment Protection Act 1970**, is to support the implementation of the Waste management policy (Ships' Ballast Water) by prescribing the administrative requirements and services necessary to protect the beneficial uses of Victorian State waters and by prescribing the fees for ships visiting a port in Victoria to recover the costs associated with delivering these services.

A Regulatory Impact Statement has been prepared in accordance with the requirements of the **Subordinate Legislation Act 1994**.

The Regulatory Impact Statement concludes that the proposed statutory rule provides the best mechanism for specifying the ballast water requirements for owners and masters of ships with capacity to carry ballast water, specifying offences for ship owners and masters not meeting reporting requirements or not paying the prescribed fees, and establishing a cost recovery fee structure for administering the ballast water management system and its implementation by the EPA. The Regulatory Impact Statement concludes that the benefits of making the proposed regulations outweigh the associated costs.

The Protocol for Environmental Management (PEM) provides guidance to assist the shipping industry assess and manage the risks associated with domestic ballast water discharges and has been revised to incorporate changes necessary for the proposed regulations.

Public comments and submissions are invited on the proposed regulations and Regulatory Impact Statement and PEM by 24 March 2006.

Submissions can be directed to:— The Project Manager, Environment Protection (Ships' Ballast Water) Regulations 2006, EPA Victoria, GPO Box 4395QQ, Melbourne, Vic. 3001. Alternatively, you may wish to make a submission by e-mail to:— Ballast.water@epa.vic.gov.au.

Copies of the Regulatory Impact Statement and the proposed regulations can be obtained by contacting EPA's Information Centre, GPO Box 4395QQ, Melbourne 3001, telephone: (03) 9695 2722 or by visiting EPA's website: www.epa.vic.gov.au.

JOHN THWAITES
Minister for Environment

SPECIAL

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