

South Australia



**ENVIRONMENT PROTECTION (FORUM REPLACEMENT)
AMENDMENT ACT 1995**

No. 100 of 1995

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ANNO QUADRAGESIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1995

No. 100 of 1995

An Act to amend the Environment Protection Act 1993.

[Assented to 14 December 1995]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Environment Protection (Forum Replacement) Amendment Act 1995*.

(2) The *Environment Protection Act 1993* is referred to in this Act as "the principal Act".

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of s. 3—Interpretation

3. Section 3 of the principal Act is amended—

(a) by striking out from the definition of "appointed member" in subsection (1) "or Forum";

(b) by striking out from subsection (1) the definition of "the Forum".

Amendment of s. 10—Objects of Act

4. Section 10 of the principal Act is amended by striking out from subsection (2) ", the Forum,".

Substitution of heading

5. The heading to Part 3 of the principal Act is repealed and the following heading is substituted:

**PART 3
AUTHORITY, CONFERENCE AND FUND**

Substitution of Division 2 of Part 3

6. Division 2 of Part 3 of the principal Act is repealed and the following Division is substituted:

DIVISION 2—ROUND-TABLE CONFERENCE**Round-table conference**

19. (1) The Authority must, on an annual basis (or with such greater frequency as the Authority may determine), hold a round-table conference in accordance with this section for the purpose of assisting the Authority and the Minister to assess the views of interested bodies and persons on such matters related to—

- (a) the operation of this Act; or
- (b) the protection, restoration or enhancement of the environment within the scope of this Act,

as the Authority may determine.

(2) The Authority must endeavour to ensure that those persons invited by the Authority to attend a round-table conference represent a wide range of interests and expertise in relation to the matters to be considered and include representatives of the community, industry and relevant environmental and professional organisations.

(3) Subject to this section, round-table conferences will—

- (a) be held at such times; and
- (b) consist of such number of persons; and
- (c) be conducted according to such procedures,

as the Authority may determine.

(4) The person appointed to chair the Authority, or in his or her absence the deputy of that person, must be present at a round-table conference.

(5) The person appointed to chair the Authority, or his or her nominee, will preside at a round-table conference.

Amendment of s. 24—Environment Protection Fund

7. Section 24 of the principal Act is amended by striking out subsection (5).

Amendment of s. 28—Normal procedure for making policies

8. Section 28 of the principal Act is amended—

(a) by inserting after subsection (3) the following subsection:

(3a) Where a committee or subcommittee of the Authority is established under this Act to advise the Authority on the preparation or contents of a draft environment protection policy, the Authority must obtain and consider the advice of the committee or subcommittee in relation to the policy.;

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(b) by striking out subsection (5) and substituting the following subsection:

(5) The Authority must, after preparation of the draft policy and related report, refer that policy and report—

(a) to any body prescribed for the purposes of this section; and

(b) to any public authority whose area of responsibility is, in the opinion of the Authority, particularly affected by the policy.;

(c) by striking out from subsection (6) ", when it refers the draft policy and related report to the Forum" and substituting "also, after preparation of the draft policy and related report";

(d) by striking out paragraph (a) of subsection (10) and substituting the following paragraph:

(a) any body prescribed for the purposes of this section; and.

Amendment of s. 31—Interim policies

9. Section 31 of the principal Act is amended by striking out subsection (1) and substituting the following subsection:

(1) If the Governor is of the opinion that it is necessary for the proper administration of this Act that a draft environment protection policy should come into operation without delay, the Governor may declare, by notice in the *Gazette*, that the policy will come into operation on an interim basis on a day specified in the notice (being the day of publication in the *Gazette* of an advertisement concerning the draft policy and related report in accordance with the normal procedure, or any later day).

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor