

PNG Marine Pollution (Sea Dumping) Bill
Summary of Offences & Penalties
(DRAFT ONLY – subject to consultation - April 2008)

<i>Part / Section No. & Title</i>	<i>Offence</i> <i>(pls refer to the full Bill for details of application, exceptions and exemptions)</i>	<i>Defendant</i> <i>(penalties apply to each Defendant)</i>	<i>Penalty</i> <i>(maximum)</i>
<i>Part I – Preliminary</i>			
5. International Conventions	5(2)(c) Prescribed breach of any aspect of a Convention to which this Act applies.	Any person who commits the offence	K1 Million or 5 yrs prison
<i>Part II – Incineration at sea</i>			
6. Incineration at sea prohibited	6(1) Incineration of wastes or other matter at sea (except wastes generated on-board during normal, day to day operation of the vessel). 6(2) Loading of wastes onto a vessel for the purpose of incineration at sea 6(3) Export of wastes for the purpose of incineration at sea	<ul style="list-style-type: none"> ▪ Any person who commits the offence ▪ Owner and person in charge of any vessel, platform or aircraft used in the offence 	K1 Million or 5 yrs prison Plus K10,000/day for each day offence continues
<i>Part III – Dumping of wastes</i>			
7. Dumping at sea prohibited or controlled	7(1) Dumping of wastes or other matter at sea 7(2) Loading of wastes onto a vessel for the purpose of dumping at sea 7(3) Export of wastes for the purpose of dumping at sea	<ul style="list-style-type: none"> ▪ Any person who commits the offence ▪ Owner and person in charge of any vessel, platform or aircraft used in the offence 	K1 Million or 5 yrs prison Plus K10,000/day for each day offence continues Plus Costs of removing/ cleaning up any waste
8. Wastes and other matter that may be considered for dumping	8(3) Dumping of wastes that may be considered for dumping, without a sea dumping permit or in contravention of the terms and conditions of a permit.	<ul style="list-style-type: none"> ▪ Any person who commits the offence ▪ Owner and person in charge of any vessel, platform or aircraft used in the offence 	K1 Million or 5 yrs prison Plus K10,000/day for each day offence continues Plus Costs of removing/ cleaning up any waste

Part / Section No. & Title	Offence <i>(pls refer to the full Bill for details of application, exceptions and exemptions)</i>	Defendant <i>(penalties apply to each Defendant)</i>	Penalty <i>(maximum)</i>
13. Issue of permit	13(3) Dumping of wastes in contravention of the terms and conditions of a permit.	<ul style="list-style-type: none"> ▪ Any person who commits the offence ▪ Owner and person in charge of any vessel, platform or aircraft used in the offence 	K1 Million or 5 yrs prison Plus K10,000/day for each day offence continues Plus Costs of removing/ cleaning up any waste
14. Permit variations, suspensions and revocations	14(4) Failure to comply with a permit variation, suspension or revocation.	<ul style="list-style-type: none"> ▪ Any person who commits the offence ▪ Owner and person in charge of any vessel, platform or aircraft used in the offence 	K1 Million or 5 yrs prison Plus K10,000/day for each day offence continues Plus Costs of removing/ cleaning up any waste
Part IV – Misc., admin. & enforcement			
19. Appointment of inspectors	19(6) Failure of an inspector to return his identity card to the Authority upon ceasing to be an inspector.	Person who ceases to be an inspector and does not return card.	K1,000
20. Boarding of vessels etc by inspectors	20(6) Failure to comply with a requirement of an inspector.	Person who does not comply.	K20,000
25. Offences and penalties	Any offence against the Act or Regs prescribed under the Act for which a penalty is not specified.	Person who commits the offence.	K1 Million or 5 yrs prison for Corporation K250,000 or 2 yrs prison for individual Plus K1,000/day for each day offence continues