

HAZARDOUS WASTE



Operation of the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*

The *Hazardous Waste (Regulation of Exports and Imports) Act 1989* (HW Act) and its 1996 amendments, enable Australia to meet its obligations under the Basel Convention on the Control of the Transboundary Movements of Hazardous Wastes and their Disposal. The Basel Convention regulates the international movements of hazardous wastes.

Basel Convention

The Basel Convention was developed by the United Nations Environment Programme and was adopted on 22 March 1989. Australia ratified the convention on 5 February 1992 and it entered into force on 5 May 1992. The convention imposes two kinds of obligations on members:

- specifically, to control the export and import of hazardous and other wastes (other wastes being household wastes or incinerator residues), to provide for notification and consent, as required by the Basel Convention, and to track shipments to environmentally sound disposal
- more generally, to minimise the movement and generation of hazardous and other wastes and ensure that hazardous wastes are disposed of in an environmentally sound manner.

Purpose of the Act

The purpose of the Act is to regulate the export, import, transit and disposal of hazardous waste.

Operational aspects of the Act

Permits

In 2008–09, the department processed 50 applications for permits to import and export hazardous wastes. Twenty permits were granted, one application was refused and 17 were withdrawn; 12 applications were still to be resolved as at 30 June 2009.

All permit applications were processed within the statutory timeframes.

Compliance

The department strengthened its enforcement activities and acted to prevent illegal traffic in hazardous waste. Enforcement action this year included seizing illegal shipments of electronic waste and used lead-acid batteries.

Freedom of Information

One request was received under the *Freedom of Information Act 1982* (FOI Act). However this matter was dealt with outside of the requirements of the FOI Act, with the agreement of the applicant.

Administrative Appeals Tribunal

No applications under section 57 of the HW Act, for review of a decision made by the minister were received by the Administrative Appeals Tribunal.

Reporting

The annual report on the details of the trans-boundary movements of hazardous wastes from Australia was provided to the Secretariat of the Basel Convention.

Financial Information

For the purposes of section 32 of the Act there are prescribed fees for the lodgment of permit applications.

Permit fees	
<i>Type of fees</i>	<i>Fee</i>
Application for Basel Export permit	\$4,440 per application
Application for Basel Import permit	\$270 per application
Notification of transit country	\$110 per transit country
Application to vary Basel export permit	\$370 per export application
Application to vary Basel import permit	\$210 per import application
Application to vary transit permit	\$110
Application for special export permit	\$480 per application
Application for special import permit	\$270 per application
Notification of transit country	\$110 per transit country
Application to vary special export permit	\$270
Application to vary special import permit	\$110
Application to vary a special transit permit	\$110

This year \$3,700 was received from fees.

Committees

As set out in section 58D of the Act, the Hazardous Waste Technical Advisory Group met on two occasions this year to advise the minister on issues about the administration of the Act.

Additional information

www.environment.gov.au/settlements/chemicals/hazardous-waste/index.html.