

Statement of compatibility with human rights

Prepared in accordance with the Thirteenth Assembly Sessional Orders (part 12.3) as adopted on 24 August 2017.

Marine Pollution Legislation Amendment Bill 2019

The Marine Pollution Legislation Amendment Bill 2019 (Amendment Bill) is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth).

Overview of the bill

The Amendment Bill amends the *Marine Pollution Act 1999* and supporting *Marine Pollution Regulations 2003* by addressing, as far as is possible and within the Territory's legislative capacity, practical deficiencies identified in the legislation that are restricting the Territory's ability to serve documents on persons suspected of causing marine pollution in Territory coastal waters.

In amending the legislation, the Amendment Bill is proposing to clarify the meanings of *owner, in relation to a ship* and *agent*, including removal of a geographical limitation on the meaning of *agent*, and to improve the provisions concerning the service of documents. Service of documents will be allowed on a ship owner or foreign ship owner, past or present; or a ship owner's agent past or present; or the ship's master. The Amendment Bill is also removing an existing limitation on when proceedings for offences may be commenced, which will enable the commencement of a proceeding under the Act to occur at any point in time. The Amendment Bill makes other minor amendments to provide administrative efficiencies, including a general power for the Chief Executive Officer to approve forms for the purposes of the Act.

Human rights implications

The impacts of the Amendment Bill have been considered with reference to each of the international instruments identified in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth).

The Amendment Bill does not engage any of the applicable rights or freedoms.

Conclusion

This Amendment Bill is compatible with human rights as it does not raise any human rights issues.