

South Australia

Environment Protection Variation Regulations 2009

under the *Environment Protection Act 1993*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Environment Protection Variation Regulations 2009*.

2—Commencement

These regulations will come into operation on the day that section 20 of the *Maralinga Tjarutja Land Rights (Miscellaneous) Amendment Act 2009* comes into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Environment Protection Regulations 2009*

4—Insertion of regulation 86A

After regulation 86 insert:

86A—Exemption from Act—Maralinga nuclear test site

- (1) The following classes of persons are exempt from the application of the Act in respect of site contamination or any other matter caused by, or related to, the British Nuclear Test Program and minor trials conducted at the Maralinga nuclear test site:
 - (a) the Crown in right of the State;
 - (b) so far as the Act binds the Crown in its other capacities—the Crown in those other capacities;

- (c) Maralinga Tjarutja.
- (2) An activity undertaken in accordance with the Maralinga nuclear test site handback deed, or the management plan for the Maralinga nuclear test site, is exempt from the application of the Act.
- (3) In this regulation—

British Nuclear Test Program, minor trials, Maralinga nuclear test site, Maralinga nuclear test site handback deed and *Maralinga Tjarutja* have the same meaning as in the *Maralinga Tjarutja Land Rights Act 1984*;

management plan, for the Maralinga nuclear test site, has the same meaning as in Part 3 Division 1B of the *Maralinga Tjarutja Land Rights Act 1984*.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 26 November 2009

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