

# FACT SHEET

## *Litter Amendment Bill 2018*

This Bill provides new and updated measures for the control and management of illegal dumping of litter and amends the current *Litter Act 2007*.

The amendments will assist in implementing aspects of the Government's 2018 election campaign document *Safeguarding Tasmania's Unique Natural Environment*; in particular the commitment to introduce a new category for illegal dumping of waste, with stricter penalties commensurate with the offence and waste disposal costs.

The Bill has been assessed under the Legislation Review Program and has been found not to restrict competition or have a significant negative impact on business.

The current Litter Act prohibits the deposit of litter in the environment and provides a legal basis for the Litter Hotline run by EPA Tasmania. The Act's focus is on 'low-level' offences such as discarding wrappers and cigarette butts in the street or from vehicles, unlawfully affixing documents to vehicles or structures and insecure delivery of unsolicited documents.

Current penalties typically do not exceed 50 penalty units and are mostly for individual rather than corporate offenders. These penalties are unlikely to deter more serious or large scale dumping of material such as tyres, asbestos and other building waste.

The Litter Amendment Bill 2018 deals with these limitations by:

1. Introducing new offences of:
  - Dumping litter with a volume of between 55 litres (~one large bag) and 2 cubic metres (~1 large trailer load);
  - Dumping litter with a volume of between 2 and 10 cubic metres (~ one large truckload);
  - Dumping litter with a volume exceeding 10 cubic metres; and
  - Destroying, damaging, removing or otherwise interfering with relevant recording cameras being used for the detection and investigation of unauthorised or unlawful depositing of litter.
  
2. Setting court penalties for individuals and bodies corporate that reflect the seriousness of the offence, including:
  - Fines of up to 200 penalty units (\$32,600) for an individual and up to 500 penalty units (\$81,500) for a body corporate.
  - Potential forfeit of any vehicle, vessel and trailer used in illegal dumping; and
  - A potential special penalty repayment of any monetary benefit obtained as a result of the offence, as an additional penalty.

Commencement of the Litter Amendment Bill 2018 is upon Proclamation, allowing time for the development of appropriate Regulations relating to Infringement Notices for the new offences.