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ENVIRONMENTAL HEALTH SERVICES (FIXED PENALTY) (AMENDMENT) REGULATIONS, 2026

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MINISTRY OF THE ENVIRONMENT AND NATURAL RESOURCES

S.I. No. 58 of 2026

ENVIRONMENTAL HEALTH SERVICES ACT (CHAPTER 232)

ENVIRONMENTAL HEALTH SERVICES (FIXED PENALTY) (AMENDMENT) REGULATIONS, 2026

The Minister, in exercise of the powers conferred by section 17 of the Environmental Health Services Act (*Ch. 232*), makes the following regulations —

1. Citation and commencement.

(1) These Regulations, which amend the Environmental Health Services (Fixed Penalty) Regulations[1], may be cited as the Environmental Health Services (Fixed Penalty) (Amendment) Regulations, 2026.

(2) These Regulations shall come into force on the 1st day of July, 2026.

2. Insertion of new regulation 4 into the principal Regulations.

The principal Regulations are amended by the insertion, immediately after regulation 3, of the following as a new regulation 4 —

"**4. Removal, impoundment, storage and recovery of costs.**

(1) If a person fails to comply with a fixed penalty notice or if immediate action is reasonably necessary in the interest of public health, sanitation, safety or public amenity, the Minister or an authorised officer may —

(a) remove and dispose of refuse, litter, debris or waste;

(b) tow, remove, immobilise or impound a derelict vehicle;

(c) remove, secure, impound or dispose of an abandoned vessel;

(d) secure or board abandoned or dangerous premises;

(e) undertake emergency clean-up or remedial works.

(2) Any vehicle, vessel, equipment, refuse or other property removed under these Regulations may be stored at such place and upon such terms as the Minister may determine.

[1] *S.I. No. 41 of 2025*

(3) The owner or person responsible for vehicle, vessel, equipment, refuse or other property shall be liable for —

(a) the applicable fixed penalty;

(b) towing costs;

(c) removal costs;

(d) storage costs;

(e) disposal costs; and

(f) administrative and enforcement costs reasonably incurred.

(4) Any sum payable under paragraph (3), shall be recoverable as a civil debt due to the Crown.

(5) The Minister may refuse release of any vehicle, vessel or property until the penalty, towing charge, storage charge and associated costs are paid.

3. Amendment of the Schedule to the principal Regulations.

Part A of the *Schedule* to the principal Regulations is amended by the insertion, immediately after paragraph 4, of the following as a new paragraph 5 —

"5. For causing or contributing to a nuisance by —

(a) depositing, throwing or leaving litter in a public place – an initial cost of $25;

(b) throwing or depositing litter, garbage, refuse or waste from a vehicle – an initial cost of $50;

(c) depositing waste on Crown Land, a roadside reserve, beach or vacant property – an initial cost of $100;

(d) illegally dumping refuse, debris, appliances, tyres, construction material or other waste – an initial cost of $100;

(e) transporting waste in an unsecured manner likely to permit escape of the waste – an initial cost of $50;

(f) permitting the accumulation of refuse, derelict vehicle or appliances, scrap metal or debris on property owned or occupied – an initial cost of $75;

(g) abandoning a vessel or marine equipment —

(i) not exceeding 20 feet in length – an initial cost of $25;

(ii) exceeding 20 feet but not exceeding 30 feet in length – an initial cost of $50;

(iii) exceeding 30 feet but not exceeding 40 feet in length – an initial cost of $75;

(iv) exceeding 40 feet but not exceeding 50 feet in length – an initial cost of $1000;

(v) exceeding 50 feet but not exceeding 60 feet in length – an initial cost of $1500;

(vi) exceeding 60 feet in length – an initial cost of $2000,

and the removal, towing, storage and disposal costs, and $50 for each day that the environmental nuisance continues.”.

Made this 27th day of May, 2026.

Signed
ZANE LIGHTBOURNE
MINISTER RESPONSIBLE FOR THE DEPARTMENT OF ENVIRONMENTAL HEALTH SERVICES