



New South Wales

Protection of the Environment Operations Amendment (e-Waste) Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Protection of the Environment Operations Act 1997* to prevent e-waste being sent to landfill and to require e-waste to be recycled.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 **Amendment of Protection of the Environment Operations Act 1997 No 156**

Schedule 1[4] defines *e-waste* to mean an item with a cord, battery or switch and to include a component of the item.

Schedule 1[3] declares that the receiving and processing of more than 100 tonnes of e-waste per year at premises are scheduled activities. Under the *Protection of the Environment Operations Act 1997 (the Act)*, section 48 it is an offence for an occupier of premises to carry on a scheduled activity at the premises without a licence. Under the Act, section 143 it is also an offence to transport waste to a place that cannot lawfully be used as a waste facility for the waste. **Schedule 1[2]** makes a consequential amendment.

Schedule 1[1] imposes a mandatory condition on a licence to receive and process e-waste, requiring the e-waste to be recycled.



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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Protection of the Environment Operations Amendment (e-Waste) Bill 2025

No. _____, 2025

A Bill for

An Act to amend the *Protection of the Environment Operations Act 1997* to prevent e-waste being sent to landfill and to require e-waste to be recycled; and for related purposes.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

Tabling copy

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Protection of the Environment Operations Amendment (e-Waste) Act 2025*.

3

4

2 Commencement

5

This Act commences on the date of assent to this Act.

6

Schedule 1	Amendment of Protection of the Environment Operations Act 1997 No 156	1
		2
[1] Section 76A		3
	Insert after section 76—	4
76A Condition for e-waste receiving and processing		5
	It is a condition of a licence to carry out activities specified in Schedule 1, clause 41A that the e-waste, including components of the e-waste, must be recycled.	6 7 8
[2] Schedule 1 Scheduled activities		9
	Insert after clause 41(2AB)—	10
	(2AC) This clause also does not apply to activities to which clause 41A applies.	11
[3] Schedule 1, clause 41A		12
	Insert after clause 41—	13
41A Waste processing (e-waste)		14
	(1) This clause applies to—	15
	(a) receiving e-waste at premises from off site, and	16
	(b) processing the e-waste.	17
	(2) This clause does not apply unless more than 100 tonnes of e-waste are received at the premises per year.	18 19
	(3) The activities to which this clause applies are declared to be scheduled activities.	20 21
[4] Schedule 6 Dictionary		22
	Insert in alphabetical order—	23
	<i>e-waste</i> means an item of waste with a cord, battery or switch and includes a component of the item.	24 25
	Examples— computers, fridges, household appliances, lamps, medical devices, mobile phones, photovoltaic panels, televisions	26 27