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BY: *[Signature]*

Submission 8
TT 13 June 2007

Dr Andrew Southcott MP
Committee Secretary
Joint Standing Committee on Treaties
PO Box 6021
Parliament House
CANBERRA ACT 2600
AUSTRALIA

20 JUL 2007

Dear Dr Southcott

I refer to your request for comments from the NSW Government on the *International Convention for the Control and Management of Ships' Ballast Water and Sediments 2004* ('the Convention').

NSW supports the intent of the Convention and associated National System for the Prevention and Management of Marine Pest Incursions.

Implementation of ballast water management legislation in NSW which is consistent with the Convention is contingent upon the introduction of model legislation by the Federal Government. I understand this is tentatively scheduled for the 2007 Spring Session of Parliament. NSW is concerned that adequate progress on the model legislation for the national system has not been achieved and that the proposed commencement date of 1 July 2008 may be unrealistic. Significant and immediate progress is required to finalise the model legislation.

I further note that State legislation to implement a national system of ballast water management consistent with the Convention would need to be considered by the NSW Government and approved for introduction into Parliament. However, this matter cannot progress until the Commonwealth's model legislation is finalised.

Should you have any questions about this matter, please contact Ms Nazli Munir, on 02 9228 3307 or nazli.munir@dpc.nsw.gov.au.

Thank you for seeking NSW's comments on the Convention.

Yours sincerely

Leigh Sanderson
for A S Smith
Acting Director General