



Western Australia

**Environmental Protection (Landfill)
Levy Act 1998**

Reprint 1: The Act as at 2 April 2004

STATUS OF THIS DOCUMENT

This document is from an electronic database of legislation maintained by the Parliamentary Counsel's Office of Western Australia.

DISCLAIMER

No warranty is given as to the accuracy or completeness of this document. The State of Western Australia and its agents and employees disclaim liability, whether in negligence or otherwise, for any loss or damage resulting from reliance on the accuracy or completeness of this document.

REPRINT AND CONSOLIDATION NUMBERING

The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as "Reprint 3" would mean that the reprint was the 3rd reprint since the Act was passed. A consolidation described as "Consolidation 3a" would be the result of updating Reprint 3 for the first time to reflect the amendments since the date as at which Reprint 3 was prepared.

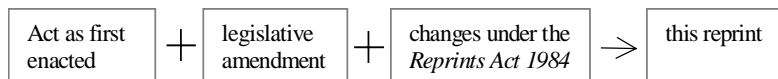
Reprint and consolidation numbering was implemented as from 1 January 2003.

COPYRIGHT

Copyright in this document is reserved to the Crown in right of the State of Western Australia. Reproduction except in accordance with copyright law is prohibited.

Guide for using this reprint

What the reprint includes



Endnotes, Compilation table, and Table of provisions that have not come into operation

1. Details about the original Act and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Validation, transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the Act being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

Notes amongst text (italicised and within square brackets)

1. If the reprint includes a section that was inserted, or has been amended, since the Act being reprinted was passed, editorial notes at the foot of the section give some history of how the section came to be as it is. If the section replaced an earlier section, no history of the earlier section is given (the full history of the Act is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
 - removed (because it was repealed or deleted from the law); or
 - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

Reprint numbering and date

1. The reprint number (in the footer of each page of the document) shows how many times the Act has been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3rd reprint since the Act was passed. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the Act is reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

THE TEXT OF THE LEGISLATION FOLLOWS

Reprinted under the
Reprints Act 1984 as at
2 April 2004

Western Australia

Environmental Protection (Landfill) Levy Act 1998

CONTENTS

1.	Short title	1
2.	Commencement	1
3.	Interpretation	1
4.	Levy may be prescribed	2
5.	Levy imposed	2
6.	Levy payable by holder of licence	2

Notes

	Compilation table	3
--	-------------------	---



Reprinted under the
Reprints Act 1984 as at
2 April 2004

Western Australia

Environmental Protection (Landfill) Levy Act 1998

An Act to impose a levy in respect of certain waste.

1. Short title

This Act may be cited as the *Environmental Protection (Landfill) Levy Act 1998*¹.

2. Commencement

This Act comes into operation on such day as is fixed by proclamation¹.

3. Interpretation

(1) In this Act —

“licensed premises” means premises in respect of which the occupier is required to hold a licence under Part V of the principal Act and which are used for the purpose of disposing of waste to landfill, whether or not a licence is in force;

“principal Act” means the *Environmental Protection Act 1986*.

s. 4

- (2) Unless the contrary intention appears, words defined in the principal Act have the same meanings in this Act as in that Act.
[Section 3 amended by No. 54 of 2003 s. 141.]

4. Levy may be prescribed

- (1) The Governor may, on the recommendation of the Authority, make regulations under the principal Act prescribing an amount by way of levy that is to be payable in respect of waste received at licensed premises.
- (2) The regulations may —
- (a) provide that the amount by way of levy is to be payable in all cases, in all cases subject to specified exceptions or in any specified case or class of case;
 - (b) prescribe different amounts by way of levies that are payable in respect of different cases or classes of case;
 - (c) provide for the levy to be calculated on such basis, and in accordance with such factors, as are specified; and
 - (d) provide for the reimbursement of administrative costs incurred by the person, organisation, or licensee collecting the levy.
- (3) Nothing in this section is to be taken as limiting the operation of section 43 of the *Interpretation Act 1984*.

5. Levy imposed

If an amount by way of levy is prescribed in respect of waste received at licensed premises, that levy is imposed in respect of waste received at the licensed premises.

6. Levy payable by holder of licence

The holder of a licence in respect of premises is liable to pay the amount of any levy imposed in respect of waste received at the licensed premises.

Notes

- ¹ This reprint is a compilation as at 2 April 2004 of the *Environmental Protection (Landfill) Levy Act 1998* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Environmental Protection (Landfill) Levy Act 1998</i>	11 of 1998	30 Apr 1998	1 Jul 1998 (see s. 2 and <i>Gazette</i> 26 Jun 1998 p. 3369)
<i>Environmental Protection Amendment Act 2003</i> s. 141	54 of 2003	20 Oct 2003	19 Nov 2003 (see s. 2 and <i>Gazette</i> 18 Nov 2003 p. 4723)
Reprint 1: The <i>Environmental Protection (Landfill) Levy Act 1998</i> as at 2 Apr 2004 (includes amendments listed above)			