



Western Australia

Environmental Protection (Landfill) Levy Act 1998

Compare between:

[02 Apr 2004, 01-a0-03] and [21 Dec 2007, 01-b0-11]



Western Australia

Reprinted under the
Reprints Act 1984 as at
2 April 2004

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*⁺.

2. Commencement

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

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*.

(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~~ 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

[†] ~~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. For provisions that have come into operation, and for information about any reprint reprints, see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.~~

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) | | | |

Uncommenced provisions table

To view the text of the uncommenced provisions see *Acts as passed* on the [WA Legislation website](#).

| <u>Short title</u> | <u>Number and year</u> | <u>Assent</u> | <u>Commencement</u> |
|---|------------------------|--------------------|---------------------------------------|
| <u><i>Waste Avoidance and Resource Recovery Act 2007</i> s. 100</u> | <u>36 of 2007</u> | <u>21 Dec 2007</u> | <u>To be proclaimed (see s. 2(b))</u> |