Environmental Protection (Landfill) Levy Act 1998
Western Australia

Environmental Protection (Landfill) Levy Act 1998

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Defined terms
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.

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: 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 is a compilation of the Environmental Protection (Landfill) Levy Act 1998 and includes the amendments made by the other written laws referred to in the following table 1a. The table also contains information about any reprint.

Compilation table

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

1a On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

<table>
<thead>
<tr>
<th>Short title</th>
<th>Number and year</th>
<th>Assent</th>
<th>Commencement</th>
</tr>
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<tbody>
<tr>
<td>Waste Avoidance and Resource Recovery Act 2007 s. 100 2</td>
<td>36 of 2007</td>
<td>21 Dec 2007</td>
<td>To be proclaimed (see s. 2(b))</td>
</tr>
</tbody>
</table>

2 On the date as at which this compilation was prepared, the Waste Avoidance and Resource Recovery Act 2007 s. 100, which gives effect to Sch. 4 cl. 3 had not come into operation. It reads as follows:

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100. Consequential amendments

Each Act specified in Schedule 4 is amended as set out in that Schedule.
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Schedule 4, cl. 3 read as follows:

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3. **Environmental Protection (Landfill) Levy Act 1998 repealed**

The *Environmental Protection (Landfill) Levy Act 1998* is repealed.
### Defined terms

This is a list of terms defined and the provisions where they are defined. The list is not part of the law.

<table>
<thead>
<tr>
<th>Defined term</th>
<th>Provision(s)</th>
</tr>
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<tbody>
<tr>
<td>licensed premises</td>
<td>3(1)</td>
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<td>principal Act</td>
<td>3(1)</td>
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