

WESTERN AUSTRALIA

**ENVIRONMENTAL PROTECTION
(LANDFILL) LEVY ACT 1998**

No. 11 of 1998

AN ACT to impose a levy in respect of certain waste.

[Assented to 30 April 1998.]

The Parliament of Western Australia enacts as follows:

Short title

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

Commencement

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

Interpretation

3. (1) In this Act —

“**licensed premises**” means premises in respect of which a licence has been issued under Part V of the principal Act and which are used for the purpose of disposing of waste to landfill;

“**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.

Levy may be prescribed

4. (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*.

Levy imposed

5. 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.

Levy payable by holder of licence

6. 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.
