



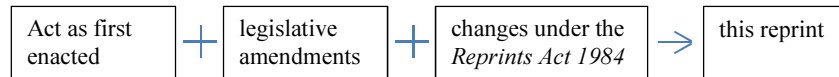
Western Australia

Waste Avoidance and Resource Recovery Levy Act 2007

Reprint 1: The Act as at 12 August 2016

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, modifying 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 - removed (because it was repealed or deleted from the law); or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.

Reprinted under the
Reprints Act 1984 as
at 12 August 2016

Western Australia

Waste Avoidance and Resource Recovery Levy Act 2007

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Defined terms



Western Australia

Reprinted under the
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Waste Avoidance and Resource Recovery Levy Act 2007

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

1. Short title

This is the *Waste Avoidance and Resource Recovery Levy Act 2007*¹.

2. Commencement

This Act comes into operation as follows:

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent¹;
- (b) the rest of the Act — on a day fixed by proclamation¹.

3. Terms used

In this Act —

disposal premises means premises —

- (a) which are used for the purpose of receiving waste; and
- (b) in respect of which the occupier is required to hold a licence, whether or not such a licence is in force;

EP Act means the *Environmental Protection Act 1986*;

licence has the same meaning as in the EP Act;

Waste Authority means the Waste Authority established under the *Waste Avoidance and Resource Recovery Act 2007*.

4. Levy may be prescribed

- (1) The Governor may, on the recommendation of the Minister, make regulations under the *Waste Avoidance and Resource Recovery Act 2007* prescribing an amount by way of levy that is to be payable in respect of waste received at disposal premises.
- (2A) The Waste Authority may provide advice to the Minister for the purpose of making a recommendation under subsection (1) as to the amount by way of levy to be prescribed.
- (2B) The Minister must give due weight to, but is not bound to accept, the advice of the Waste Authority under subsection (2A).
- (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; and
 - (b) prescribe different amounts by way of levy that are payable in respect of different cases or classes of case; and
 - (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 the *Interpretation Act 1984* section 43.

[Section 4 amended by No. 48 of 2009 s. 12.]

5. Levy imposed

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

6. Liability to pay levy

The holder of a licence in respect of disposal premises, or in the case of disposal premises in respect of which a licence is not in force, an occupier required under the EP Act to hold such licence in respect of the premises, is liable to pay the amount of any levy imposed in respect of waste received at the disposal premises.

Notes

- ¹ This reprint is a compilation as at 12 August 2016 of the *Waste Avoidance and Resource Recovery Levy Act 2007* 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>Waste Avoidance and Resource Recovery Levy Act 2007</i>	37 of 2007	21 Dec 2007	s. 1 and 2: 21 Dec 2007 (see s. 2(a)) Act other than s. 1 and 2: 1 Jul 2008 (see s. 2(b) and <i>Gazette</i> 20 Jun 2008 p. 2705)
<i>Waste Avoidance and Resource Recovery Amendment Act 2009 Pt. 3</i>	48 of 2009	7 Dec 2009	8 Dec 2009 (see s. 2(b))

Reprint 1: The *Waste Avoidance and Resource Recovery Levy Act 2007* as at 12 Aug 2016 (includes amendments listed above)

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined term	Provision(s)
disposal premises	3
EP Act.....	3
licence	3
Waste Authority	3