Protection of the Environment Operations Act 1997 - waiver of administrative charges

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Introduction

As an Appropriate Regulatory Authority (ARA) Council may recover the statutory administrative costs associated with the preparing and issuing of Clean Up and Prevention Notices and Noise Control Notices under the Protection of the Environment Operations Act 1997 (the Act).

Under the Act Council has the discretionary power to waive the fee or to extend the time for payment. It is considered that the use of this discretionary power can be necessary in certain prescribed circumstances and this procedure is to guide its application.

Process

The waiving of the statutory administration fee applicable to the service of Clean Up and Prevention Notices under the Protection of the Environment Operations Act 1997 may be considered if the recipient of the Notice makes a written request to the General Manager specifically addressing one or more of the following conditions:

- demonstrated cases of hardship or bankruptcy,
- where the Notice has been issued to a registered charitable organisation,
- where the fee is associated with a second Notice modifying the requirements of a previous Notice, and the recipient has already paid the fee associated with the initial Notice.

Each such application will be considered on its merits and will be issued by the supervisor of the officer involved in the issue of the subject Notice. The applicant will be advised in writing of the decision to waive the Administrative charge.