***Waste Reduction and Recycling Act 2011***

Application for waste levy instalment agreement

This form must be used for making an application to the chief executive[[1]](#footnote-1) to enter into a waste levy instalment agreement under section 72C of the Waste Reduction and Recycling Act 2011 (the Act).

In accordance with section 72B of the Act, a waste levy instalment agreement is an agreement between the operator of a levyable waste disposal site and the chief executive providing for the payment of a waste levy amount by instalments, rather than by the due date for payment of the waste levy amount. An instalment agreement may relate to two or more levyable waste disposal sites for which the same person is an operator.

An application to enter into a waste levy instalment agreement may be made at any time following the issuing of a waste levy invoice – instalment agreements may apply to invoices which are not yet due and those which are overdue. In accordance with section 72E of the Act, interest will accrue on any overdue waste levy amount up to the day an application for an instalment agreement is made. In the event that the agreement is not entered into interest will continue to accrue on the amount as if an application for the instalment agreement was never made up to the date full payment of the waste levy amount is made.

In accordance with section 72F of the Act, failure by the operator to pay an instalment on or before an instalment day will result in the instalment agreement being taken to be no longer in force. In this event, for any amount apart from the agreement, that would have been payable on a day prior to the instalment day, payment will be due on the next business day following the instalment day. Interest will accrue on this amount from the day after the instalment day, regardless as to whether it is a business day, until full payment of the amount has been received by the State. For any amount, apart from the agreement, that would have been payable on a day later than the instalment day, payment will become due on the later day (the initial due date of the waste levy invoice). In accordance with section 56 of the Act, interest will become payable on the any unpaid amount from each day starting on the day after the due date from payment, ending on the day the amount is actually paid.

The interest payable per day for any unpaid amount is payable at the same rate as that applying to unpaid tax under section 54 of the *Taxation Administration Act 2001* and section 8 of the Taxation Administration Regulation 2012. In accordance with section 56 of the Act any waste levy amount remaining unpaid after its due date for payment, and any interest payable on the unpaid amount, may be recovered by the chief executive, in court, as a debt payable by the operator to the State.

Please note, in determining when each payment will be made in the instance of default, the department will take off any payments from the oldest invoice first, to calculate the balance of each waste levy invoice the subject of the agreement.

When completing this form, it is recommended that applicants read the information regarding the waste levy on the Queensland Government’s website at [www.qld.gov.au/wastedisposallevy](http://www.qld.gov.au/wastedisposallevy)

This information will assist the applicant in identifying any fees and supporting information that may be needed for the application.

1. **Applicant details**

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| --- |
| NAME OF COMPANY/ORGANISATION <NOTE: FOR WASTE DISPOSAL SITE OPERATORS THIS MUST BE THE LEGAL ENTITY HOLDING THE ENVIRONMENTAL AUTHORITY>      |
| TRADING NAME (if applicable)      |
| ABN/ACN       |
| CHIEF EXECUTIVE OF COMPANY/ORGANISATION       |
| REGISTERED OFFICE ADDRESS (not a post office box)      |
| SUBURB       | POSTCODE       |
| POSTAL ADDRESS (if different from above)      |
| SUBURB        | POSTCODE       |
| OFFICE MAIN PHONE       |
| EMAIL OF ENTITY (if applicable)       |

|  |
| --- |
| CONTACT PERSON FOR APPLICATION      |
| POSITION       |
| PHONE       | MOBILE       |
| EMAIL       |

How would you like to receive correspondence from the department?

|  |  |
| --- | --- |
| [ ]  To your nominated email addresses above | [ ]  Mailed to your postal address above |

1. **Eligibility criteria**

Is there an instalment agreement currently in force between the operator of the levyable waste disposal site and the chief executive of the department?

<NOTE: If you answer ‘Yes’ to this statement, please do not continue with the application. Only one instalment agreement can be in force at any time. If required, contact the department on the contact details at the end of this form.>

[ ]  Yes [ ]  No

If approved, will this be the first instalment agreement to be in force between the operator of the levyable waste disposal site and the chief executive of the department this financial year?

<NOTE: If you answer ‘No’ to this statement, please do not continue with the application. Only one instalment agreement can be entered into in a financial year. If required, contact the department on the contact details at the end of this form.>

[ ]  Yes [ ]  No

1. **Waste Levy amount/s the subject of the instalment agreement**

Please provide details of the waste levy invoice/s for which the operator is seeking to enter into an instalment agreement to pay.

<NOTE: An instalment agreement may apply to one or more waste levy invoices. The operator of a waste disposal site may elect for an instalment agreement to cover the entirety of a waste levy invoice or a partial amount of an invoice. Please note, interest invoices may not be the subject of an instalment agreement.>

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Inv 1** | **INv 2** | **Inv 3** | **TOtal** |
| **invoice number**  |       |       |       | N/A |
| **due date for payment**  |       |       |       | N/A |
| **Invoice balance** |       |       |       |       |
| **Amount subject to instalment agreement** |       |       |       |       |

1. **Details of proposed instalment agreement**

Is the period of time sought to pay the waste levy amount under the proposed instalment agreement no more than 6 months?

<NOTE: If you answer ‘No’ to the below question, please do not continue with the application. If required, contact the department on the contact details at the end of this form.>

[ ]  Yes [ ]  No

Please provide details of proposed start and end date for the instalment agreement

|  |  |
| --- | --- |
| Instalment start date (DD/MM/YYYY)      | instalment end date (DD/MM/YYYY)      |

Please provide details of the proposed instalment agreement:

<NOTE: The individual instalment amount provided in the below table must equal the total amount subject of the instalment agreement when multiplied by the frequency of instalments.>

|  |  |
| --- | --- |
| **Total amount subject to agreement**  |       |
| **individual instalment amount** |       |
| **Total number of instalments** |       |
| **Frequency of instalments**  | [ ]        Days, [ ] Weekly, [ ] Fortnightly, [ ] Monthly |

1. **Details of entity’s financial situation**

Please provide details of the financial situation that resulted in the operator’s inability to pay the waste levy amount by its due date for payment, describing how the financial situation came about.

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|       |

Please provide details on how entering into the waste levy instalment agreement will allow the operator to pay the waste levy amount/s subject to the agreement whilst at the same time allowing the operator to pay all future waste levy amounts by their due date for payment.

|  |
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|       |

Please indicate what supporting documents have been attached to verify the information provided in the application.

<NOTE: It is a requirement of section 72C of the Act that the operator provide up-to-date management and financial records to verify the information provided in their application.>

[ ]  Up-to-date financial records, and

[ ]  Up-to-date management records, and

[ ]  Other (if required), please specify -

**6** **Declaration**

<NOTE: This section is to be completed by the person authorised to sign this application on behalf of the applicant. If you have provided false or misleading information in this application you may be liable for prosecution under the Act.>

* This application is for the operator of a levyable waste disposal site to enter into a waste levy instalment agreement for a waste levy amount the operator must pay the State.
* I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge.
* I understand that if an instalment is not paid on or before an instalment day the waste levy instalment agreement will no longer be taken to be in force and payment will be required in accordance with the terms provided in section 72F(1)(b)(i)-(ii) of the *Waste Reduction and Recycling Act 2011*.
* I understand that it is an offence under sections 265 and 265A of the *Waste Reduction and Recycling Act 2011* to give to the chief executive information, or a document containing information that I know to be false, misleading or incomplete in a material particular.
* I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Right to Information Act 2009* and the *Evidence Act 1977*.

|  |  |
| --- | --- |
| FULL NAME      | POSITION      |
| SIGNATURE | DATE      |

# Applicant checklist

[ ]  Application form completed and signed.

[ ]  Supporting information attached.

**Please submit this completed application form and supporting information using one of the following methods:**

**Email: wastelevyapps@des.qld.gov.au**

The email subject line should state ‘Application for waste levy instalment agreement’.

The file size limit for submission via email is 20MB. Any submission via email which exceeds 20MB will need to be broken down into separate emails, with each email subject line clearly stating ‘Part X of X’ (e.g. Part 1 of 2).

If needed, please contact Levy Services at **wastelevyapps@des.qld.gov.au**

**Privacy statement**

The Department of Environment, Science and Innovation is committed to protecting the privacy, accuracy and security of your personal information in accordance with the *Information Privacy Act 2009*. The department is collecting your personal information in this form in order to determine what information is available and respond to your request. The information will only be accessed by authorised employees within the department. Your information will not be given to any other person or agency unless you have given us permission or we are authorised or required by law. All information supplied on this form may be disclosed publicly in accordance with the *Right to Information Act 2009* and *Evidence Act 1977*. For queries about privacy matters email: privacy@des.qld.gov.au or telephone: 13 74 68.

1. [↑](#footnote-ref-1)