

1992—No. 524

**ENVIRONMENTALLY HAZARDOUS CHEMICALS ACT
1985—REGULATION**

(Relating to applications and fees for the transfer of licences and adjustment
of certain cash payments)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council,
and in pursuance of the Environmentally Hazardous Chemicals Act 1985,
has been pleased to make the Regulation set forth hereunder.

CHRISTOPHER HARTCHER,
Minister for the Environment.

Commencement

1. This Regulation commences on 1st October, 1992.

Amendments

2. The Environmentally Hazardous Chemicals Regulation 1985 is amended:

(a) by inserting after clause 5 (3) the following subclause:

(3A) For the purposes of section 29A (4) (a) of the Act, the prescribed particulars of an application for the transfer to a person of a licence are:

- (a) the applicant's name and address; and
- (b) the name and address of the current holder of the licence; and
- (c) the address of the premises (if any) in respect of which the licence is held; and
- (d) subject to the provisions of the Act, the name or description of the chemical or declared chemical waste to which the licence relates; and

- (e) details or a description of any chemical control order in force in respect of the chemical or declared chemical waste; and
 - (f) a listing and details of the prescribed activities to which the licence relates.
- (b) by inserting after clause 6 (2) the following subclauses:
- (2A) For the purposes of section 29A (2) (b) of the Act, the prescribed transfer fee for a licence is the amount (to the nearest cent) obtained:
- (a) by multiplying the fee payable for the full term of the licence concerned by the number of months remaining in the term of the licence; and
 - (b) by dividing the product calculated in accordance with paragraph (a) by the number of months in the full term of the licence.
- (2B) In subclause (2A), any remaining part of a month in the term of a licence is to be calculated as a whole month.
- (c) by inserting after clause 6 the following clause:

Cash payments

6A. If a person offers payment in cash of an amount payable to the Authority under the Act which is not a multiple of 5 cents, the Authority may round the amount down to the nearest multiple of 5 cents. The amount so rounded down is taken to be the amount payable to the Authority.

EXPLANATORY NOTE

The Environmentally Hazardous Chemicals Act 1985 was recently amended to enable the Environment Protection Authority to transfer a licence under the Act. Provision was made in the amendments for the regulations to prescribe:

- (a) the particulars to be included in an application for the transfer of a licence; and
- (b) the transfer fee to accompany the application.

The object of this Regulation is:

- (a) to prescribe those matters; and
- (b) to allow the Authority to round down to the nearest multiple of 5 cents an amount payable to the Authority under the Act (if payment is offered in cash) as a result of the withdrawal from circulation of 1 and 2 cent coins.