



Guideline

Title:	Calculation of Fee Refund – Withdrawn Applications
Sub title:	Activities regulated under the <i>Environmental Protection Act 1986</i>
Published:	June 2019

1 Objective

To provide guidance to applicants on the method used by the Department of Water and Environmental Regulation (DWER) to calculate a refund of application fees when an application for a licence, works approval, registration or an amendment is withdrawn by the applicant.

2 Scope

This fact sheet has been prepared to provide guidance to applicants on the method used by the Department to calculate fee refunds for withdrawn applications.

3 Context

An application for a licence, works approval, registration or amendment may be withdrawn by the applicant at any time during the Department's assessment process. The applicant must provide written advice to the Department detailing the reasons for the withdrawal and may request a refund of any fees paid.

If a refund is applicable, the amount will be subject to a deduction of reasonable fees for resources used by the Department up to the point the application is withdrawn.

This fact sheet clarifies how the amount refunded will be calculated to ensure consistency and transparency.

4 Legislation

Under Regulation 5O of the *Environmental Protection Regulations 1987* (EP Regulations), the Chief Executive Officer (CEO) of the Department may reduce, waive or refund, in whole or in part, any fee under the EP Regulations relating to a works approval, licence or registration.



5 Outcome

This fact sheet clarifies how the amount refunded will be calculated to ensure consistency and transparency.

6 Calculation of Fee Refund

Upon receipt of written advice from an applicant that they wish to withdraw their application, the Department will initiate a refund of any fees paid. The refunded amount will be based on the number of business days the Department has used for assessment of the application, calculated as a percentage of the total assessment timeframe established at the application verification stage.

A full or partial refund for a new application or an application to amend a works approval and licence may only be granted if the application is withdrawn before the Department has completed 60 business days' worth of assessment.

In calculating the refund amount, the Department will:

- calculate the number of assessment days used from the date the application is received; and
- not include days when the assessment was on hold ('stop-clock') in calculating the number of business days used to assess the application.

The CEO retains discretion to consider specific circumstances for refunds under Regulation 50.

Example

1. The Department receives an application for a new works approval on 2 May 2019 subject to a 60-day assessment timeframe.
2. The application is verified on 10 May 2019 and the applicant pays the fee of \$2,500 on 16 May 2019 (stop-clock period of four days).
3. The applicant withdraws the application on 1 June 2019.
4. The Department has used 18 assessment days (22 usual working days minus 4 stop-clock days) leaving 42 days of assessment time.
5. The Department refunds a total of \$1,750 ($\frac{42}{60} \times \$2,500$) to the applicant.

Related documents

Non Department documents	
Author	Title
WA State Parliament	Environmental Protection Act 1986
WA State Parliament	Environmental Protection Regulations 1987



Department documents	
Author	Title
Regulatory Capability	Industry Regulation Fees
Regulatory Capability	Industry Regulation Guide to Licensing

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