Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014

EXPLANATORY MEMORANDUM

Overview of the Bill

The Waste Avoidance and Resource Recovery Amendment (Validation) Bill amends the *Waste Avoidance and Resource Recovery Act 2007* to ratify the *Waste Avoidance and Resource Recovery Levy Regulations 2008* and amendments to those regulations, and provide that those regulations are taken to be validly made; and to provide that the rights and liabilities of all persons shall be the same as if the *Waste Avoidance and Resource Recovery Levy Regulations 2008* and amendments to those regulations have been validly made.

CLAUSE NOTES

Clause 1. Short title

Clause 1 cites the short title of the Act.

Clause 2. Commencement

Clause 2 provides that this Act comes into operation on the day that it receives the Royal Assent

Clause 3. Act amended

This clause specifies that the amendments are made to the *Waste Avoidance and Resource Recovery Act 2007*.

Clause 4. Section 102 inserted

This clause inserts a new section 102 at the end of Part 9 of the *Waste Avoidance and Resource Recovery Act 2007*.

Section 102

(1) This subsection provides that the *Waste Avoidance and Resource Recovery Levy Regulations 2008,* the *Waste Avoidance and Resource Recovery Levy Amendment Regulations 2009* and the *Waste Avoidance and Resource Recovery Amendment Levy Regulations 2011* are taken to have been validly made, and have, and have always had, full force and effect.

(2) This subsection deems all persons' rights and liabilities to be the same as if the regulations under subclause (1) are taken to be, and always have been, validly made.

(3) This subsection ratifies anything done, or purportedly done before the *Waste Avoidance and Resource Recovery Amendment (Validation) Bill 2014* section 4 comes into operation as valid and effective, as it would have been if the regulations under subsection (1) had been valid at the time the thing was done.

(4) This subsection clarifies that a reference in subsection (3) to the doing of anything includes a reference to an omission to do anything.