

PURPOSE

This policy provides direction on Council's refund and pro-rata provisions for the early cancellation and mid-term licence applications for all eligible Environmental Health Services licences and registrations.

SCOPE

This Policy applies to:

- (a) Eligible refund requests for Council fees and charges incurred by the applicant for a licence or registration under the *Food Act 2003* or the *Public Health Act 1997*; and
- (b) Eligible applications made for annual licenses and registrations under the *Food Act 2003* or the *Public Health Act 1997* after the start of the currency period (i.e. food businesses applications made after July 1 each year).

It does not apply to licences and registrations other than those issued by Environmental Health Services. This policy should be read in conjunction with the 'Schedule of Fees and Charges' adopted by Council annually and any explanatory notes that accompany that schedule.

STRATEGIC PLAN ALIGNMENT

Leading Our Community

Objective 4.1 Govern in the best interests of our community

STATUTORY REQUIREMENTS

Section 207 of the *Local Government Act 1993* outlines the requirements in relation to the remission of fees and charges:

1. *A council may remit all or part of any fee or charge paid or payable under this Division.*

Acts	<i>Local Government Act 1993</i>
Regulations	<i>N/A</i>
Australian/International Standards	<i>N/A</i>

DEFINITIONS

Acceptable Forms of Identification means any form of identification recognised as main proof of identity by the Tasmanian Government - Consumer, Building and Occupational Services.

Currency Period means the defined term of the licence, or registration (i.e. 1 July to 30 June).

Eligible means refunds and applications made by businesses for a licence or registration under the *Food Act 2003* or the *Public Health Act 1997* that require ongoing regulation/inspections during the currency period.

Person includes an individual, company or State Government agency.

Pro-Rata means a portion of a standard currency period i.e. a yearly license (12 months).

POLICY STATEMENT

Refunds generally

1. All refund requests must be made by completing the application form in 'Attachment A' and submitted to Council. Verbal requests will not be accepted; and
2. Refunds will only be provided to the person who paid the fee. The person must attach a copy of their proof of payment and an acceptable form of identification to the application form; and
3. If a refund application is made within 6 months of the start of the currency period, the person will be entitled to a refund of 50% of the application fee; or
4. Refund applications made after 6 months of the start of the currency period will not be entitled to any refund.

For example:

If a food business owner paid \$350 for a food business application and applied for a refund 3 months into their licence period, they would be eligible for a \$175.00 refund i.e. $\$350 - \$175 (50\%) = \$175$.

Pro-rata licence/registration application fees

1. Pro-rata provisions are only available for eligible licences and registrations under the *Food Act 2003* or the *Public Health Act 1997*.
2. If an application is made at any time within the first 6 months of the currency period, the full fee will be payable; and
3. If an application is made at any time within the last 6 months of the currency period, 50% of the full fee will be payable.

BACKGROUND

Council's Environmental Health section is responsible for approving various licences and registrations. These approvals usually require an annual renewal and attract a Council fee. As businesses close or proprietors leave, requests are often made for refunds. Generally, most costs incurred for issuing licences and registrations are consumed up front by initial inspections, administration, and processing costs. Therefore, these factors must be considered when calculating refunds or pro-rata amounts for applications made after the initial application period. This policy provides direction on Council's pro-rata and refund provisions for the early cancellation of all eligible Environmental Health Services licences and registrations.

DOCUMENT CONTROL

Version:	2.0	Adopted	29 November 2021	Commencement Date	30 November 2021
Minutes Reference	Item 16			Review Period	4 Years from adoption
Previous Versions:	v 1.0 adopted 13 June 2017 (Council meeting, Item 13)				
Responsible Directorate	Strategy & Development	Controller:	Manager Development		
ECM Document No.:	Policies by Directorate				

Attachment A: ENVIRONMENTAL HEALTH REFUND FORM

Applicant Details		
Title	Given Name/s	Family Name
Business Name		
Postal Address		
Mobile Number	Email Address	

Refund Reason

Bank Details for Refund	
Bank Account Name	
BSB	Account Number

Applicant Declaration		
Please Note: A copy of your drivers licence, must be included as per the Environmental Health Services Pro-rata and Refund Policy.		
Applicant Name	Applicant Signature	Date
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