
Environment Protection Act 1993

69C—Offence to claim refund on beverage containers purchased outside State or corresponding jurisdiction

- (1) A person must not present to a retailer, the operator of a collection depot or a person carrying on business as a super collector, for the purpose of claiming refund amounts, containers that the person knows or has reason to believe were not purchased in this State or a jurisdiction in which a corresponding law is in force.

Penalty: Division 3 fine

- (2) Subject to subsection (3), a retailer, the operator of a collection depot or a person carrying on business as a super collector may request any person presenting containers for the purpose of claiming refund amounts to complete a declaration in the form prescribed by regulation for the purposes of this section stating that the person has no reason to believe that the containers were not purchased in this State or a jurisdiction in which a corresponding law is in force.

- (3) If, within any 48-hour period, a person presents to a retailer or the operator of a collection depot 3,000 or more containers for the purpose of claiming refund amounts, the retailer or operator must request the person to complete a declaration of a kind referred to in subsection (2).

Penalty: Division 6 fine

Expiation fee: Division 6 fee

- (4) A retailer, the operator of a collection depot or a person carrying on business as a super collector must—
 - (a) keep each declaration made under this section (or copy of the declaration) at his or her place of business in the State for three years from the date of the declaration; and
 - (b) have the document readily available for inspection at all reasonable times by an authorised officer.

Penalty: Division 6 fine

Expiation fee: Division 6 fee

NOTE: This declaration must be kept for a period of three years from the date of the declaration and made readily available for inspection at all times by an officer authorised under the *Environment Protection Act 1993*. Details on the use of this form can be obtained from the EPA on telephone (08) 8204 1180.