**Information Notice**

**Act Title** **Environment Protection Act 2017**

**Information Title:** **Retrospective Commencement**

**Version:** **005**

The amendments made to sections 8(2), 272(1)(a)(ii), 341(e), 471(4), 471A and 471B of the **Environment Protection Act 2017** by sections 27, 53, 58, 73 and 74 of the **Environment Legislation Amendment (Circular Economy and Other Matters) Act 2022**, No. 36/2022are taken to have come into operation on1 July 2021.

Sections 27, 53, 58, 73 and 74 read as follows:

27 Extraterritorial application of Act

In section 8(2) of the **Environment Protection Act 2017**, after "issued" **insert** "or granted".

53 Prohibition notices

In section 272(1)(a)(ii) of the **Environment Protection Act 2017**, after "permission" **insert** "issued or".

58 Statement to be evidence of authority

In section 341(e) of the **Environment Protection Act 2017**, after "not," **insert** "issued or".

73 Continuation of permissions

After section 471(3) of the **Environment Protection Act 2017 insert**—

"(4) Subsection (2) applies as if—

(a) the new permission the person is taken to hold is the new permission referred to in Column 3 of the Table at the foot of section 470 opposite the equivalent old permission; and

(b) the new permission had been issued or granted (as the case requires) under the relevant provision of this Act.".

74 New sections 471A and 471B inserted

After section 471 of the **Environment Protection Act 2017** **insert**—

"471A New permissions issued or granted by council or Authority

On and from the commencement day, a new permission is taken to have been issued or granted—

(a) in the case of a permit that is the equivalent of a permit issued under section 53M of the old Act, by the council that issued the permit under section 53M; or

(b) in any other case, by the Authority.

471B New permissions equivalent to old permissions issued under section 20 of old Act

(1) On and from the commencement day, a new permission that is the equivalent of an old permission listed in Column 2, item 3 of the Table at the foot of section 470, that is taken to be a prescribed new permission, continues in perpetuity until it is revoked.

(2) On and from the commencement day, a new permission that is the equivalent of an old permission listed in Column 2, item 3 of the Table at the foot of section 470, that is taken to be a prescribed new permission, is taken to have been issued on the day that the old permission was issued under the old Act.".