



# **ANNUAL AUDIT COMPLIANCE REPORT PROFORMA FOR A LICENCE ISSUED UNDER PART V OF THE *ENVIRONMENTAL PROTECTION ACT 1986*.**

An Annual Audit Compliance Report (AACR) is a mechanism for industry licence holders to report on their compliance with the conditions of their licence issued under Part V of the *Environmental Protection Act 1986* (EP Act).

The AACR requires licensees to indicate whether all conditions of their licence have been complied with and if not, provide specific details of the non compliance(s) and steps taken to mitigate impacts and/or prevent a recurrence of the non compliance. The AACR is to be signed by a person(s) with legal authority to sign it, as defined in Section C of the document.

The AACR consists of three sections:

**Section A** – Licence details and Statement of compliance with licence conditions;

**Section B** – Details of non-compliance with licence condition; and

**Section C** – Signature and certification.

It is an offence under section 112 of the EP Act for a person to give information that to their knowledge is false or misleading. The Department of Environment Regulation (DER) expects that the person(s) with the legal authority to sign the AACR will have confidence that the information being reported is accurate and verifiable. Any statements made in an AACR may be admissible in a prosecution for non compliance of licence condition, except where it is apparent that an honest error has been made.

Other reporting requirements specified in licence conditions are not replaced by AACRs, except where conditions have previously required this type of reporting. **DER expects any non compliance to be reported to it at the time of occurrence, as required by licence conditions and the *Environmental Protection Act 1986*.**

AACRs and attachments may be available to the public upon request, as is the case with all environmental reports received by DER. Information that a proponent or industry licence holder considers to be commercially confidential must be submitted with the AACR as a separate document, clearly marked 'commercial in confidence', and include reasons why the information is to be considered in this manner. DER will consider these reasons and if consistent with the provisions of the *Freedom of Information Act 1992* will endeavor to ensure truly sensitive information remains protected.

Completed AACRs are to be submitted to the DER Regional Office from which the licence was issued.

DER has developed an '**Annual Audit Compliance Report Guideline**' that provides further information to support the implementation of AACRs in Western Australia.

Tony Wynne

MANAGER, INDUSTRY REGULATION LICENSING BRANCH

Amended: 16 September 2013

Implementation Date: 28 April 2008

# SECTION A

## LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

## STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the licence complied with within the reporting period? (please tick the appropriate box)

Yes  Please proceed to Section C

No  Please proceed to Section B

Each page must be initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: \_\_\_\_\_

# SECTION B

## DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes <input type="checkbox"/> Reported to DER verbally Date _____  <input type="checkbox"/> Reported to DER in writing Date _____	<input type="checkbox"/> No
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: \_\_\_\_\_

# SECTION C

## SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the Corporations Act 2001; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

NAME:  
(printed) \_\_\_\_\_

POSITION: \_\_\_\_\_

POSITION: \_\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

SEAL (if signing under seal)