



Application Form

**FOR A WATER LICENCE AND/OR SEWERAGE
LICENCE UNDER THE *WATER AND SEWERAGE
INDUSTRY ACT 2008***

Version: Issue No. 1

March 2011

1. INFORMATION FOR APPLICANTS

1.1 Purpose of this form

This form is to be completed by the person making an application to the Tasmanian Economic Regulator (Regulator) for the issue of a licence to authorise the:

- ownership of water infrastructure and/or sewerage infrastructure in Tasmania; and/or
- operation of water infrastructure and/or sewerage infrastructure in Tasmania; and/or
- provision of a water service and/or a sewerage service in Tasmania.

1.2 Basis for this form

The *Water and Sewerage Industry Act 2008* provides in section 34(1)(a) that an application for the issue of a licence must be made to the Regulator in a form approved by the Regulator. This is the form approved by the Regulator.

1.3 Use of this form

Licence Applicants should supply the information requested in the spaces provided in this form and enclose additional information where required. Licence Applicants should note that the Regulator may also ask applicants who have submitted a completed application form to provide further information to the Regulator, or to clarify the information that they have already provided. It is an offence under the *Water and Sewerage Industry Act 2008* for a person to furnish information to the Regulator that is false or misleading.

1.4 How to lodge an application

The **completed application form** should be sent to the mailing address below:

Office of the Tasmanian Economic Regulator
GPO Box 770
Hobart TAS 7001

or by e-mail to: office@economicregulator.tas.gov.au

2. THE LICENCE APPLICANT

Licence Applicants must fill in all required information in this section.

2.1 Identity of the Licence Applicant

State the full name of the Licence Applicant (that is, the name of the natural person or the trading name of the company). The Licence Applicant is the person/entity who/which will be undertaking the regulated activities that will be the subject of the water licence and/or sewerage licence.

Name: _____

2.2 Legal Identity of Licence Applicant

Provide information about the Licence Applicant, e.g. whether the Licence Applicant is a natural person or company and the Licence Applicant's Australian Company Number (ACN) and/or Australian Business Number (ABN), if applicable.

2.3 Address and Contact Details of Licence Applicant

Business Address: _____

State: _____ Postcode: _____

Telephone: _____

Facsimile: _____

E-mail: _____

Postal Address (if different from Business Address): _____

State: _____ Postcode: _____

2.4 Contact Person on behalf of Licence Applicant

The full name of a person to whom the Regulator can direct enquiries and correspondence about the licence application. If the contact details of this person are different from the contact details of the Licence Applicant provided above, please also provide the contact details for this person.

Name: _____

Position: _____

Address: _____

State: _____ Postcode: _____

Telephone: _____

Facsimile: _____

E-mail: _____

3. THE LICENCE

Licence Applicants must fill in all required information in this section.

3.1 Type of Licence sought

Please indicate below which type of licence(s) is/are being sought by the Licence Applicant.

- Licence to own water infrastructure
- Licence to own sewerage infrastructure
- Licence to operate water infrastructure
- Licence to operate sewerage infrastructure
- Licence to provide water services
- Licence to provide sewerage services

3.2 Date from which the Licence is to take effect

If the Licence Applicant seeks to have the licence issued by a certain date, provide this date. Licence Applicants should usually allow the Regulator a minimum of eight weeks to consider an application, as a public consultation period of several weeks forms part of the Regulator's consideration of licence applications.

3.3 Nature and scope of operations for which the Licence is sought

Does the licence, for which the Licence Applicant is applying, cover the entire State of Tasmania?

- Yes No

If 'no', please provide details on the area in which the regulated activity/activities is/are to be conducted.

4. SUITABILITY OF LICENCE APPLICANT TO HOLD A LICENCE

Licence Applicants must fill in all required information in this section.

4.1 Existing activities of the Licence Applicant

Provide general information about the Licence Applicant's existing activities both within and outside the water industry and/or sewerage industry, the reasons why the Licence Applicant intends to participate in the Tasmanian water industry and/or sewerage industry and the broad nature of that participation.

4.2 Name and address of the Licence Applicant's Officer

State the name and address of an Officer of the Licence Applicant. The Officer will be the person nominated by the Licence Applicant to be responsible for regulatory compliance and authorised to make this application on behalf of the Licence Applicant. For companies, the Licence Applicant's directors, company secretary, or chief executive officer may be nominated as the Licence Applicant's Officer. For other non-company Applicants, the Licence Applicant's Officer is to be a person that makes or participates in making decisions that affect a substantial part of the business of the Licence Applicant.

Name: _____

Position: _____

Address: _____

State: _____ Postcode: _____

4.3 Names and addresses of major shareholders of the Licence Applicant

If applicable, state the full names and addresses of the major shareholders of the Licence Applicant.

Name: _____

Position: _____

Address: _____

State: _____ Postcode: _____

4.4 Eligibility

Has the Licence Applicant ever been deemed a 'disqualified individual' under the provisions of the *Corporations Act 2001* (Cwth) or section 41 of the *Water and Sewerage Industry Act 2008*?

Yes

No

If 'yes', please provide details:

4.5 Standard of honesty and integrity shown by the Licence Applicant and officers and major shareholders of the Licence Applicant

Under the *Water and Sewerage Industry Act 2008* the Regulator must not grant a licence unless satisfied that the Licence Applicant has shown honesty and integrity in previous commercial and other dealings.

Is the Licence Applicant, its officers or major shareholders involved in any legal proceedings, civil or criminal, commenced or likely to be commenced in relation to the business activities of the Licence Applicant (including past proceedings) involving claims of dishonesty or lack of integrity?

Yes

No

If 'yes', please provide details:

4.6 Capacity

Technical

Does the Licence Applicant have, and will they continue to have, the technical capacity to carry out the activities that the licence (if granted) would authorise?

Yes No

If 'yes', please provide information about the technical resources available to the Licence Applicant, for example the details of the Licence Applicant's experience in the water industry and/or sewerage industry. If the Licence Applicant is to rely on another entity to provide services, a summary of the entity's experience in the water industry and/or sewerage industry is required.

Financial

Does the Licence Applicant have, and will they continue to have, the financial capacity to carry out the activities that the licence (if granted) would authorise?

Yes No

If 'yes', please provide details:

Organisational

Does the Licence Applicant have, and will they continue to have, the organisational capacity to carry out the activities that the licence (if granted) would authorise?

Yes No

If 'yes', please provide information about the human resources and corporate support available to the Licence Applicant, for example the number, skills and experience of

employees that will be involved with the licensed operations. If the Licence Applicant is to rely on another entity to provide staff and resources, a summary of the relationship between the Licence Applicant and this entity, including any formal agreements to provide services is required.

4.7 Risk management

Does the Licence Applicant have the capacity to carry out the activities that the licence (if granted) would authorise in a manner that appropriately manages the risk to public and environmental health?

Yes

No

If 'yes', please provide details:

4.8 Insurance

Does the Licence Applicant have appropriate and adequate insurance arrangements in place in respect of the potential for any loss, harm or damage caused to any person or property arising from the activities authorised under the licence (if granted)?

Yes

No

If 'yes', please provide details:

4.9 Regulatory awareness

Please confirm that the Licence Applicant is familiar with the operation of the Tasmanian water industry and/or sewerage industry and the applicable legislation.

Confirmed

4.10 Licences held by the Licence Applicant in other Australian jurisdictions

If the Licence Applicant holds water licences and/or sewerage licences in other Australian jurisdictions please provide details. If a licence previously held has been suspended or cancelled, please provide details.

4.11 Licences held by Associates of the Licence Applicant

If an associate of the Licence Applicant holds a water licence and/or sewerage licence in Tasmania or in other Australian jurisdictions, please provide details.

4.12 Additional Information

If the Licence Applicant wishes to provide any additional information to support the application, please provide this information below.

5. STATUTORY DECLARATION

The following Statutory Declaration must to be signed by the Licence Applicant (where a natural person) or by the Licence Applicant's Officer, as nominated under section 4.2 of this Licence Application.

Statutory Declaration

I, *(insert name)* of *(insert address)*
..... being the *(insert position)* of the
Applicant, *(insert name of applicant)*

Hereby DECLARE that the information contained in this application, and attachments thereto upon which I have placed my signature, for the grant of a licence under the *Water and Sewerage Industry Act 2008*, as specified under section 3.1 of this Licence Application, is true and correct and that I make this solemn declaration under the *Oaths Act 2001*.

Signed:

Declared at *(place)*:

On *(date)*:

Before me:

(Justice, commissioner for declarations or authorised person¹)

¹ A person authorised by regulation 4 of the *Statutory Declarations Regulations 1993* (Cwth).