

# Queensland Labour Hire Licence - Refund Policy

**Implementation Date:** 16 March 2021

Version 3

## Purpose of policy

To outline the circumstances in which a refund for a labour hire licence application fee is permitted.

## Principles

An applicant for a labour hire licence may be eligible for a full refund of the application administration fee (the full fee):

- where the applicant or licensee identifies that it does not require a licence as it does not meet the definition of a labour hire provider; or
- where the applicant has chosen the incorrect tier for their licence fee at the time of application or renewal; or
- the incorrect entity has made an application or been issued with a licence;
- on compassionate grounds at the discretion of the Director, Labour Hire Licensing Compliance Unit.

A refund will not be issued where the application is not granted for valid reasons, including:

- the applicant fails to respond to a request for information and is taken to have withdrawn their application under s.41 (3) of the *Labour Hire Licensing Act 2017* (the Act); or
- the application is refused under s.16 (1)(b) of the Act

Where a labour hire licence has been granted, a refund will not be issued:

- where the licence is cancelled under s.24 of the Act; or
- the applicant or licensee has ceased trading; or
- due to the restructure of an existing business.

Partial refunds are not available – the licence fee represents the cost of administering the application and licensing process rather than being a time-based cost.

Refund requests must be made within 3 months of the overpayment.

## Process

1. If the refund request relates to an application, the applicant must submit a written request for a refund to the Labour Hire Licensing Compliance Unit (LHLCU) requesting their application be deactivated.
2. If the refund request relates to a current licence, the licensee must submit a written request for a refund to the LHLCU requesting to surrender their licence.
3. As part of their written request the applicant or licensee must provide relevant information in support of their application for a refund that correspond with the principles above (e.g. details of their business operations that support their submission that they are not operating as a labour hire provider, information showing that their wages for labour hire workers fall within a relevant tier).
4. The department may approve the request in accordance with the principles.

## Contact:

Att: The Director

Labour Hire Licensing Compliance Unit

Office of Industrial Relations

PO Box 7129

BRENDALE QLD 4500

Phone: 1300 576 088 or after hours call 13 74 68.

Visit [www.labourhire.qld.gov.au](http://www.labourhire.qld.gov.au) for more information about the scheme.

Email: [labourhire@oir.qld.gov.au](mailto:labourhire@oir.qld.gov.au)