

AUSTRALIAN CAPITAL TERRITORY

FUELS CONTROL ORDINANCE 1979

EXPLANATORY STATEMENT

14 of 1979

The Fuels Control Ordinance 1979 provides for the imposition of controls over the distribution and sale of petroleum based fuels in the A.C.T. during periods declared by the Minister to be emergencies for the purposes of the Ordinance. The Ordinance provides that the Minister may declare such an emergency where there are reasonable grounds for believing that the maintenance of essential services in the Territory is, or is about to be affected by a reduction of the supply of fuel to the Territory, or hardship is being suffered or about to be suffered by residents of the Territory because of a reduction in supply of fuel or difficulties involved in its distribution. Such an emergency declaration will remain in force for 28 days unless it is sooner revoked, and may be renewed.

The Ordinance provides for the appointment by the Minister of a Controller of Fuels who will have the power during a period of emergency to institute a system of fuel rationing within the Territory. He will be able to, in respect of persons carrying on a prescribed business, require that person not to sell a declared fuel unless he has a given quantity of that fuel in storage at his premises, require that person not to sell fuel by retail to persons other than those approved by the Controller, require that person not to sell fuel wholesale except to such persons and in such quantities as the Controller approves, require that person not to sell to any person at one time a quantity of fuel in excess of a quantity specified, require that the total quantity of fuel sold by that person during a specified period shall not exceed a specified quantity, require that person not to remove fuel from the Territory, and/or require that person not to sell fuel outside the Territory.

The Ordinance provides that a person carrying on a prescribed business shall provide the Controller with the address of the premises at which he carries on business, the kinds of fuel that are able to be stored at that place and the quantities of fuel capable of being stored there. The Controller has the power to demand of a person carrying on a prescribed business particulars concerning the quantity of fuel held by that person, the amount of fuel sold by him during a specified period and the usual source of supply of the fuel.

The Ordinance gives the Controller power to require any person who is the occupier of premises on which there are storage facilities for fuel to a capacity exceeding the prescribed capacity to give to the Controller details of the capacity of those storage facilities, the kinds of fuel held in those facilities, the quantity of each kind of fuel so held, the usual rate of use of each kind of fuel held and the persons or class of persons who are the usual users of each kind of fuel.

The Ordinance provides that a person who brings fuel into the Territory shall not dispose of the fuel within the Territory or remove it from the Territory except in accordance with the directions of the Controller.

The Ordinance also provides that the Minister may appoint such inspectors as he considers necessary for the purposes of the Ordinance. An inspector has the power to inspect premises at which a prescribed business is carried on, inspect relevant documents and records, inspect receptacles or equipment on the premises, and inspect any vehicle on the premises capable of transporting fuel.