

AUSTRALIAN CAPITAL TERRITORY

BUSINESS FRANCHISE (TOBACCO AND PETROLEUM PRODUCTS)
REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

No. 15 of 1987

Section 45 of the Business Franchise (Tobacco and Petroleum Products) Ordinance 1984 (“the Ordinance”) provides that the Minister may make Regulations prescribing matters required or permitted to be prescribed under the Ordinance or necessary or convenient to be prescribed for giving effect to the Ordinance.

The Business Franchise (Tobacco and Petroleum Products) Regulations (“the principal Regulations”) provide for the calculation of the value to be attributed to tobacco and for the records which are to be kept in relation to the sale of tobacco and petroleum products.

The Business Franchise (Tobacco and Petroleum Products) Regulations (Amendment) (“the Regulations”) amend the principal Regulations to provide for records to be kept in respect of certain diesel fuel sales.

The Regulations amend Regulation 5 of the principal Regulations by inserting paragraph (2)(d) to provide that the owner of a tobacco vending machine shall keep a record of the total value of sales of tobacco made by each machine in each month.

Subparagraph (3)(ae) of Regulation 5 is omitted as those provisions are already contained in subparagraph (3)(ac).

Regulation 6 of the principal Regulations is amended by omitting paragraph (1)(e) which provided for certain records to be kept in respect of sales of petroleum in the course of interstate trade. As there is no longer any reference to interstate trade in the Ordinance that provision is no longer required in the principal Regulations.

Regulation 6 is further amended by the insertion of subparagraph (3)(va) to provide that a person who carries on petroleum wholesaling shall, with respect to the sale of diesel fuel, keep a record of whether or not the sale was to the holder of a diesel fuel exemption certificate issued under the Ordinance, and if so, the number of that certificate.

Issued by authority of the Minister
of State for the Arts, Sport, the
Environment, Tourism and Territories