

2001

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Mr Osborne)

Fair Trading (Fuel Prices) Amendment Bill 2001

A Bill for

An Act to amend the *Fair Trading (Fuel Prices) Act 1993*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

2001 094B

Section 1

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1 Name of Act

This Act is the *Fair Trading (Fuel Prices) Amendment Act 2001*.

2 Commencement

This Act commences on the day it is notified in the Gazette.

3 Act amended

This Act amends the *Fair Trading (Fuel Prices) Act 1993*.

4 Section 10

renumber as section 12

5 New sections 10 and 11

insert

10 Record of temperature converted volume

- (1) This section applies to a person (the *supplier*) who authorises the delivery of a regulated transfer of a fuel to another person (the *recipient*).
- (2) The supplier must ensure that at the time of the delivery the recipient is given a statement that includes the following information:
 - (a) the kind of the fuel;
 - (b) the volume of the fuel loaded into a container (including, for example, a petrol tanker) for consignment to the recipient;
 - (c) the temperature of the fuel at the time it is loaded for consignment;
 - (d) the volume of the fuel loaded for consignment measured or calculated as if the fuel were at the temperature of 15°C;

1 (e) whether, after the fuel has been loaded for consignment, a
2 quantity of fuel has been added to or removed from the
3 consignment.

4 (3) A person must not, without reasonable excuse, contravene
5 subsection (2).

6 Maximum penalty (for subsection (3)): 50 penalty units,
7 imprisonment for 6 months or both.

8 (4) This section does not prevent the volume of the fuel being measured
9 or calculated as if the fuel were at the temperature of 15°C at the
10 time of its delivery to the recipient.

11 **Example**

12 If only part of a single consignment of a fuel is delivered to the recipient, the
13 volume supplied may be measured through a meter that measures or calculates the
14 volume of fuel delivered as if it were at the temperature of 15°C.

15 **11 Charging for temperature conversion of fuel prohibited**

16 A person must not authorise the delivery of a regulated transfer of a
17 fuel to another person if a charge or some other form of
18 consideration is either directly or indirectly made or otherwise
19 required for complying with—

20 (a) section 8 (1) (When a volume of fuel must be temperature
21 converted); or

22 (b) section 10 (2) (Record of temperature converted volume).

23 Maximum penalty: 50 penalty units, imprisonment for 6 months or
24 both.

Endnote

Act amended

1 Republished as in force on 24 July 20001 (Republication No 2).

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