



Petroleum and Other Fuels Reporting (Consequential Amendments and Transitional Provisions) Act 2017

No. 91, 2017

**An Act to deal with consequential and transitional
matters arising from the enactment of the
Petroleum and Other Fuels Reporting Act 2017, and
for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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No. 91, 2017

**An Act to deal with consequential and transitional
matters arising from the enactment of the
Petroleum and Other Fuels Reporting Act 2017, and
for related purposes**

[Assented to 23 August 2017]

The Parliament of Australia enacts:

*No. 91, 2017 Petroleum and Other Fuels Reporting (Consequential Amendments and
Transitional Provisions) Act 2017 1*

1 Short title

This Act is the *Petroleum and Other Fuels Reporting (Consequential Amendments and Transitional Provisions) Act 2017*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	At the same time as the <i>Petroleum and Other Fuels Reporting Act 2017</i> commences. However, the provisions do not commence at all if that Act does not commence.	24 August 2017

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Part 1—Consequential amendments

Competition and Consumer Act 2010

1 After section 95ZP

Insert:

95ZPA Disclosure of protected information to the Energy Department

- (1) An authorised entrusted person may disclose protected information to the Energy Department if the Chairperson is satisfied that the information will enable or assist an officer of the Energy Department to perform or exercise any function or power under the *Petroleum and Other Fuels Reporting Act 2017*.
- (2) The Chairperson may, by writing, impose conditions to be complied with in relation to protected information disclosed under subsection (1).
- (3) An instrument under subsection (2) is not a legislative instrument.

Delegation

- (4) The Chairperson may, by writing, delegate any or all of his or her powers under subsection (1) or (2) to:
 - (a) another member of the Commission; or
 - (b) a member of the staff of the Commission who is an SES employee or an acting SES employee.

Note 1: Section 2B of the *Acts Interpretation Act 1901* contains the definitions of **SES employee** and **acting SES employee**.

Note 2: Sections 34AA to 34A of the *Acts Interpretation Act 1901* contain provisions relating to delegations.

- (5) In performing a function, or exercising a power, under a delegation, the delegate must comply with any directions of the Chairperson.

(6) This section has effect despite anything in section 95ZN.

Definitions

(7) In this section:

authorised entrusted person means an entrusted person authorised by the Chairperson, in writing, for the purposes of this definition.

Energy Department means the Department administered by the Minister administering the *Petroleum and Other Fuels Reporting Act 2017*.

protected information has the same meaning as in section 95ZP.

Taxation Administration Act 1953

2 Subsection 355-65(8) in Schedule 1 (after table item 6)

Insert:

6A	the Secretary of the Department administered by the Minister administering the <i>Petroleum and Other Fuels Reporting Act 2017</i>	is for the purpose of administering the <i>Petroleum and Other Fuels Reporting Act 2017</i> .
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Part 2—Application and transitional provisions

3 Application provision—reports of fuel information to be given to the Secretary

Section 11 of the *Petroleum and Other Fuels Reporting Act 2017* applies to covered activities undertaken on or after the later of:

- (a) 1 January 2018; and
- (b) the day the rules made under section 41 of that Act commence.

4 Application provision—publication of fuel information

Section 16 of the *Petroleum and Other Fuels Reporting Act 2017* applies in relation to the publication or making available of fuel information after the commencement of this Schedule (whether the information was obtained before, on or after that commencement).

5 Application provision—disclosure of information to the Secretary

Section 31 of the *Petroleum and Other Fuels Reporting Act 2017* applies in relation to disclosures of information made on or after the commencement of this Schedule (whether the information was obtained before, on or after that commencement).

6 Application provision—*Competition and Consumer Act 2010*

Section 95ZPA of the *Competition and Consumer Act 2010* as inserted by this Schedule applies in relation to disclosures of information made on or after the commencement of this Schedule (whether the information was obtained before, on or after that commencement).

7 Application provision—*Taxation Administration Act 1953*

The amendment of section 355-65 in Schedule 1 to the *Taxation Administration Act 1953* made by this Schedule applies in relation to records and disclosures of information made on or after the commencement of this Schedule (whether the information was obtained before, on or after that commencement).

*[Minister's second reading speech made in—
House of Representatives on 30 March 2017
Senate on 16 August 2017]*

(58/17)

6 *Petroleum and Other Fuels Reporting (Consequential Amendments and
Transitional Provisions) Act 2017* No. 91, 2017