



Liquid Fuel Emergency Amendment Act 2017

No. 103, 2017

**An Act to amend the *Liquid Fuel Emergency Act
1984*, 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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Liquid Fuel Emergency Amendment Act 2017

No. 103, 2017

An Act to amend the *Liquid Fuel Emergency Act 1984*, and for related purposes

[Assented to 14 September 2017]

The Parliament of Australia enacts:

1 Short title

This Act is the *Liquid Fuel Emergency Amendment 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
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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	1 January 2018.	1 January 2018

Note: This table relates only to the provisions of this Act as originally enacted.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Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Liquid Fuel Emergency Act 1984

1 At the end of the title

Add “, and for related purposes”.

2 Subsection 3(1) (definition of *Agreement*)

Repeal the definition, substitute:

Agreement means the Agreement on an International Energy Program done at Paris on 18 November 1974, as in force from time to time.

Note: The Agreement is in Australian Treaty Series 1979 No. 7 ([1979] ATS 7) and could in 2017 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

3 Subsection 3(1)

Insert:

emergency reserve commitment has the meaning given by Article 2 of the Agreement.

oil stocks means oil stocks under Article 1 of the Annex to the Agreement which can be credited toward Australia’s emergency reserve commitment in accordance with the Agreement.

4 After Part IV

Insert:

Part IVA—Power to reserve or purchase oil stocks

40A Reservation or purchase of oil stocks

- (1) For the purpose of giving effect to the Agreement, the Secretary may, on behalf of the Commonwealth, enter into a contract (including a ticketing contract) with an Australian or foreign entity for:

- (a) the reservation for the Commonwealth of oil stocks owned by the Australian or foreign entity; or
 - (b) the purchase of oil stocks by the Commonwealth from the Australian or foreign entity.
- (2) Subsection (1) does not impliedly limit the executive power of the Commonwealth to enter into agreements.

5 Section 46A (heading)

Repeal the heading, substitute:

46A Exemption from suit—Ministers, Secretary and delegates

6 After paragraph 46A(b)

Insert:

- (c) the Secretary;
- (d) a person to whom the Secretary's power under subsection 40A(1) (about entering into contracts for the reservation or purchase of oil stocks) is delegated under subsection 49(6);

7 At the end of section 49

Add:

Delegation by the Secretary

- (6) The Secretary may, by writing, delegate the Secretary's power under subsection 40A(1) (about entering into contracts for the reservation or purchase of oil stocks) to an SES employee, or an acting SES employee, in the Department.
- (7) In exercising powers under a delegation under subsection (6), the delegate must comply with any directions of the Secretary.

Note: The expressions *SES employee* and *acting SES employee* are defined in section 2B of the *Acts Interpretation Act 1901*.

*[Minister's second reading speech made in—
House of Representatives on 15 June 2017
Senate on 4 September 2017]*

(128/17)

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