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Fuel Quality Standards Amendment Regulations 2003 (No. 1)¹

Statutory Rules 2003 No. $\frac{1}{2}$

355

I, PHILIP MICHAEL JEFFERY, Governor-General of the
Commonwealth of Australia, acting with the advice of the
Federal Executive Council, make the following Regulations
under the *Fuel Quality Standards Act 2000*.

Dated 18 DEC 2003 2003

PM Jeffery
Governor-General

By His Excellency's Command

DAVID KEMP
Minister for the Environment and Heritage

1 Name of Regulations

These Regulations are the *Fuel Quality Standards Amendment Regulations 2003* (No. 1). /

2 Commencement

These Regulations commence on gazettal.

3 Amendment of *Fuel Quality Standards Regulations 2001*

Schedule 1 amends the *Fuel Quality Standards Regulations 2001*.

Schedule 1 Amendments

(regulation 3)

[1] Subregulation 3 (1), definition of *blend*

substitute

blend, for fuel, means to combine fuel with:

- (a) another kind of fuel; or
- (b) any other substance.

[2] Subregulation 3 (1), after definition of *contact details*

insert

distributor, of fuel, means a person who supplies fuel between any 2 of an import terminal, a refinery, a blending facility or a retail outlet for fuel.

[3] Paragraph 3 (2) (f)*substitute*

- (f) diesohol (that is, a blend primarily comprising diesel and an alcohol);

[4] Paragraphs 3 (2) (h) and (i)*substitute*

- (h) ethanol;
- (i) any substance that is used as a substitute for a fuel mentioned in paragraphs (a) to (h);
- (j) any substance that is supplied or represented as:
- (i) a fuel mentioned in paragraphs (a) to (h); or
 - (ii) a substitute substance under paragraph (i).

[5] Regulation 3A*omit***[6] Subregulations 7A (3), (4) and (5)***substitute*

- (3) For paragraph 19 (e) of the Act, the information mentioned in subregulation (4) must be provided by a supplier who:
- (a) imports fuel; or
 - (b) produces or blends fuel; or
 - (c) is a distributor of fuel.
- (4) For subregulation (3), the information is:
- (a) the supplier's name, contact details and ABN or ACN; and
 - (b) if the supplier is an agent for another person, the other person's name and contact details; and
 - (c) the delivery docket number provided by the supplier for the fuel supplied; and
 - (d) the kind and grade of the fuel supplied or its product code; and

- (e) the date and time when the fuel was supplied; and
- (f) the total quantity of fuel supplied; and
- (g) the place where the fuel was supplied; and
- (h) if the fuel does not comply with a fuel standard:
 - (i) particulars of the requirements of the standard that are not met; and
 - (ii) reasons why the requirements are not met; and
- (i) if a vehicle was used in the supply of the fuel and the vehicle is registered under a law of the Commonwealth, a State or Territory for the registration of vehicles, its registration number; and
- (j) if a vehicle was used in the supply but the vehicle was not registered as described in paragraph (i), other particulars that uniquely identify the vehicle.

[7] Paragraph 25 (g)

substitute

- (g) stock reconciliation records (except in relation to fuel for which it is not possible for the supplier to keep separate reconciliation records).

[8] Paragraph 26 (2) (i)

substitute

- (i) stock reconciliation records (except in relation to fuel for which it is not possible for the supplier to keep separate reconciliation records).

[9] Regulation 27

substitute

27 Records for operators of vehicles

- (1) This regulation applies to a supplier who is a distributor of fuel:
 - (a) that the supplier distributes using the supplier's vehicle; or

(b) that a person engaged by the supplier distributes, for the supplier, using the person's vehicle.

(2) A supplier to whom this regulation applies:

- (a) must keep copies of all documents received or provided under section 19 of the Act in relation to fuel described in paragraph (1) (a) or (b); and
- (b) for each instance when a vehicle is loaded with fuel by or for the supplier — must keep a record of the place, date and time the fuel was loaded.

[10] Regulation 28

omit everything before paragraph (a), insert

(1) Subject to subregulation (2), a supplier who operates a service station or is a distributor of fuel must keep the following records:

[11] Regulation 28

insert

(2) A supplier who operates a service station or is a distributor need not keep reconciliation records referred to in paragraph (1) (b) in relation to fuel for which it is not possible for the supplier to keep separate reconciliation records.

[12] Paragraph 29 (b)

omit

fuel.quality@ea.gov.au.

insert

fuel.quality@deh.gov.au.

Notes

1. These Regulations amend Statutory Rules 2001 No. 236, as amended by 2001 No. 255; 2002 No. 116.
2. Notified in the *Commonwealth of Australia Gazette* on 2003.

23 December