



Queensland

Liquid Fuel Supply Amendment Bill 2004



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2004

A Bill

for

An Act to amend the *Liquid Fuel Supply Act 1984*

	The Parliament of Queensland enacts—	1
Clause 1	Short title	2
	This Act may be cited as the <i>Liquid Fuel Supply Amendment Act 2004</i> .	3 4
Clause 2	Act amended	5
	This Act amends the <i>Liquid Fuel Supply Act 1984</i> .	6
Clause 3	Amendment of s 5 (Interpretation)	7
	Section 5—	8
	<i>insert—</i>	9
	‘ <i>prescribed person</i> , for part 5A, see section 35AA.	10
	<i>prescribed price</i> , for part 5A, see section 35AA.	11
	<i>sell</i> , for part 5A, see section 35AA.’.	12
Clause 4	Replacement of pt 5A, heading (Ethanol substitution)	13
	Part 5A, heading—	14
	<i>omit, insert—</i>	15
	‘Part 5A Ethanol in motor spirit’.	16
Clause 5	Replacement of s 35A (Requirement to purchase ethanol)	17
	Section 35A—	18
	<i>omit, insert—</i>	19
‘35A	Purpose of pt 5A	20
	‘The purpose of this part is to require the use in Queensland of motor spirit with a minimum quantity of ethanol.	21 22

‘35AA Definitions for pt 5A	1
‘In this part—	2
<i>prescribed person</i> means a relevant person engaged in producing, refining or selling motor spirit in Queensland.	3 4
<i>prescribed price</i> means—	5
(a) the price prescribed under section 35AD(1); or	6
(b) the price decided using the method prescribed under section 35AD(1).	7 8
<i>sell</i> , for motor spirit, includes the following—	9
(a) sell the motor spirit by barter or exchange;	10
(b) supply the motor spirit for profit.	11
 ‘35AB Offence to sell motor spirit without 10% ethanol content	12 13
‘(1) A prescribed person must not, without a reasonable excuse, sell in Queensland motor spirit, in bulk or otherwise, if the motor spirit has an ethanol content of less than 10% by volume.	14 15 16 17
Maximum penalty—200 penalty units or 1 year’s imprisonment.	18 19
‘(2) It is a reasonable excuse for a prescribed person not to comply with subsection (1) if the person could not have obtained, at the prescribed price, a sufficient quantity of ethanol to enable the person to comply with the subsection.	20 21 22 23
 ‘35AC Exemptions from s 35AB	24
‘The Minister may exempt, under section 52, a prescribed person from the operation of section 35AB(1) only if the Minister is satisfied the person can not obtain, at the prescribed price, a sufficient quantity of ethanol to enable the person to comply with the section.	25 26 27 28 29

‘35AD Regulations for pt 5A

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- ‘(1) A regulation must be made prescribing, for sections 35AB(2) and 35AC, a price, or a method for deciding a price, for ethanol sold to a prescribed person.
- ‘(2) A regulation may be made—
- (a) prescribing the person or class of persons from whom a prescribed person must purchase ethanol; or
- (b) directing a prescribed person to give the Minister stated information that is relevant to a decision of the Minister about granting an exemption mentioned in section 35AC.

‘35AE Failure to comply with directions under s 35AD

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- ‘A prescribed person must comply with a direction under section 35AD(2)(b) that is applicable to the person unless the person has a reasonable excuse.
- Maximum penalty—200 penalty units or 1 year’s imprisonment.’.