
CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Petroleum Products Pricing Act 1983

**Petroleum Products Pricing Amendment
Regulations (No. 3) 2001**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Petroleum Products Pricing Amendment Regulations (No. 3) 2001*.

2. The regulations amended

The amendments in these regulations are to the *Petroleum Products Pricing Regulations 2000**.

[* *Published in Gazette 29 December 2000, p. 7981-5.*
For amendments to 10 October 2001 see Gazette 11 July and 23 August 2001.]

3. Part 3 inserted

After regulation 10 the following Part is inserted —

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**Part 3 — Infringement notices and
modified penalties****11. Prescribed offences (s 31B)**

The offences specified in Schedule 2 are the offences for which an infringement notice may be given under section 31B of the Act.

12. Prescribed modified penalties (s 31C)

The modified penalty specified opposite an offence in Schedule 2 is the modified penalty for that offence for the purposes of section 31C(2) of the Act.

13. Prescribed form of infringement notice (s 31C)

The form of an infringement notice is set out in Schedule 3 Form 1 for the purposes of section 31C(1) of the Act.

14. Prescribed form of withdrawal of notice (s 31E)

The form of a notice to withdraw an infringement notice is set out in Schedule 3 Form 2 for the purposes of section 31E(1) of the Act.

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4. Schedules 2 and 3 inserted

After Schedule 1 the following Schedules are inserted —

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Schedule 2 — Prescribed offences and modified penalties

[r. 11, 12]

	Prescribed offence	Modified Penalty	
		For a corporation	For an individual
<i>Petroleum Products Pricing Act 1983</i>			
1.	Section 11(1): failing to notify Commissioner of proposed increase in price or rate of declared petroleum products or service	\$2 000	\$800
2.	Section 14(1): selling or supplying controlled petroleum products or service above maximum price or rate	\$2 000	\$800
3.	Section 14(2): selling or supplying controlled goods or service on different terms than before maximum price or rate order	\$2 000	\$800
4.	Section 17: selling or supplying controlled petroleum products or service without separately specifying price or rate	\$2 000	\$800
5.	Section 21: selling or supplying controlled petroleum products or service subject to purchase condition	\$2 000	\$800
6.	Section 22B(1): failing to display at declared terminal wholesale price of motor fuel	\$2 000	\$800
7.	Section 22B(3): failing to notify Commissioner of change to wholesale price at declared terminal	\$2 000	\$800
8.	Section 22C(1): failing to display at declared terminal weighted average price of motor fuel	\$2 000	\$800
9.	Section 22D: failing to display maximum price of motor fuel fixed by order	\$2 000	\$800

	Prescribed offence	Modified Penalty	
		For a corporation	For an individual
10.	Section 22E(1): failing to show in invoice displayed and maximum prices	\$2 000	\$800
11.	Section 22E(2): failing to show in invoice displayed and maximum prices and details of any difference in prices	\$2 000	\$800
12.	Section 22E(4): failing to give Commissioner details of any difference in prices	\$2 000	\$800
13.	Section 22F(2): failing to include required details in invoice for sale of motor fuel	\$2 000	\$800
14.	Section 27(5)(a): failing or refusing to comply with requirements of notice (inquiry or investigation)	\$2 000	\$800
15.	Section 27A(5)(a): failing or refusing to comply with requirements of notice	\$2 000	\$800
<i>Petroleum Products Pricing Regulations 2000</i>			
16.	Regulation 3(1): offering motor fuel for sale at other than standard retail price notified to Commissioner	\$400	\$200
17.	Regulation 6(1): offering motor fuel for sale without having required price display	\$400	\$200

Schedule 3 — Forms

[r. 13, 14]

Form 1

Petroleum Products Pricing Act 1983

Infringement notice

Serial No

Date/...../.....

To: ⁽¹⁾

of: ⁽²⁾

It is alleged that on/...../..... at ⁽³⁾

at ⁽⁴⁾

you committed the following offence —

.....
.....
.....

contrary to section/regulation* ⁽⁵⁾ of the *Petroleum Products Pricing Act 1983/Petroleum Products Pricing Regulations 2000**.

* Delete as appropriate.

The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of money specified in this notice as the modified penalty may be paid within a period of 28 days after the giving of this notice. Payment may be made by either —

- (a) posting this form with a cheque, money order or postal note for the specified amount of money, payable to the Prices Commissioner, to the Department of Consumer and Employment Protection, Locked Bag 14, Cloisters Square, Perth WA 6850; or
- (b) presenting this form and paying the specified amount to an authorised person ⁽⁶⁾ at the Department of Consumer and Employment Protection, Ground Floor, 219 St George's Terrace, Perth WA 6000.

Name and title of authorised person giving this notice

Signature

- (1) Name of alleged offender
- (2) Address of alleged offender
- (3) Time at which offence allegedly committed
- (4) Place at which offence allegedly committed
- (5) Section or regulation designation
- (6) Description of authorised persons

Form 2

Petroleum Products Pricing Act 1983

Withdrawal of infringement notice

Serial No

Date/...../.....

To: ⁽¹⁾

of: ⁽²⁾

Infringement notice No. dated/...../..... for the alleged offence of.....

.....
.....

has been withdrawn.

The modified penalty of \$

- * has been paid and a refund is enclosed.
- * has not been paid and should not be paid.
- * Delete as appropriate

Name and title of authorised person giving this notice

Signature

(1) Name of alleged offender given the infringement notice

(2) Address of alleged offender

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By Command of the Lieutenant-Governor and deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.