



Western Australia

# **Petroleum Products Pricing Amendment Act 2020**

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As at 24 Mar 2020

No. 4 of 2020

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# **Petroleum Products Pricing Amendment Act 2020**

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# **Petroleum Products Pricing Amendment Act 2020**

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**No. 4 of 2020**

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**An Act to amend the *Petroleum Products Pricing Act 1983*.**

*[Assented to 24 March 2020]*

The Parliament of Western Australia enacts as follows:

**1. Short title**

This is the *Petroleum Products Pricing Amendment Act 2020*.

**2. Commencement**

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

**3. Act amended**

This Act amends the *Petroleum Products Pricing Act 1983*.

**4. Section 22H replaced**

Delete section 22H and insert:

**22H. Terms used**

- (1) In this Division —

*business* includes the following —

- (a) a business not carried on for profit;
- (b) a trade or profession;
- (c) the functions of a public body, other public organisation or public office holder;

*exempt sale* has the meaning given in subsections (2) and (3);

*kind of motor fuel* refers to the type of motor fuel and, if there are different grades or brands of a particular type of motor fuel, motor fuel of that type has to be of the same grade and brand for it to be the same kind of motor fuel;

*standard retail price* means the price at which the motor fuel concerned is offered for retail sale without any discounts or special offers.

- (2) A retail sale of motor fuel at a particular place is an *exempt sale* if —
- (a) a business of hiring out, leasing out or selling motor vehicles is carried on at the place and the motor fuel is sold in the course of that business incidentally to a hire, lease or sale of a motor vehicle; or
  - (b) the motor fuel is sold in bulk to be delivered or collected by tanker; or
  - (c) the motor fuel is sold for fuelling a motor vehicle that is used for a business and not used for any other purpose.
- (3) The regulations may prescribe other cases in which a retail sale of motor fuel at a particular place is an *exempt sale*.

**5. Section 22I amended**

In section 22I(2) delete “in accordance with an existing agreement or arrangement between the customer and the retailer,” and insert:

for exempt sale,

**6. Section 22J amended**

In section 22J(2) delete “in accordance with an existing agreement or arrangement between the customer and the retailer,” and insert:

for exempt sale,

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