

**WESTERN
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**PROCLAMATION OF
PETROLEUM LEGISLATION
AMENDMENT ACT 2001
(No. 11 of 2001)**

**PETROLEUM PRODUCTS
PRICING AMENDMENT
REGULATIONS (No. 2) 2001**

PETROLEUM LEGISLATION AMENDMENT ACT 2001

11 of 2001

PROCLAMATION

WESTERN AUSTRALIA
John Sanderson,
Governor.
[L.S.]

} By His Excellency Lieutenant General John Murray
Sanderson, Companion of the Order of Australia,
Governor of the State of Western Australia.

I, the Governor, acting under section 2 of the *Petroleum Legislation Amendment Act 2001*, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which section 20 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 21 August 2001.

By Command of the Governor,

JOHN KOBELKE, Minister for Consumer and
Employment Protection.

GOD SAVE THE QUEEN !

Petroleum Products Pricing Act 1983

Petroleum Products Pricing Amendment Regulations (No. 2) 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Petroleum Products Pricing Amendment Regulations (No. 2) 2001*.

2. Commencement

These regulations come into operation on the day on which section 20 of the *Petroleum Legislation Amendment Act 2001* comes into operation.

3. 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 13 August 2001 see Gazette 11 July 2001.]

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4. Regulation 3 replaced by regulations 2A, 3 and 3A

Regulation 3 is repealed and the following regulations are inserted instead —

“

2A. Meaning of terms used in regulations 3 and 3A

In regulations 3 and 3A —

“**day**” means a period of 24 hours beginning immediately after 6.00 a.m.;

“**retail sale**” does not include a sale in accordance with an existing agreement or arrangement between the customer and the retailer.

3. Standard retail price to be as notified

(1) Subject to regulation 4, a person who offers a particular kind of motor fuel for retail sale on a particular day at a particular place commits an offence unless —

(a) under subregulation (2), the person has established the permitted standard retail price for that sale; and

(b) the standard retail price at which that kind of motor fuel is offered is that day’s permitted standard retail price.

Penalty: in the case of an individual, \$1 000 and, in the case of a body corporate, \$2 000.

(2) A person establishes the permitted standard retail price for the retail sale by that person of a particular kind of motor fuel on a particular day at a particular place by notifying the Commissioner, in accordance with regulation 3A, of the standard retail price at which the motor fuel is to be offered for sale on that day.

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3A. Requirements for giving notification

- (1) Notification under regulation 3(2) has to be given to the Commissioner —
 - (a) during a period fixed under subregulation (3) or, if no period is so fixed, during the period beginning at 8.30 a.m. and ending at 2.00 p.m. on the day before the day for which the price is notified; and
 - (b) in a manner and form fixed under subregulation (3) or, if no manner and form is so fixed —
 - (i) by a message given by a telephone call made to telephone number 1800 445 757; or
 - (ii) by a message sent to fuelwatch@mft.wa.gov.au by email.
- (2) The notification under regulation 3(2) of a price for a particular day has effect as notification of the same price for each subsequent day until the beginning of a day for which the Commissioner has been notified under regulation 3(2) of a different price.
- (3) The Commissioner may by order published in the *Gazette* fix the period during which, and the manner and form in which, notification under regulation 3(2) can be given.
- (4) A period fixed under subregulation (3) has to end before the beginning of the day for which the price is notified.
- (5) The Commissioner may revoke an order under subregulation (3) by a subsequent order published in the *Gazette*.

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5. Regulation 4 amended

Regulation 4(1) is amended by deleting “Section 22J(1) of the Act” and inserting instead —

“ Regulation 3(1) ”.

6. Schedule 1 amended

The heading to Schedule 1 is amended by deleting “section 22J(1) of the Act” and inserting instead —

“ **regulation 3(1)** ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

