



Western Australia

Environmental Protection Act 1986

Environmental Protection (Petrol) Regulations 1999

Environmental Protection (Petrol) Regulations 1999

Contents

Part 1 — Preliminary

1.	Citation	1
2.	Commencement	1
3.	Terms used	1
3A.	Regulations do not apply to some fuel	4

Part 2 — Exemptions in state of emergency

3B.	Methyl tertiary-butyl ether limits in petrol	5
3C.	Reid Vapour Pressure limits for petrol	5

Part 3 — Petrol

9.	Methyl tertiary-butyl ether in petrol, limit on	7
11.	Reid Vapour Pressure limits for petrol supplied in Perth area in summer on or after 15 Oct 2016	7

Part 4 — Record keeping and testing requirements

14.	Person required by this Part to keep record, duties of	10
16.	Fuel suppliers, duties of as to petrol products	10

Part 5 — Miscellaneous

17.	Warranty as to supply of fuel, supplier to give in some cases	12
18.	Methyl tertiary-butyl ether in petrol, how measured	12

Contents

19.	Reid Vapour Pressure, how measured	13
20.	Defence to certain charges	13
21.	Penalty for offences	13

Schedule 1 — Perth area

Notes

Compilation table	15
-------------------	----

Defined terms

Environmental Protection (Petrol) Regulations 1999

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Environmental Protection (Petrol) Regulations 1999*.

[Regulation 1 amended: Gazette 9 Oct 2012 p. 4748.]

2. Commencement

These regulations come into operation on 1 January 2000.

3. Terms used

(1) In these regulations —

ASTM followed by a designation refers to the standard test method of that designation, as amended from time to time, published by the standards development organisation known as ASTM International;

diesel means any petroleum or shale product that —

- (a) is used or capable of being used to power an internal combustion engine with compression ignition; and
- (b) has been entered for home consumption;

entered for home consumption, in relation to fuel, means entered for home consumption or delivered for or into home consumption for the purposes of the *Customs Act 1901* or *Excise Act 1901* of the Commonwealth;

fuel means —

- (a) petrol; or
- (b) any substance that is used as a substitute for petrol; or
- (c) any substance that is supplied or represented as petrol or as a substance that is used as a substitute for petrol;

fuel distributor has the meaning given by subregulation (5);

fuel supplier has the meaning given by subregulation (4);

fuel warranty, in relation to any fuel, means a warranty given under regulation 17(1);

motorsport organisation includes the following organisations —

- (a) Confederation of Australian Motor Sport (CAMS); and
- (b) National Association of Speedway Racing; and
- (c) Australian National Drag Racing Association; and
- (d) Motorcycling Australia;

Perth area means the area referred to in Schedule 1;

petrol means any petroleum or shale product, or petrol blend, that —

- (a) is used or capable of being used to power an internal combustion engine with positive or spark ignition; and
- (b) has been entered for home consumption;

petrol blend means a product that consists of a petroleum or shale product mixed with ethanol;

prescribed blended petrol means petrol that contains at least 4% of ethanol by volume but no more than 10% of ethanol by volume;

state of emergency order means an order made under the *Fuel, Energy and Power Resources Act 1972* section 43 declaring that a state of emergency exists;

summer means a period that begins at the start of 15 October in any year and ends at the end of 15 April in the following year;

supply includes deliver, give or sell;

vehicle means any thing used or capable of being used to transport people or things by land or water.

- (2) For the purposes of these regulations a person supplies fuel at a place if the person supplies fuel to another person who takes delivery of it at that place.
- (3) For the purposes of these regulations fuel is used at a place if, in the case of fuel used in a vehicle, the fuel is put in the vehicle's tank at the place, and it does not matter that all of that fuel is not used at the place.
- (4) For the purposes of these regulations a person is a fuel supplier if the person —
 - (a) enters fuel for home consumption; and
 - (b) either —
 - (i) supplies the fuel to another person; or
 - (ii) uses the fuel for the person's own purposes.
- (5) For the purposes of these regulations a person is a fuel distributor if the person takes delivery of fuel from a fuel supplier or from another fuel distributor and supplies the fuel to another person for that person's use, and it does not matter that the fuel distributor also uses some of the fuel for the fuel distributor's own purposes.

*[Regulation 3 amended: Gazette 19 Dec 2000 p. 7285;
9 Oct 2012 p. 4749; SL 2026/193 r. 4.]*

r. 3A

3A. Regulations do not apply to some fuel

These regulations do not apply to —

- (a) petrol that is for use in an aircraft or in a motor vehicle used solely for motor racing at a racing event or facility approved or recognised by a motorsport organisation; or
- (b) diesel; or
- (c) liquefied petroleum gas; or
- (d) liquefied natural gas; or
- (e) compressed natural gas; or
- (f) alcohols, including ethanol.

*[Regulation 3A inserted: Gazette 19 Dec 2000 p. 7286;
amended: Gazette 9 Oct 2012 p. 4749.]*

Part 2 — Exemptions in state of emergency

[Heading inserted: SL 2026/193 r. 6.]

3B. Methyl tertiary-butyl ether limits in petrol

- (1) In this regulation —
exempt place means a place in which a state of emergency is declared to exist under a state of emergency order.
- (2) This regulation applies to the supply or use of petrol in an exempt place —
 - (a) while the state of emergency order that declared the existence of the state of emergency in the exempt place is in force; and
 - (b) for the period of 6 months occurring immediately after the state of emergency order ceases to be in force.
- (3) A fuel supplier or a fuel distributor does not commit an offence under regulation 9(1) if the fuel supplier or fuel distributor supplies or uses, in the exempt place, petrol that does not conform with the specification in that regulation.

[Regulation 3B inserted: SL 2026/193 r. 6.]

3C. Reid Vapour Pressure limits for petrol

- (1) This regulation applies to the supply or use of petrol —
 - (a) while a state of emergency order is in force declaring that a state of emergency exists in —
 - (i) a part of the State that is or includes the Perth area or a part of the Perth area; or
 - (ii) the whole State;and
 - (b) for the period of 6 months occurring immediately after the state of emergency order ceases to be in force (the **6-month period**); and

r. 3C

(c) if the 6-month period ends on or after 15 March in a year, but before the end of 15 April in the same year — until the end of 15 April in that year.

(2) A fuel supplier does not commit an offence under regulation 11(2) or (3) if the fuel supplier supplies or uses petrol that does not conform with a specification in that regulation.

[Regulation 3C inserted: SL 2026/193 r. 6.]

[4-6. Deleted: Gazette 9 Oct 2012 p. 4750.]

Part 3 — Petrol

[7, 8. Deleted: Gazette 9 Oct 2012 p. 4750.]

9. Methyl tertiary-butyl ether in petrol, limit on

- (1) A fuel supplier or a fuel distributor who supplies or uses petrol at a place in the State commits an offence if the methyl tertiary-butyl ether in the petrol is more than 0.10% volume by volume.
- (2) It is a defence to an alleged offence under subregulation (1) against a fuel distributor to prove that all petrol in the possession of the distributor at the time of the alleged offence was the subject of a fuel warranty given by the person who supplied the petrol to the distributor.

[Regulation 9 amended: Gazette 9 Oct 2012 p. 4750.]

[10. Deleted: SL 2026/193 r. 7.]

11. Reid Vapour Pressure limits for petrol supplied in Perth area in summer on or after 15 Oct 2016

- (1) This regulation applies on and after 15 October 2016.
- (2) A fuel supplier commits an offence if —
 - (a) the fuel supplier supplies or uses petrol at a place in the Perth area during summer; and
 - (b) the Reid Vapour Pressure of the petrol supplied or used is —
 - (i) for petrol (other than prescribed blended petrol) — more than 64 kPa; or
 - (ii) for prescribed blended petrol — more than 71 kPa.

r. 11

- (3) A fuel supplier commits an offence if —
- (a) the fuel supplier supplies or uses petrol (other than prescribed blended petrol) at a place in the Perth area during a month in summer; and
 - (b) the monthly volumetric average Reid Vapour Pressure of the petrol in the month during which the petrol is supplied or used, calculated under subregulation (4), is more than 62 kPa.
- (4) For the purposes of subregulation (3)(b), the monthly volumetric average Reid Vapour Pressure of petrol in a particular month is to be calculated as follows —
- (a) a sample is to be taken from each batch of the petrol supplied or used during the month by the fuel supplier;
 - (b) the Reid Vapour Pressure of each sample taken is to be ascertained using the same standard test method prescribed by regulation 19;
 - (c) the Reid Vapour Pressure of each sample taken is to be multiplied by a fraction that is equal to the volume of petrol in the batch from which the sample was taken divided by the total volume of petrol supplied or used in the relevant month;
 - (d) the figures calculated under paragraph (c) for each sample of petrol are to be added together.
- (5) For the purposes of subregulations (3) and (4) —
- (a) if petrol is supplied or used during the period that begins at the start of 15 October and ends at the end of 31 October in any year — a reference in those subregulations to a month is taken to be a reference to that period; and
 - (b) if petrol is supplied or used during the period that begins at the start of 1 April and ends at the end of 15 April in any year — a reference in those subregulations to a month is taken to be a reference to that period; and

- (c) if petrol is supplied or used in a month during which regulation 3C applies — a reference in those subregulations to a month is taken to exclude the period during which regulation 3C applies.

*[Regulation 11 inserted: Gazette 9 Oct 2012 p. 4751-2;
amended: SL 2026/193 r. 8.]*

[12, 13. Deleted: Gazette 9 Oct 2012 p. 4751.]

Part 4 — Record keeping and testing requirements

[Heading inserted: Gazette 9 Oct 2012 p. 4752.]

14. Person required by this Part to keep record, duties of

- (1) If this Part requires a person to keep a record of an analysis the person must keep a record of the test used to conduct the analysis and the result of the analysis.
- (2) If this Part requires a person to keep a record the person must make the record and retain it for 24 months after the event to which the record relates.

[15. Deleted: Gazette 9 Oct 2012 p. 4752.]

16. Fuel suppliers, duties of as to petrol products

- (1) In this regulation —
petrol product means any product (for example, unleaded petrol or premium unleaded petrol) that consists of petrol.
- (2) A fuel supplier commits an offence if the fuel supplier does not, for each petrol product supplied or used by the fuel supplier at a place in the State —
 - (a) ensure that analyses and calculations are conducted in relation to the petrol product in accordance with this regulation; and
 - (b) keep a record of the results of those analyses and calculations in accordance with regulation 14.
- (3) An analysis of each petrol product must be conducted in respect of each batch of the petrol product entered for home consumption.
- (4) An analysis under subregulation (3) must —
 - (a) determine the amount of methyl tertiary-butyl ether in the petrol product in accordance with the standard test method prescribed by regulation 18; and

- (b) if the petrol product is supplied or used in the Perth area during summer — determine the Reid Vapour Pressure of the petrol product in accordance with a standard test method prescribed by regulation 19.

[(5) deleted]

- (6) If, on or after 15 October 2016, a fuel supplier supplies or uses a petrol product (other than a petrol product consisting of prescribed blended petrol) in the Perth area during summer, the monthly volumetric average Reid Vapour Pressure of the petrol product for each month in summer must be calculated in accordance with regulation 11(4).

*[Regulation 16 inserted: Gazette 9 Oct 2012 p. 4752-3;
amended: SL 2026/193 r. 9.]*

Part 5 — Miscellaneous

17. Warranty as to supply of fuel, supplier to give in some cases

- (1) A person who supplies fuel to another person must, if the other person is —
- (a) a fuel distributor; or
 - (b) a person who supplies fuel to a fuel distributor,
- give that other person a written warranty that the fuel has been supplied in accordance with these regulations.
- (2) A person is not required to give a warranty (and does not commit an offence under subregulation (3)) in relation to a supply of petrol if the person is not required to supply the petrol in accordance with regulation 9(1) or 11(2) or (3) because of the application of an exemption under Part 2.
- (3) A person who does not comply with subregulation (1) commits an offence.
- (4) A person who gives a warranty that fuel has been supplied in accordance with these regulations when in fact the fuel has not been so supplied commits an offence.

*[Regulation 17 inserted: Gazette 9 Oct 2012 p. 4753-4;
amended: SL 2026/193 r. 10.]*

18. Methyl tertiary-butyl ether in petrol, how measured

For the purposes of these regulations the amount of methyl tertiary-butyl ether in any petrol is the amount determined in accordance with ASTM D4815.

[Regulation 18 inserted: Gazette 9 Oct 2012 p. 4754.]

19. Reid Vapour Pressure, how measured

For the purposes of these regulations the Reid Vapour Pressure of petrol is to be determined in accordance with any of the following standard test methods —

- (a) ASTM D323;
- (b) ASTM D5190;
- (c) ASTM D5191.

[Regulation 19 inserted: Gazette 9 Oct 2012 p. 4754.]

20. Defence to certain charges

It is a defence to an alleged offence under these regulations involving the use of fuel in a vehicle at a place to prove that the fuel was put into the vehicle at a place at which it would not have been an offence under these regulations to use the fuel.

21. Penalty for offences

A person who commits an offence under these regulations is liable to a fine of \$5 000.

[22. Deleted: Gazette 9 Oct 2012 p. 4754.]

Schedule 1 Perth area

Schedule 1 — Perth area

[r. 3]

The area covered by these local government districts (under the *Local Government Act 1995*) —

Armadale	Gingin	Rockingham
Bassendean	Gosnells	Serpentine-Jarrahdale
Bayswater	Joondalup	South Perth
Belmont	Kalamunda	Stirling
Beverley	Kwinana	Subiaco
Boddington	Mandurah	Swan
Cambridge	Melville	Toodyay
Canning	Mosman Park	Victoria Park
Chittering	Mundaring	Vincent
Claremont	Murray	Wandering
Cockburn	Nedlands	Wanneroo
Cottesloe	Northam	Waroon
East Fremantle	Peppermint Grove	York
Fremantle	Perth	

[Schedule 1 amended: Gazette 9 Oct 2012 p. 4754.]

[Schedule 2 and 3 deleted: Gazette 9 Oct 2012 p. 4754.]

Notes

This is a compilation of the *Environmental Protection (Petrol) Regulations 1999* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Citation	Published	Commencement
<i>Environmental Protection (Diesel and Petrol) Regulations 1999</i> ¹	17 Dec 1999 p. 6305-25	1 Jan 2000 (see r. 2)
<i>Environmental Protection (Diesel and Petrol) Amendment Regulations 2000</i>	19 Dec 2000 p. 7285-8	19 Dec 2000
<i>Environmental Protection (Diesel and Petrol) Amendment Regulations 2012</i>	9 Oct 2012 p. 4748-54	r. 1 and 2: 9 Oct 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Oct 2012 (see r. 2(b))
Reprint 1: The <i>Environmental Protection (Petrol) Regulations 1999</i> as at 23 Nov 2012 (includes amendments listed above)		
<i>Environmental Protection (Petrol) Amendment Regulations 2026</i>	SL 2026/193 16 Sep 2026	r. 1 and 2: 16 Sep 2026 (see r. 2(a)); Regulations other than r. 1 and 2: 17 Sep 2026 (see r. 2(b))

¹ Now known as the *Environmental Protection (Petrol) Regulations 1999*; citation changed (see note under r. 1).

Defined terms

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
6-month period.....	3C(1)
ASTM	3(1)
diesel	3(1)
entered for home consumption.....	3(1)
exempt place	3B(1)
fuel	3(1)
fuel distributor.....	3(1)
fuel supplier	3(1)
fuel warranty	3(1)
motorsport organisation	3(1)
Perth area	3(1)
petrol	3(1)
petrol blend	3(1)
petrol product.....	16(1)
prescribed blended petrol.....	3(1)
state of emergency order	3(1)
summer	3(1)
supply.....	3(1)
vehicle.....	3(1)

© State of Western Australia 2026.
This work is licensed under a Creative Commons Attribution 4.0 International Licence (CC BY 4.0).
To view relevant information and for a link to a copy of the licence, visit www.legislation.wa.gov.au.
Attribute work as: © State of Western Australia 2026.
By Authority: ANDREW JONES, Government Printer