

Legislative Council—No 54A

As reported with amendments, report adopted, Standing Orders suspended and passed remaining stages, 23 July 2020

South Australia

**Fair Trading (Fuel Pricing Information)
Amendment Bill 2020**

A BILL FOR

An Act to amend the *Fair Trading Act 1987*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Amendment provisions

Part 2—Amendment of *Fair Trading Act 1987*

- 3 Insertion of Part 6B
 - Part 6B—Fuel pricing information
 - 45F Scheme may be established by regulation
-

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

5 This Act may be cited as the *Fair Trading (Fuel Pricing Information) Amendment Act 2020*.

2—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Fair Trading Act 1987*

10 3—Insertion of Part 6B

Before Part 7 insert:

Part 6B—Fuel pricing information

45F—Scheme may be established by regulation

- 15 (1) The regulations may establish a scheme for the dissemination of real-time information relating to fuel pricing by fuel retailers (the *fuel pricing information scheme*).
- (2) The fuel pricing information scheme may (without limitation) do any of the following:
 - 20 (a) define or limit the fuels to which the scheme applies;
 - (b) define or limit the fuel retailers to whom the scheme applies and establish a registration system for fuel retailers to whom the scheme applies;

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- (c) require the Commissioner, or a person approved by the Commissioner, to establish and maintain an information system for the dissemination, by means of electronic communication, of real-time information relating to fuel prices in the State;
- (d) specify any requirements in relation to such an information system or in relation to the use of information provided by such an information system;
- 10 (e) impose requirements on fuel retailers to whom the scheme applies to supply information to the Commissioner or another person for the purposes of the scheme;
- (f) impose any other requirements on fuel retailers to whom the scheme applies for the purposes of the scheme.
- 15 (3) A fuel retailer to whom the fuel pricing information scheme applies who—
- (a) sells or offers for sale fuel to which the fuel pricing information scheme applies; and
- (b) is not registered in accordance with requirements of the fuel pricing information scheme,
- 20 is guilty of an offence.
Maximum penalty: \$10 000.
Expiation fee: \$550.
- (4) A fuel retailer to whom the fuel pricing information scheme applies who refuses or fails to comply with any requirements imposed on the fuel retailer by the fuel pricing information scheme is guilty of an offence.
- 25 Maximum penalty: \$10 000.
Expiation fee: \$550.
- (5) A fuel retailer to whom the fuel pricing information scheme applies who supplies false or misleading information to the Commissioner or another person for the purposes of the fuel pricing information scheme is guilty of an offence.
- 30 Maximum penalty: \$10 000.
Expiation fee: \$550.