

South Australia

Petroleum Products Management and Emergencies Regulations 2023

under the *Petroleum Products Management and Emergencies Act 1995*

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Schedule 1—Corresponding laws

Schedule 2—Permitted disclosures

Legislative history

1—Short title

These regulations may be cited as the *Petroleum Products Management and Emergencies Regulations 2023*.

3—Interpretation

In these regulations—

Act means the *Petroleum Products Regulation Act 1995*.

4—Corresponding laws (section 4(1))

For the purposes of the Act, each of the laws specified in Schedule 1 is declared to be a corresponding law.

5—Notional sale and purchase (section 4D)

- (1) If the holder of a wholesale licence referred to in Part 2 of the Act delivers petroleum products to premises at which petroleum products are sold by retail under a retail licence by another person who is the holder of the retail licence, then, for the purposes of section 53 of the Act, the following are to be taken to occur:
 - (a) a sale of the petroleum products by wholesale by the holder of the wholesale licence;
 - (b) a purchase of the petroleum products by the holder of the retail licence for sale under the licence.

(2) If—

- (a) a person is a manufacturer or importer of eligible petroleum products; and
- (b) the person holds a wholesale licence and a bulk end user certificate; and
- (c) eligible petroleum products manufactured or imported by the person or supplied to the person by another manufacturer or importer are delivered or allocated by the person for the person's own use as a bulk end user (but not for sale as a bulk end user),

then, for the purposes of section 53 of the Act, the following are to be taken to occur:

- (d) a sale of the petroleum products by the person under the wholesale licence to the holder of a bulk end user certificate;
- (e) a purchase of the petroleum products by the person under the certificate.

6—Records to be kept of bulk transport of petroleum products (section 52)

A record referred to in section 52 of the Act must be in writing and contain the following particulars:

- (a) the date on which transportation commenced;
- (b) the type and quantity of each petroleum product being transported;
- (c) the name and address of the person (if any) from whom the petroleum products were purchased;
- (d) the name and address of the person who owns the petroleum products;
- (e) the name and address of the person on whose behalf the petroleum products are being transported;
- (f) the name of the person (if any) to whom the petroleum products are being transported;
- (g) the address at which the petroleum products were loaded for transportation;
- (h) the address to which the petroleum products are being transported;
- (i) the name and address of the person (if any) who has agreed to purchase the petroleum products.

7—Permitted disclosure of information (section 56)

For the purposes of section 56(2)(e) of the Act, the offices and bodies specified in Schedule 2 are prescribed.

8—Exercise of certain powers for purposes of administration or enforcement of corresponding laws

Pursuant to section 64(2a) of the Act—

- (a) an authorised officer may exercise the powers conferred by section 44 of the Act for the purposes of the administration or enforcement of a corresponding law;
- (b) a magistrate may exercise the powers conferred by section 44(2) of the Act for the purposes of the administration or enforcement of a corresponding law.

Schedule 1—Corresponding laws

Business Franchise (Petroleum Products) Act 1979 of Victoria

Energy and Utilities Administration Act 2013 of New South Wales

Emergency Management Act 2013 of the Northern Territory

Fuel Emergency Act 1977 of Victoria

Fuel, Energy and Power Resources Act 1972 of Western Australia

Fuels Rationing Act 2019 of the Northern Territory

Liquid Fuel Emergency Act 1984 of the Commonwealth

Liquid Fuel Supply Act 1984 of Queensland

Petroleum Products Emergency Act 1994 of Tasmania

Schedule 2—Permitted disclosures

Attorney-General

Auditor-General

Australian Statistician

Chairperson of the Australian Securities and Investments Commission

Chief Executive Officer of Return to Work Corporation of South Australia

Chief Executive Officer of the Australian Crime Commission

Commissioner for Consumer Affairs

Commissioner of Police of the Australian Federal Police

Director of Public Prosecutions

Environment Protection Authority

Offices in the Attorney-General's Department

Offices of another State, a Territory, or the Commonwealth, the holders of which are employed in the administration of laws relating to taxation or customs

Ombudsman

Police officers of or above the rank of inspector

Registrar of Motor Vehicles

Solicitor-General

Treasurer

Offices in the Department of Treasury and Finance

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Formerly

Petroleum Products Regulations 2023

Legislation revoked by principal regulations

The *Petroleum Products Management and Emergencies Regulations 2023* revoked the following:

Petroleum Products Regulations 2008

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2023	76	<i>Gazette 3.8.2023 p2493</i>	1.9.2023: r 2
2026	46	<i>Gazette 9.7.2026 p2209</i>	9.7.2026: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
r 1	amended by 46/2026 r 3	9.7.2026
r 2	<i>omitted under Legislation Revision and Publication Act 2002</i>	9.7.2026
Sch 1	amended by 46/2026 r 4	9.7.2026
Sch 2	amended by 46/2026 r 5(1), (2)	9.7.2026
Sch 3	<i>omitted under Legislation Revision and Publication Act 2002</i>	9.7.2026