



TASMANIA

**PETROLEUM REPORTING (MISCELLANEOUS
AMENDMENTS) ACT 2026**

No. 1 of 2026

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**PETROLEUM REPORTING (MISCELLANEOUS
AMENDMENTS) ACT 2026**

No. 1 of 2026

An Act to amend the Australian Consumer Law (Tasmania) Act 2010, the Australian Consumer Law (Tasmania) (Code of Practice for Fuel Price Reporting) Regulations 2020, the Australian Consumer Law (Tasmania) Infringement Regulations 2021, the Energy Co-ordination and Planning Act 1995 and the Petroleum Products Emergency Act 1994

[Royal Assent 2 April 2026]

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

Petroleum Reporting (Miscellaneous Amendments) Act 2026
Act No. 1 of 2026

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Part 1 – Preliminary

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Petroleum Reporting (Miscellaneous Amendments) Act 2026*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Repeal of Act

This Act is repealed on the first anniversary of the day on which it commenced.

**PART 2 – AUSTRALIAN CONSUMER LAW
(TASMANIA) ACT 2010 AMENDED**

4. Principal Act

In this Part, the *Australian Consumer Law (Tasmania) Act 2010** is referred to as the Principal Act.

5. Section 38A inserted

After section 38 of the Principal Act, the following section is inserted in Part 4:

38A. Failure to comply with prescribed code of practice

If a prescribed code of practice imposes a mandatory obligation on a person, the person must comply with that obligation.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 1 000 penalty units; or
- (b) an individual, a fine not exceeding 200 penalty units.

*No. 40 of 2010

Petroleum Reporting (Miscellaneous Amendments) Act 2026
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Part 2 – Australian Consumer Law (Tasmania) Act 2010 Amended

6. Section 39 amended (Contravention of prescribed code of practice)

Section 39 of the Principal Act is amended by inserting after subsection (1) the following subsection:

- (1A) The Director may make an application under subsection (1) in respect of a contravention of a provision of a prescribed code of practice regardless of whether or not a penalty has been imposed under section 38A in respect of the contravention.

7. Section 47 amended (Regulations)

Section 47 of the Principal Act is amended as follows:

- (a) by inserting the following subsection after subsection (1):

(1A) Without limiting the generality of subsection (1), regulations that prescribe a code of practice in respect of a matter –

- (a) may also contain other provisions relating to that matter that are not provisions of the code of practice; and
- (b) section 37 does not apply to those other provisions.

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Part 2 – Australian Consumer Law (Tasmania) Act 2010 Amended

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(b) by inserting the following subsection after subsection (5):

(5A) The regulations may authorise any matter to be determined, applied, approved or regulated by a person specified in the regulations.

(c) by omitting paragraph (b) from subsection (9) and substituting the following paragraph:

(b) in respect of such an offence, provide for the imposition of –

(i) in the case of a body corporate, a penalty not exceeding 1 000 penalty units; and

(ii) in the case of an individual, a penalty not exceeding 200 penalty units; and

(iii) in the case of a continuing offence, a further penalty not exceeding 10 penalty units for each day during which the offence continues.

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Part 2 – Australian Consumer Law (Tasmania) Act 2010 Amended

8. Section 47A inserted

After section 47 of the Principal Act, the following section is inserted in Part 5:

47A. Further amendment of regulations not prevented

For the avoidance of doubt, if an Act amends a provision of any regulations made under this Act, the amendment of the provision of the regulations does not prevent that provision or any other provision of the regulations from being amended or rescinded by a subsequent regulation.

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Part 3 – Australian Consumer Law (Tasmania) (Code of Practice for Fuel
Price Reporting) Regulations 2020 Amended

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**PART 3 – AUSTRALIAN CONSUMER LAW
(TASMANIA) (CODE OF PRACTICE FOR FUEL
PRICE REPORTING) REGULATIONS 2020 AMENDED**

9. Principal Regulations

In this Part, the *Australian Consumer Law (Tasmania) (Code of Practice for Fuel Price Reporting) Regulations 2020** are referred to as the Principal Regulations.

10. Regulation 2A inserted

After regulation 2 of the Principal Regulations, the following regulation is inserted:

2A. Interpretation

Unless otherwise specified, a term used in these regulations has the same meaning in these regulations as it has in the code of practice for fuel price reporting prescribed in Schedule 1.

11. Regulation 4 inserted

After regulation 3 of the Principal Regulations, the following regulation is inserted:

4. Additional reporting requirements

- (1) If a fuel retailer runs out of a relevant fuel that is offered for sale by the fuel

*S.R. 2020, No. 53

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s. 11 Part 3 – Australian Consumer Law (Tasmania) (Code of Practice for Fuel Price Reporting) Regulations 2020 Amended

retailer, the fuel retailer must report that fact in accordance with subregulation (2).

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 1 000 penalty units; and
 - (b) a natural person, a fine not exceeding 100 penalty units
- (2) A report required under subregulation (1) –
- (a) must be made within 30 minutes after the fuel retailer has run out of the relevant fuel to which the report relates; and
 - (b) must be made in such a manner, and include such information, as is determined by the Director and published on the website operated by, or on behalf, of the Department; and
 - (c) is to, where possible, include details as to when the fuel retailer is likely to be resupplied with the relevant fuel.

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Part 4 – Australian Consumer Law (Tasmania) Infringement Regulations
2021 Amended

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**PART 4 – AUSTRALIAN CONSUMER LAW
(TASMANIA) INFRINGEMENT REGULATIONS 2021
AMENDED**

12. Principal Regulations

In this Part, the *Australian Consumer Law (Tasmania) Infringement Regulations 2021** are referred to as the Principal Regulations.

13. Regulation 4 inserted

After regulation 3 of the Principal Regulations, the following regulation is inserted:

4. Infringement offence for breach of code of practice

For the purposes of section 25 of the *Australian Consumer Law (Tasmania) Act 2010* –

- (a) an offence against section 38A of that Act is prescribed as an infringement offence; and
- (b) the prescribed penalty payable under an infringement notice issued and served for that offence is –

*S.R. 2021, No. 77

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s. 13 Part 4 – Australian Consumer Law (Tasmania) Infringement Regulations
2021 Amended

- (i) in the case of a body corporate, 50 penalty units; and
- (ii) in the case of a natural person, 10 penalty units.

**PART 5 – ENERGY CO-ORDINATION AND
PLANNING ACT 1995 AMENDED**

14. Principal Act

In this Part, the *Energy Co-ordination and Planning Act 1995** is referred to as the Principal Act.

15. Section 9A inserted

After section 9 of the Principal Act, the following section is inserted in Part 3:

9A. Director may compel information in certain circumstances

(1) If the Minister notifies the Director in writing that there is a serious risk in respect of the supply of energy to the State or within the State, the Director may require a person to provide the Director with information if –

(a) the information is required to enable –

(i) the Director to perform the Director's functions under this Act; or

(ii) the Minister to plan and co-ordinate the provision

*No. 47 of 1995

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Part 5 – Energy Co-ordination and Planning Act 1995 Amended

of energy within the State;
and

- (b) the Director has reasonable grounds for believing that the person is able to provide the information.
- (2) For the avoidance of doubt, a requirement given to a person under subsection (1) may require the person to provide information in respect of the production, supply, storage, distribution, transportation, sale, purchase, use or consumption of the energy to which the requirement relates.
- (3) A requirement of the Director given to a person under subsection (1) –
- (a) may be given orally or in writing;
and
 - (b) if the requirement is given orally, is to be confirmed in writing as soon as practicable after the requirement is given; and
 - (c) is to specify –
 - (i) the time before which the requirement is to be complied with; and
 - (ii) how the information is to be provided to the Director; and

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Part 5 – Energy Co-ordination and Planning Act 1995 Amended

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- (iii) whether or not the information is required to be provided at regular intervals as specified in the requirement; and
- (iv) that a failure to comply with the requirement is a breach of the Act.

16. Section 10 amended (Trade secrets)

Section 10 of the Principal Act is amended by inserting after subsection (3) the following subsection:

- (3A) For the avoidance of doubt, an objection may not be made under this section in respect of a requirement of the Director that is given to a person under section 9A.

17. Section 11 amended (Obligation to comply with request or requirement)

Section 11 of the Principal Act is amended by inserting after subsection (2) the following subsections:

- (3) A person must not fail to comply with a requirement of the Director given to the person under section 9A.

Penalty: In the case of –

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Part 5 – Energy Co-ordination and Planning Act 1995 Amended

- (a) a body corporate, a fine not exceeding 1 000 penalty units; and
 - (b) a natural person, a fine not exceeding 100 penalty units.
- (4) A person must not give false or misleading information in response to a requirement of the Director given to the person under section 9A.

Penalty: In the case of –

- (a) a body corporate, a fine not exceeding 1 000 penalty units; and
- (b) a natural person, a fine not exceeding 100 penalty units.

**PART 6 – PETROLEUM PRODUCTS EMERGENCY
ACT 1994 AMENDED**

18. Principal Act

In this Part, the *Petroleum Products Emergency Act 1994** is referred to as the Principal Act.

19. Section 5 amended (Declaration of periods of emergency restriction and rationing periods)

Section 5 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(a) “14 days” and substituting “28 days”;
- (b) by omitting from subsection (2)(a) “7 days” and substituting “28 days”;
- (c) by omitting from subsection (2)(a) “28 days” and substituting “60 days”;
- (d) by inserting the following subsection after subsection (2):
 - (2A) If a period of emergency restriction has been declared under this section for 90 days or more within a 120-day period, a resolution of both Houses of Parliament is required that authorises –

*No. 59 of 1994

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Part 6 – Petroleum Products Emergency Act 1994 Amended

- (a) any extension of that period of emergency restriction under this section; or
- (b) any further period of emergency restriction that is to be declared in the 120 days immediately following that 120-day period.

20. Section 6 amended (Directions in relation to petroleum products)

Section 6 of the Principal Act is amended by inserting after subsection (1) the following subsection:

- (1A) For the avoidance of doubt, a direction under subsection (1) may include a direction that specifies the maximum price that petroleum products, or a type of petroleum product, may be sold –
 - (a) as specified in the direction; and
 - (b) for the period specified in the direction.

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*[Second reading presentation speech made in:–
House of Assembly on 26 March 2026
Legislative Council on 26 March 2026]*