

## FACT SHEET

### ***Petroleum Reporting (Miscellaneous Amendments) Bill 2026***

The Bill responds to issues presented by impacts of world events on fuel prices. It proposes amendments to support petroleum reporting, including clarifying consumer law regulation making powers and penalties to support codes of practice. It also includes expanded power to require information under the *Energy Co-ordination and Planning Act 1995*, and clarifies a direction power and extends the periods that the Governor may declare under the *Petroleum Products Emergency Act 1994* in case that becomes necessary.

#### ***Australian Consumer Law (Tasmania) Act 2010***

##### *Breach of Code of Practice*

There are currently codes of practice made in regulations under this Act in relation to fuel prices.

This Bill provides that if a code of practice imposes a mandatory obligation on a person, the person must comply with that obligation.

This penalty provision addresses a gap between the Tasmanian Act and other jurisdictions, as there is no fine currently available in Tasmania for breaches of codes of practice.

The penalty provided is a maximum fine of 1000 penalty units for a body corporate and a maximum fine of 200 penalty units for an individual. This is the same as the penalty in section 29 of the Act.

There is currently very high compliance with the codes of practice, but this is an important supporting measure.

Under the usual sentencing principles, if a person is charged and found to have committed an offence, the court applies a penalty at the appropriate amount within the range set by the maximum, taking into account the circumstances of the offence and the offender.

##### *Regulation powers*

The Bill also amends the Regulation making power to support matters being prescribed in regulation in relation to codes of practice. This responds to the issue that other requirements on the same matter as an existing code of practice may have to be prescribed, potentially in urgent circumstances.. All regulations can also be subject to disallowance motions by the Parliament.

The Bill also amends regulations under the Act to add an infringement notice penalty for breaches of codes of practice.

#### ***Energy Co-ordination and Planning Act 1995***

This Act provides for the Director of Energy Planning to co-ordinate and advise on energy policy and to assist in planning the energy needs of the State and for related matters.

The Bill inserts a section to provide that the Director may compel information in certain circumstances, which is broader than the current power of the Director to require information in section 9.

The new section applies where the Minister notifies the Director that there is a serious risk in respect of the supply of energy to the State or within the State. The Director can then require a person to provide information that is required for the specified purposes (such as the Director's functions, or the Minister co-ordinating provision of energy) if the Director has reasonable grounds for believing the person can provide the information.

This information may relate to the production, supply, storage, distribution, transportation, sale, purchase, use or consumption of the energy to which the requirement relates.

The Bill includes related clarification of the power, and penalty for non-compliance.

#### ***Petroleum Products Emergency Act 1994***

This Act provides for the conservation of petroleum products in the event or likely event of shortages of supplies of petroleum products occurring in Tasmania.

The Bill amends the time periods that apply in relation to declared periods of emergency. The periods will now be that the Governor can declare a period of up to 28 days as a period of emergency restriction throughout the State in relation to petroleum products, instead of the current 14 day period. This emergency periods can be extended for successive periods of up to 28 days, and the total period cannot exceed 60 days. Currently, the Act provides for extensions of up to 7 days, for a maximum of 28 days.

This means that shorter periods can still be declared by the Governor, but the Governor may also utilise the longer periods if appropriate.

Section 6 of the Act provides that during an emergency period declared by the Governor, the Minister (if considering it is in the public interest) may give directions in relation to the production, supply, storage, distribution, transportation, sale, purchase, use or consumption of the petroleum products in respect of which the period of emergency restriction is in force. There is a penalty for non-compliance. Such directions have no effect after the emergency period and can be revoked by the Minister at any time.

The Bill clarifies that a direction under section 6 may include a direction that specifies the maximum price that petroleum products, or a type of petroleum product may be sold as specified in the direction and for the period specified in the direction.