

TASMANIA

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

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PETROLEUM REPORTING (MISCELLANEOUS AMENDMENTS) BILL 2026

*(Brought in by the Minister for Small Business, Trade and
Consumer Affairs, the Honourable Guy Barnett)*

A BILL FOR

An Act to amend the *Australian Consumer Law (Tasmania) Act 2010*, the *Australian Consumer Law (Tasmania) Infringement Regulations 2021*, the *Energy Co-ordination and Planning Act 1995* and the *Petroleum Products Emergency Act 1994*

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:

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.

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Part 1 – Preliminary

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This Act is repealed on the first anniversary of the day on which it commenced.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

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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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s. 8 Part 3 – Australian Consumer Law (Tasmania) Infringement Regulations
2021 Amended

**PART 3 – AUSTRALIAN CONSUMER LAW
(TASMANIA) INFRINGEMENT REGULATIONS 2021
AMENDED**

8. Principal Regulations

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

9. 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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Part 3 – Australian Consumer Law (Tasmania) Infringement Regulations
2021 Amended

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

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Part 4 – Energy Co-ordination and Planning Act 1995 Amended

**PART 4 – ENERGY CO-ORDINATION AND
PLANNING ACT 1995 AMENDED**

10. Principal Act

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

11. 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 4 – Energy Co-ordination and Planning Act 1995 Amended

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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 4 – Energy Co-ordination and Planning Act 1995 Amended

- (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.

12. 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.

13. 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 4 – Energy Co-ordination and Planning Act 1995 Amended

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- (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.

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Part 5 – Petroleum Products Emergency Act 1994 Amended

**PART 5 – PETROLEUM PRODUCTS EMERGENCY
ACT 1994 AMENDED**

14. Principal Act

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

15. 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”.

16. 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

*No. 59 of 1994

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Part 5 – Petroleum Products Emergency Act 1994 Amended

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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.