

**Version No. 041**  
**Business Franchise (Petroleum Products) Act**  
**1979**

**Act No. 9272/1979**

Version incorporating amendments as at 1 December 1998

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**Version No. 041**

**Business Franchise (Petroleum Products) Act  
1979**

**Act No. 9272/1979**

Version incorporating amendments as at 1 December 1998

An Act with respect to the licensing of Persons who sell certain Petroleum Products in Victoria, to amend various Acts and for other purposes.

**BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):**

**1. *Short title and commencement***

- (1) This Act may be cited as the **Business Franchise (Petroleum Products) Act 1979**.
- (2) This Act shall be read and construed as one with the **Business Franchise (Tobacco) Act 1974**.
- (3) This Act shall come into operation on 1 September 1979.

**2. *Definitions***

- (1) In this Act unless inconsistent with the context or subject-matter—

\* \* \* \* \*

S. 2(1) def. of "Commissioner" repealed by No. 40/1997 s. 138(Sch. 2 item 3).

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s. 2

**"diesel fuel"** means a petroleum or shale product used or capable of use in propelling a diesel engined road vehicle;

S. 2(1) def. of "exemption certificate" inserted by No. 94/1997 s. 3(2)(a).

**"exemption certificate"** means diesel fuel exemption certificate issued under section 19;

S. 2(1) def. of "licensed premises" repealed by No. 94/1997 s. 3(1).

\* \* \* \* \*

**"motor spirit"** means gasoline and other petroleum or shale spirit having a flash point of less than 23° Celsius when tested in an Abel Pensky closed test apparatus but does not include aviation gasoline, solvents, special boiling point spirits or liquefied petroleum gas;

**"petroleum products"** means motor spirit and diesel fuel;

S. 2(1) def. of "petroleum retailing" amended by Nos 88/1986 s. 38(2)(a)(i), 80/1994 s. 14(1)(a).

**"petroleum retailing"** means the business of selling petroleum products by retail either alone or in conjunction with any other merchandise and includes such business carried on as part of or in conjunction with any other business;

S. 2(1) def. of "petroleum wholesaling" amended by Nos 88/1986 s. 38(2)(a)(ii), 66/1988 s. 29, 80/1994 s. 14(1)(b).

**"petroleum wholesaling"** means the business of selling motor spirit or the business of selling diesel fuel for use only in propelling diesel engined road vehicles and includes any such business carried on as part of or in conjunction with any other business but does

not include the business of petroleum retailing;

**"prescribed capacity"**, in relation to a tank containing petroleum products, means 3000 litres;

S. 2(1) def. of "prescribed capacity" inserted by No. 94/1997 s. 3(2)(b).

**"road vehicle"** means a vehicle designed solely or principally for transporting persons, goods or animals by road.

(1A) A reference in this Act to the sale of petroleum products is a reference to the sale of petroleum products in Victoria.

S. 2(1A) inserted by No. 80/1994 s. 14(2).

(1B) A sale of petroleum products made outside Victoria in the course of petroleum wholesaling or petroleum retailing shall for the purposes of this Act be regarded as having been made in Victoria if the terms (whether express or implied) of the sale or of any contract for the sale—

S. 2(1B) inserted by No. 80/1994 s. 14(2).

(a) require either party to deliver, or arrange delivery of, the petroleum products into or within Victoria; or

(b) contemplate delivery of the petroleum products into or within Victoria.

(2) A reference in this Act to the **"relevant period"** in relation to—

(a) a petroleum retailers' licence of the duration specified in section 6(1), a petroleum wholesalers' licence or a group petroleum wholesalers' licence which, if granted, will expire at the end of a month specified in Column 1 is a reference to the month last past specified opposite that first-mentioned month in Column 2 of the Table hereunder—

S. 2(2)(a) amended by Nos 9674 s. 22(a)(i), 9885 s. 9(2)(a)(i).

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<i>Column 1</i>	<i>Column 2</i>
July	May
August	June
September	July
October	August
November	September
December	October
January	November
February	December
March	January
April	February
May	March
June	April

S. 2(2)(b)  
amended by  
Nos 9674  
s. 22(a)(ii),  
9885  
s. 9(2)(a)(ii).

- (b) a petroleum retailer's licence revocable at will issued pursuant to section 6(2)—
- (i) after 30 June 1980 is a reference to the period commencing 1 September 1979 and ending on 31 March 1980; and
  - (ii) after 30 June 1981 is a reference to the year ending on 31 March preceding the year in which the licence, if granted, will be in force.
- (3) For the purposes of this Act the supply of petroleum products from a refinery for the purposes of resale shall not be regarded as constituting petroleum wholesaling or petroleum retailing.
- (4) A reference in this Act to a petroleum wholesaler or petroleum retailer or to a person who sells petroleum products does not extend to a person who carries on business as an agent or employé of a person who carries on the business of petroleum wholesaling or petroleum retailing.
- (5) In this Act, unless inconsistent with the context or subject-matter, words and expressions shall have

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the same meaning as is assigned to them in the  
**Business Franchise (Tobacco) Act 1974.**

**3. Membership of a petroleum wholesalers' group**

(1) For the purposes of this Act a person is a member of a petroleum wholesalers' group—

(a) if—

- (i) that person is one of the persons that constitute a group for the purposes of this Act;
- (ii) one or more of the persons that constitute the group was a petroleum wholesaler in the relevant period;
- (iii) one or more of the persons that constitute the group intend to carry on petroleum wholesaling in the month or part of the month in respect of which an application for a licence is or is intended to be made under this Act; and
- (iv) there is not in force a determination by the Commissioner that that person is not a member of the group; or

(b) if that person declares in writing that the organization or control of his business is such that he would have been a member of the group if it had been so organized or controlled during the relevant period and the other members of the group and the Commissioner agree that this is so.

(2) The Commissioner may in his absolute discretion by writing under his hand determine that a person who would, but for the determination be a member of a group for the purposes of this Act, is not a member of the petroleum wholesalers' group if he is satisfied that that person has continuously carried on petroleum wholesaling independently

**S. 3(2)**  
**amended by**  
**No. 9885**  
**s. 8.**

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s. 3A

of the group and will continue to carry on petroleum wholesaling independently of the group and is not subject to control by any other member of the group.

S. 3(3)  
amended by  
No. 9885  
s. 8.

(3) The Commissioner may in his absolute discretion by writing under his hand determine that a person who would, but for the determination, be a member of a group, is not a member of any group for the purposes of this Act if he considers that the person is not carrying on and has no intention of carrying on petroleum wholesaling.

S. 3(4)  
amended by  
No. 9885  
s. 8.

(4) The Commissioner may in his absolute discretion at any time revoke a determination made under sub-section (2) or sub-section (3).

(5) A determination made under sub-section (2) or sub-section (3) shall come into force on the making thereof and shall continue in force until it is revoked by the Commissioner.

(6) Notice of a determination under sub-section (2) shall be given by the Commissioner to the person in respect of whom the determination was made and to all the members of the group concerned whom he considers are carrying on petroleum wholesaling.

(7) Notice of a determination under sub-section (3) shall be published in the Government Gazette.

(8) Notice of the revocation of a determination made under sub-section (2) or sub-section (3) shall be given by the Commissioner to the person in respect of whom the determination was made and to all members of the group concerned whom he considers are carrying on petroleum wholesaling.

S. 3A  
inserted by  
No. 94/1997  
s. 4.

**3A. Transitional provision**

Section 4, as in force immediately before the commencement of section 5(a) of the **Business**

*Business Franchise (Petroleum Products) Act 1979*  
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**Franchise Fees (Safety Net) Act 1997**, continues to apply in respect of anything done before that commencement.

\*            \*            \*            \*            \*

Ss 4–12 repealed.<sup>1</sup>

**13. Better Roads Victoria Trust Account**

(1) There shall be established in the Public Account as part of the Trust Fund an account to be known as the "Better Roads Victoria Trust Account".

S. 13 repealed by No. 9863 s. 2, new s. 13 inserted by No. 46/1993 s. 5.

(2) There shall be paid out of the Consolidated Fund (which is to the necessary extent appropriated accordingly) into the Better Roads Victoria Trust Account—

S. 13(2) substituted by No. 49/1997 s. 4(1).

(a) in respect of the financial year commencing on 1 July 1997 an amount of \$185 000 000;

S. 13(2)(a) amended by No. 94/1997 s. 5(b)(i).

\*            \*            \*            \*            \*

S. 13(2)(b) repealed by No. 94/1997 s. 5(b)(ii).

in such instalments and at such times as are determined from time to time by the Treasurer.

(3) Amounts standing to the credit of the Better Roads Victoria Trust Account shall be expended, as the Treasurer determines, for the construction and maintenance of roads within the meaning of the **Transport Act 1983** in Victoria.

(4) Despite anything to the contrary in section 4 of the **State Taxation Acts (Further Amendment) Act 1997**, sub-section (2) as in force immediately before the commencement of that section continues to apply to the payment to be made by

S. 13(4) inserted by No. 49/1997 s. 4(2).

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**s. 18**

reference to licence fees collected during June  
1997.

Ss 14–16  
repealed.<sup>2</sup>

\*            \*            \*            \*            \*

S. 17  
inserted by  
No. 94/1997  
s. 6.

**17. *Treasurer may make payments***

- (1) The Treasurer may, from time to time, pay amounts determined by the Treasurer—
  - (a) to persons who sell, or have sold, diesel fuel for use by holders of exemption certificates otherwise than for propelling diesel engaged road vehicles on roads;
  - (b) to holders of exemption certificates who purchase, or have purchased, diesel fuel for use otherwise than for propelling diesel engaged road vehicles on roads;
  - (c) to persons who carry on, or have carried on, a business of petroleum wholesaling in respect of which duties of excise have been paid to the Commonwealth.
- (2) The Consolidated Fund is appropriated to the necessary extent for the purposes of sub-section (1).
- (3) If the Treasurer pays an amount to a person under this section that exceeds the amount due to that person, the overpayment may be off-set against future payments to that person under this section.

S. 17(3)  
inserted by  
No. 103/1998  
s. 3.

S. 18  
inserted by  
No. 94/1997  
s. 7.

**18. *Treasurer may require information***

- (1) For the purpose of determining whether to make a payment under section 17, or the amount of a payment, the Treasurer may require a person referred to in section 17(1)(a), (b) or (c)—

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- (a) to give the Treasurer any information required by the Treasurer; or
  - (b) to produce to the Treasurer any document required by the Treasurer.
- (2) A person must not give any information or produce any document under sub-section (1) that is false or misleading in a material particular.
- Penalty: 500 penalty units in the case of a body corporate;  
100 penalty units in any other case.

**19. Diesel fuel exemption certificates**

S. 19  
inserted by  
No. 94/1997  
s. 7.

- (1) A person who has purchased, or intends to purchase, diesel fuel for use otherwise than for propelling diesel engined road vehicles on roads may apply to the Commissioner for a diesel fuel exemption certificate.
- (2) An application under sub-section (1) must be in the form approved by the Commissioner and must contain—
  - (a) the applicant's name and address; and
  - (b) any other information required by the Commissioner; and
  - (c) a statutory declaration by the applicant or, if the applicant is a corporation, a director of the applicant, verifying the information in the application.
- (3) The Commissioner must issue an exemption certificate to an applicant under this section unless the Commissioner is satisfied—
  - (a) that the application is false or misleading in any material particular; or

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(b) that the applicant has been convicted of an offence against this Act or an indictable offence involving dishonesty—

in which case the Commissioner may refuse to issue a certificate.

- (4) An exemption certificate is valid for 3 years from the date of its issue, unless revoked sooner, and may be renewed on application under this section.
- (5) The Commissioner may revoke an exemption certificate by giving written notice to the holder of the certificate if the Commissioner is satisfied—
- (a) that the holder of the certificate has been convicted of an offence against this Act or an indictable offence involving dishonesty; or
  - (b) that the holder of the certificate no longer requires the purchase of diesel fuel for use otherwise than for propelling diesel engined road vehicles on a road.
- (6) A certificate issued to a person by the Commissioner before the commencement of this section—
- (a) that states that the person is a person who requires diesel fuel for use otherwise than for propelling diesel engined road vehicles on roads; and

(b) that is in force at the commencement of this section—

is deemed to be an exemption certificate issued under this section and is valid for 3 years from that commencement, unless revoked earlier.

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- (7) The holder of an exemption certificate must return it to the Commissioner if the holder does not expect to purchase diesel fuel at any time during the remaining period of validity of the certificate for use otherwise than for propelling diesel engined road vehicles on a road.

S. 19(7)  
inserted by  
No. 103/1998  
s. 4.

**20. Register of exemption certificates**

- (1) The Commissioner must keep a register of the holders of exemption certificates.
- (2) Any person may inspect the register at the office of the Commissioner during ordinary office hours without charge.
- (3) The Commissioner may publish the register, or extracts from it, in any manner he or she thinks fit.

S. 20  
inserted by  
No. 94/1997  
s. 7.

**20A. Liability to repay certain money**

- (1) A person who purchases diesel fuel at a price at which the diesel fuel is offered for sale to the holder of an exemption certificate and who—
- (a) at the time of the purchase produces to the seller of the diesel fuel, or to an agent of the seller, an exemption certificate that has been revoked or that was not issued to the purchaser; or
  - (b) at the time of the purchase gives the seller of the diesel fuel, or an agent of the seller, false particulars of an exemption certificate; or
  - (c) seeks to obtain the diesel fuel at that price by fraudulent means; or
  - (d) uses the diesel fuel for propelling diesel engined road vehicles on roads—

S. 20A  
inserted by  
No. 103/1998  
s. 5.

is liable to pay as a debt due to the State an amount calculated in accordance with the formula—

$$A = L \times M$$

where—

A is the amount in dollars;

L is the number of litres of diesel fuel purchased;

M is 0.08149 or such other multiplier as is prescribed.

S. 20B  
inserted by  
No. 103/1998  
s. 5.

**20B. Offences**

(1) A person who purchases diesel fuel and who at the time of that purchase—

- (a) is not the holder of a current exemption certificate; and
- (b) represents to the seller of the diesel fuel or an agent of the seller that the person is such a holder—

is guilty of an offence.

Penalty: 600 penalty units in the case of a body corporate.  
120 penalty units in any other case.

(2) A person who—

- (a) purchases diesel fuel as the holder, or purported holder, of an exemption certificate; and

- (b) uses, or authorises or permits the use of, the diesel fuel for propelling diesel engine road vehicles on a road—

is guilty of an offence.

Penalty: 600 penalty units in the case of a body corporate.

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120 penalty units in any other case.

**21. *Records to be made and kept by petroleum retailers and wholesalers***

**S. 21  
inserted by  
No. 94/1997  
s. 7.**

- (1) A person who carries on the business of petroleum retailing must make a record of purchases of petroleum products and keep each record for a period of 5 years after it was made.
- (2) A person who carries on the business of petroleum wholesaling must make a record of sales and purchases of petroleum products and keep each record for a period of 5 years after it was made.
- (3) A record under this section must be in the form, and contain the particulars, required by the Commissioner.
- (4) A person must not—
  - (a) fail to make or keep a record as required by this section; or
  - (b) include in a record under this section any information that is false or misleading in a material particular.

Penalty: 500 penalty units in the case of a body corporate;  
100 penalty units in any other case.

- (5) A record under this section need not be kept for 5 years if the Commissioner authorises its earlier destruction.

**22. *Transportation records***

**S. 22  
inserted by  
No. 94/1997  
s. 7.**

- (1) If petroleum products are to be transported in Victoria by road vehicle in a tank having a capacity that exceeds the prescribed capacity, the person on whose behalf the petroleum products are to be transported must complete a transportation record in respect of the petroleum

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products and give the record to the carrier at or before the commencement of the transportation.

Penalty: 20 penalty units.

- (2) The transportation record must be in a form approved by the Commissioner and must contain—
- (a) the date and address at which the transportation is to commence;
  - (b) the class and quantity of the petroleum products;
  - (c) the name and address of the person on whose behalf the petroleum products are to be transported;
  - (d) if the person on whose behalf the petroleum products are to be transported is not the owner of the petroleum products, the name and address of the owner;
  - (e) the name of the person (if any) to whom the carrier is to transport the petroleum products;
  - (f) the address to which the carrier is to transport the petroleum products;
  - (g) the name and address of the person (if any) who has agreed to purchase the petroleum products.
- (3) A person must not include in a transportation record any information that is false or misleading in a material particular.

Penalty: 20 penalty units.

- (4) At all times while petroleum products are being transported in Victoria by road vehicle in a tank having a capacity that exceeds the prescribed capacity the carrier must ensure that the

transportation record relating to the petroleum products is carried in the vehicle.

Penalty: 20 penalty units.

**23. Production of transportation records**

- (1) If an inspector reasonably suspects that petroleum products are being transported by road vehicle in a tank having a capacity that exceeds the prescribed capacity, he or she may search the vehicle.
- (2) If a search under sub-section (1) reveals petroleum products in a tank having a capacity that exceeds the prescribed capacity, the inspector may request the driver of the vehicle to produce the transportation record relating to the petroleum products for inspection.
- (3) A driver must comply with a request under sub-section (2).

Penalty: 100 penalty units.

- (4) For the purposes of this section a member of the police force, at the request of an inspector, may request or signal the driver to stop the vehicle.
- (5) A driver must comply with a request or signal under sub-section (4).

Penalty: 100 penalty units.

**24. Temporary custody of road vehicles**

- (1) If the driver of a road vehicle—
  - (a) does not produce a transportation record to an inspector as required by section 23(3); or
  - (b) produces a transportation record that the inspector reasonably believes is false or misleading in a material particular—

the inspector may request the driver to drive the vehicle to another place within a reasonable

S. 23  
inserted by  
No. 94/1997  
s. 7.

S. 24  
inserted by  
No. 94/1997  
s. 7.

distance, as determined by the inspector, where the petroleum products can be unloaded.

- (2) If the driver does not comply with a request under sub-section (1), a member of the police force, at the request of the inspector, may take charge of the road vehicle for the purpose of driving it, or causing it to be driven, to the other place.
- (3) As soon as practicable after arrival at the other place—
  - (a) the inspector must unload, and may seize, the petroleum products; and
  - (b) if the inspector seizes the petroleum products, he or she must tender to the driver a receipt for the petroleum products containing a notice setting out the provisions of section 25.

S. 25  
inserted by  
No. 94/1997  
s. 7.

#### **25. Forfeiture of petroleum products**

- (1) If a person is convicted of an offence against section 22 or 23, any petroleum products seized from the person under section 24(3) or under section 14(2)(ba) or 15A of the **Business Franchise (Tobacco) Act 1974** are forfeited to, and become the property of, the State.
- (2) The Commissioner, on behalf of the State, may dispose of petroleum products that have become the property of the State in any manner he or she thinks fit.

S. 26  
inserted by  
No. 94/1997  
s. 7.

#### **26. Offences by persons involved in management of bodies corporate**

- (1) If a body corporate, by act or omission, contravenes a provision of this Act, a person who is concerned in, or takes part in, the management of the body corporate is, subject to sub-section (2), to be taken to have contravened the same provision.
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- (2) A person is not to be taken to have contravened the provision if the person satisfies the court that—
  - (a) the body corporate contravened the provision without the person's knowledge; or
  - (b) the person was not in a position to influence the conduct of the body corporate in relation to its contravention of the provision; or
  - (c) the person, if in such a position, used all due diligence to prevent the contravention by the body corporate.
- (3) A person may be convicted of a contravention of a provision of this Act whether or not the body corporate has been convicted of its contravention.
- (4) This section does not affect a liability imposed on a body corporate for an offence committed by it against this Act.
- (5) For the purposes of this section, the following persons are persons who are concerned in, or take part in, the management of a body corporate—
  - (a) a director of the body corporate;
  - (b) a secretary of the body corporate;
  - (c) a receiver and manager of property of the body corporate;
  - (d) an official manager or deputy official manager of the body corporate;
  - (e) a liquidator of the body corporate appointed in a voluntary winding up of the body corporate;
  - (f) a trustee or other person administering a compromise or arrangement made between the body corporate and another person or other persons.

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Notes

**NOTES**

**1. General Information**

The **Business Franchise (Petroleum Products) Act 1979** was assented to on 10 July 1979 and came into operation on 1 September 1979: section 1(3).

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## 2. Table of Amendments

This Version incorporates amendments made to the **Business Franchise (Petroleum Products) Act 1979** by Acts and subordinate instruments.

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### **Business Franchise (Petroleum Products) (Licence Fees) Act 1979, No. 9295/1979**

*Assent Date:* 30.10.79  
*Commencement Date:* 1.9.79: s. 1(3)  
*Current State:* All of Act in operation

### **Transport (Road Funds) Act 1980, No. 9418/1980**

*Assent Date:* 20.5.80  
*Commencement Date:* Ss 6–9 on 1.7.80; rest of Act on 20.5.80: s. 1(2)  
*Current State:* All of Act in operation

### **Business Franchise (Petroleum Products) (Fees) Act 1981, No. 9588/1981**

*Assent Date:* 30.10.81  
*Commencement Date:* 1.11.81: s. 1(3)  
*Current State:* All of Act in operation

### **Business Franchise (Amendment) Act 1981, No. 9674/1981**

*Assent Date:* 22.12.81  
*Commencement Date:* Ss 6, 13(1) on 18.11.80: s. 1(3); rest of Act on 23.12.81: Government Gazette 23.12.81 p. 4262  
*Current State:* All of Act in operation

### **Public Account (Trust Funds) Act 1982, No. 9861/1982**

*Assent Date:* 5.1.83  
*Commencement Date:* 12.1.83: Government Gazette 12.1.83 p. 81  
*Current State:* All of Act in operation

### **Statute Law Revision Act 1982, No. 9863/1982**

*Assent Date:* 5.1.83  
*Commencement Date:* 5.1.83: s. 1(2)  
*Current State:* All of Act in operation

### **Business Franchise Acts (Amendment) Act 1983, No. 9885/1983**

*Assent Date:* 10.5.83  
*Commencement Date:* All of Act (except ss 6(1), 10) on 10.5.83: s. 1(2); s. 6(1) on 18.11.80: s. 6(2); s. 10 on 1.9.82: s. 10(3)  
*Current State:* All of Act in operation

### **Business Franchise Acts (Further Amendment) Act 1983, No. 9965/1983**

*Assent Date:* 22.11.83  
*Commencement Date:* S. 7 on 23.12.81: s. 2(3); ss 1, 2 and 6 on 22.11.83: s. 2(1); ss 3–5 on 1.12.83: s. 2(2)  
*Current State:* All of Act in operation

### **Taxation Acts (Amendment) Act 1986, No. 88/1986**

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*Assent Date:* 9.12.86  
*Commencement Date:* S. 38 on 9.12.86: s. 2(1)  
*Current State:* This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

**Business Franchise Acts (Amendment) Act 1987, No. 14/1987**

*Assent Date:* 12.5.87  
*Commencement Date:* 28.5.87: Special Gazette (No. 20) 28.5.87 p. 1  
*Current State:* All of Act in operation

**Business Franchise Acts (Amendment) Act 1988, No. 66/1988**

*Assent Date:* 9.12.88  
*Commencement Date:* Ss 6, 8, 20, 21, 30, 34 on 1.12.88: s. 2(2); rest of Act on 9.12.88: s. 2(1)  
*Current State:* All of Act in operation

**Business Franchise (Tobacco) (Amendment) Act 1989, No. 75/1989**

*Assent Date:* 28.11.89  
*Commencement Date:* S. 5(1) on 1.10.89: s. 5(2); rest of Act on 28.11.89: s. 2  
*Current State:* All of Act in operation

**Business Franchise Acts (Further Amendment) Act 1990, No. 54/1990**

*Assent Date:* 7.11.90  
*Commencement Date:* 7.11.90  
*Current State:* All of Act in operation

**State Taxation (Amendment) Act 1992, No. 76/1992**

*Assent Date:* 24.11.92  
*Commencement Date:* S. 3 on 24.11.92: s. 2(1)  
*Current State:* This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

**Transport Accident (Amendment) Act 1992, No. 79/1992**

*Assent Date:* 24.11.92  
*Commencement Date:* S. 9(1)(3)–(5) on 24.11.92: s. 2(1); s. 9(2) on 15.1.93: s. 2(3)  
*Current State:* This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

**Business Franchise (Petroleum Products) (Amendment) Act 1993, No. 46/1993**

*Assent Date:* 1.6.93  
*Commencement Date:* 1.6.93  
*Current State:* All of Act in operation

**Business Franchise Acts (Amendment) Act 1994, No. 80/1994**

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*Business Franchise (Petroleum Products) Act 1979*

*Act No. 9272/1979*

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*Assent Date:* 29.11.94  
*Commencement Date:* Ss 13, 15(1) on 29.11.94: s. 2(1); ss 14, 15(2), 16 on 1.12.94: s. 2(2)  
*Current State:* This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

**State Taxation (Further Omnibus Amendment) Act 1996, No. 42/1996**

*Assent Date:* 12.11.96  
*Commencement Date:* S. 3 on 12.11.96: s. 2(1)  
*Current State:* This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

**Taxation Administration Act 1997, No. 40/1997**

*Assent Date:* 3.6.97  
*Commencement Date:* S. 138(Sch. 2 item 3) on 1.7.97: Government Gazette 12.6.97 p. 1330  
*Current State:* This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

**State Taxation Acts (Further Amendment) Act 1997, No. 49/1997**

*Assent Date:* 11.6.97  
*Commencement Date:* S. 3 on 11.6.97: s. 2(1); s. 4 on 1.7.97: s. 2(3)  
*Current State:* This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

**Business Franchise Fees (Safety Net) Act 1997, No. 94/1997**

*Assent Date:* 16.12.97  
*Commencement Date:* Ss 3(1), 4-6 on 7.8.97: s. 2(2); ss 3(2), 7 on 16.12.97: s. 2(3)  
*Current State:* This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

**State Taxation (Further Amendment) Act 1998, No. 103/1998**

*Assent Date:* 1.12.98  
*Commencement Date:* Ss 3-5 on 1.12.98: s. 2(1)  
*Current State:* This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

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### 3. Explanatory Details

<sup>1</sup> Ss 4–12:

S. 4 amended by Nos 9674 ss 18, 22(b)(i)(ii), 14/1987 s. 9, 66/1988 s. 30(a)–(d), repealed by No. 94/1997 s. 5(a).

S. 5 amended by Nos 9674 s. 19, 80/1994 s. 15(1), repealed by No. 94/1997 s. 5(a).

S. 6 amended by Nos 9295 s. 2(a)(b), 9674 s. 22(c)(d), substituted by No. 9885 s. 9(1), repealed by No. 94/1997 s. 5(a).

S. 7 amended by Nos 9295 s. 3, 9588 s. 2(a)(b), 9674 ss 20(a)(b), 22(f), 9885 ss 9(2)(a)(b), 10(1)(2), 9965 s. 4(1)(a)(b), 88/1986 s. 38 (2)(b)–(d), 66/1988 ss 31, 32(1)(2), 75/1989 s. 8, 54/1990 s. 4(1), 76/1992 s. 3, 79/1992 s. 9(1), 46/1993 s. 4(1)(a)(b), 80/1994 s. 15(2)(a)–(c), 49/1997 s. 3(1)(a)–(c)(2), repealed by No. 94/1997 s. 5(a).

S. 7A inserted by No. 88/1986 s. 38(1), amended by No. 66/1988 s. 33(1)(2) repealed by No. 94/1997 s. 5(a).

S. 8 amended by Nos 9674 ss 21, 22(e)(i)(ii), 88/1986 s. 38(2)(e), 66/1988 s. 34, repealed by No. 94/1997 s. 5(a).

S. 9 amended by No. 66/1988 s. 35, repealed by No. 94/1997 s. 5(a).

S. 10 amended by No. 9674 s. 22(g)(i)(ii), repealed by No. 94/1997 s. 5(a).

S. 11 amended by No. 9418 s. 6(a)(b), repealed by No. 9861 s. 3(1), new s. 11 inserted by No. 66/1988 s. 36, repealed by No. 94/1997 s. 5(a).

S. 11A inserted by No. 80/1994 s. 16, repealed by No. 94/1997 s. 5(a).

S. 12 repealed by No. 9863 s. 2, new s.12 inserted by No. 54/1990 s. 5, amended by No. 79/1992 s. 9(2)(3), repealed by No. 94/1997 s. 5(a).

<sup>2</sup> Ss 14–16:

S. 14 repealed by No. 9863 s. 2, new s. 14 inserted by No. 42/1996 s. 3, repealed by No. 94/1997 s. 5(c).

S. 15 repealed by No. 9863 s. 2.

S. 16 repealed by No. 94/1997 s. 5(c).