

**PETROLEUM PRODUCTS SUBSIDY (AMENDMENT)
ACT, 1978, No. 83**

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 83, 1978.

An Act to amend retrospectively the Petroleum Products Subsidy Act, 1965, for the purpose of clarifying its application; and to amend that Act for the purpose of statute law revision. [Assented to, 11th September, 1978.]

Petroleum Products Subsidy (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Petroleum Products Subsidy (Amendment) Act, 1978".

Commence- **2.** (1) Except as provided in subsection (2), this Act shall
ment. commence on the date of assent to this Act.

(2) Sections 5 and 7 (2) and Schedule 1 shall be deemed to have commenced on 15th June, 1978.

Principal **3.** The Petroleum Products Subsidy Act, 1965, is referred to
Act. in this Act as the Principal Act.

Schedules. **4.** This Act contains the following Schedules :—

SCHEDULE 1.—AMENDMENTS TO SECTION 3 OF THE
PRINCIPAL ACT.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT BY
WAY OF STATUTE LAW REVISION.

Amendment **5.** The Principal Act is amended in the manner set forth in
of Act No. Schedule 1.
1, 1965.

Further **6.** The Principal Act is further amended in the manner set
amendment forth in Schedule 2.
of Act No. 1, 1965.

Petroleum Products Subsidy (Amendment).

7. (1) Notwithstanding section 2, a person is not guilty of an offence against the Principal Act, as amended by this Act, in respect of any act or omission done or omitted to be done on or after 15th June, 1978, and before the date of assent to this Act. Savings and transitional provisions.

(2) The reference in the Regulation made under the Principal Act and published in the Gazette on 26th November, 1965, to the Senior Inspector, Petroleum Products Branch, Department of Customs and Excise, Sydney, shall be deemed to be a reference to the Collector of Customs, Department of Business and Consumer Affairs, Sydney.

SCHEDULE 1.

Sec. 5.

AMENDMENTS TO SECTION 3 OF THE PRINCIPAL ACT.

(1) (a) Section 3 (1), definition of "registered distributor of eligible petroleum products"—

Omit "by the Commonwealth Minister in accordance with", insert instead "under".

(b) Section 3 (1), definition of "the Commonwealth Minister"—

Omit the definition.

(c) Section 3 (1), definition of "the scheme"—

Omit the definition, insert instead :—

"the scheme" means the scheme, as in force from time to time, formulated in relation to the State for the purposes of the States Grants (Petroleum Products) Act 1965 of the Parliament of the Commonwealth, as amended from time to time, or any Act of that Parliament passed in substitution therefor;

Petroleum Products Subsidy (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO SECTION 3 OF THE PRINCIPAL ACT—*continued.*

(2) Section 3 (2)—

Omit “under the scheme the Commonwealth Minister has directed”, insert instead “by or in accordance with the scheme it is directed”.

Sec. 6.

SCHEDULE 2.

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF
STATUTE LAW REVISION.

(1) Section 8 (6)—

Omit “subsection three of section forty-one of the Audit Act, 1902, as amended by subsequent Acts,”, insert instead “section 41 (3) of the Audit Act, 1902,”.

(2) Section 9—

Omit “subsection one of section eight of this Act”, insert instead “section 8 (1)”.

(3) Section 10—

Omit “subsection three of section eight of this Act”, insert instead “section 8 (3)”.

(4) Section 13 (3)—

Omit “paragraph (c) of subsection two of section fifteen of this Act”, insert instead “section 15 (2) (c)”.

Petroleum Products Subsidy (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF
STATUTE LAW REVISION—*continued.*

(5) Section 15 (3)—

Omit “In this subsection ‘officer’ has the meaning ascribed thereto in the Companies Act, 1961, as amended by subsequent Acts.”, insert instead :—

(3A) In subsection (3), “officer” has the meaning ascribed thereto in the Companies Act, 1961.

(6) Section 19 (3)—

Omit the subsection, insert instead :—

(3) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.
