



New South Wales

Biofuels (Registration) Order 2016

under the

Biofuels Act 2007

The Secretary of the Department of Finance, Services and Innovation makes the following Order.

MARTIN HOFFMAN

Secretary
Department of Finance Services and Innovation

Explanatory note

The object of this Order is to establish the steps required for registration under section 10 of the *Biofuels Act 2007* as inserted by the *Biofuels Amendment Act 2016*.

This Order is made under section 10 of the *Biofuels Act 2007*.

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1 Name of Order

This Order is the *Biofuels (Registration) Order 2016*.

2 Commencement

This Order commences on the day on which Schedule 2 of the *Biofuels Amendment Act 2016* commences and must be published on the NSW Legislation website.

3 Interpretation

In this Order:

Act means the *Biofuels Act 2007*.

Note—Under section 11 of the Interpretation Act 1987, words and expressions in this Order have the same meanings as they have in the Act.

4 Registration under section 10 of Act

(1) For the purposes of section 10(1) of the Act, a person who carries on the business of a primary wholesaler or who operates or controls the operation of a service station must register as a primary wholesaler, a volume fuel retailer or an operator of a service station who is not a volume fuel retailer by using the mechanism provided for registration under that section on the website at <http://www.fairtrading.nsw.gov.au>.

(2) A person who is, on the commencement of this Order, required to be registered under section 10(1) of the Act and who is not taken to be registered under clause 7 of Schedule 1 of the Act must take the required steps within 1 month after that commencement.

Note—A person who is taken to be registered under clause 7 of Schedule 1 of the Act should check the details entered in the register by using the mechanism provided on the website at <http://www.fairtrading.nsw.gov.au>.

(3) Otherwise, a person must take the steps required for registration within 1 month after becoming required to be registered.

(4) Without limiting the information that may be required to be provided for registration under section 10(1) of the Act by using the required mechanism, the information required to be provided includes the following:

- (a) the name of the legal entity that carries on the business or operates or controls the operation of the service station
- (b) the trading name of the business or operation (if any)
- (c) the Australian Company Number of the entity
- (d) the Australian Business Number of the entity (if any)
- (e) the postal address and telephone number of the entity
- (g) the name, position or title and contact details (including mobile phone number and email address) of a person who is to be the primary contact person for the entity.

5 Keeping registration details up to date

For the purposes of section 10(3) of the Act, a person required to be registered under section 10(1) of the Act must update the category in which the person is registered and the details connected with the registration by using the mechanism provided for updating registration under that section on the website at <http://www.fairtrading.nsw.gov.au> within 14 days after any change affecting the category of registration or the details connected with the registration.