

Australian Capital Territory

Fuels Rationing (Fuel Restriction Scheme) Approval 2019

Disallowable instrument DI2019 – 226

made under the

Fuels Rationing Act 2019, s 8 (Approved fuel restriction scheme)

1 Name of instrument

This instrument is the *Fuels Rationing (Fuel Restriction Scheme) Approval 2019*.

2 Commencement

This instrument commences on the commencement of the *Fuels Rationing Act 2019*, section 8.

3 Approved fuel restriction scheme

I approve the fuel restriction scheme as set out in Schedule 1 of this instrument.

Note: Guidelines for this scheme are available at the Environment, Planning and Sustainable Development Directorate website, at <https://www.environment.act.gov.au/>.

Shane Rattenbury MLA
Minister for Climate Change and Sustainability

4 October 2019

Schedule 1

(See section 3)

Fuel Restriction Scheme

Stage 1 Fuel Restrictions - Voluntary Restriction Measures

In the event of shortage or likely shortage of fuel, the Minister may declare that a Stage 1 fuel restriction measure, including but not limited to those detailed in Table 1, is in force if satisfied that the measure is necessary to meet one or more of the objectives outlined in section 11 (1) (b) of the Act.

Table 1

Voluntary Restriction Measure	Type of fuel to which the restriction applies	Class of buyers, sellers or other people to whom the restrictions apply
Non-essential driving is limited	Determined by fuel restriction declaration	All people
Driving is replaced by walking, riding and catching public transport where feasible	Determined by fuel restriction declaration	All people
Car-pooling is utilised where feasible	Determined by fuel restriction declaration	All people
Employers encourage employees to work from home where feasible	Determined by fuel restriction declaration	All people
Eco-driving practices are implemented. <i>Note- Eco-driving practices refer to actions that drivers can take to reduce fuel consumption. Further information about Eco-driving practices is available in the Fuel Restriction Scheme Guidelines.</i>	Determined by fuel restriction declaration	All people

Stage 2 Fuel Restrictions- Mandatory Restriction Measures

In the event of shortage or likely shortage of fuel and voluntary fuel restrictions are not sufficient, the Minister may declare that a Stage 2 fuel restriction measure is in force if satisfied that the measure is necessary to meet one or more of the objectives outlined in section 11 (1) (b) of the Act. Stage 2 measures include but are not limited to those listed in Table 2.

Table 2

Restriction measure	Restriction measure description	Amount or type of fuel to which restriction applies	Circumstances of restriction	Class of buyers, sellers or other people to whom the restrictions apply
Fuel sales	<p>A fuel seller may only sell a quantity of a declared fuel below or equal to a declared limit, per vehicle, per transaction.</p> <p>The Minister may provide conditions by which fuel may be sold; for example the fuel must be pumped directly into a vehicle.</p>	Determined by fuel restriction declaration	At all times a fuel restriction declaration is in force	All fuel sellers
Fuel purchases	<p>A person may only purchase an amount of declared fuel equal to or less than a declared limit.</p> <p>The Minister may provide conditions by which fuel may be purchased; for example the fuel must be pumped directly into a vehicle.</p>	Determined by fuel restriction declaration	At all times a fuel restriction declaration is in force. Restriction applies per vehicle per day.	All users other than exempt users

Note: Fuel sellers will be required to identify essential users, as exempted by the Minister in the fuel restriction declaration, and allow them to purchase amounts of fuel in accordance with the conditions of the fuel restriction declaration.

Exemptions from Fuel Restrictions

Class A Essential Users

The Minister may exempt Class A Essential User entities from all Stage 2 fuel restrictions. Class A Essential User entities may receive exemptions for all Stage 2 fuel restrictions regardless of which Australian jurisdiction they are registered in. Class A users include, but are not limited to, those listed in Table 3. The Minister may provide that an essential user is exempt only for a specific activity; e.g. refuelling identifiable vehicles.

Table 3

Class A Essential Users
Ambulance services
Corrective services
Fire and Rescue Services
Rural Fire Service
Police Services
Public Transport services
State Emergency Services
Emergency Services Agency Support Services
Taxi services
Emergency Controller

Class B Essential Users

The Minister may exempt additional entities from Stage 2 fuel restrictions in response to the particular circumstances of the fuel emergency. Class B users include but are not limited to those listed in Table 4. The Minister may exempt a Class B user if satisfied that compliance with the fuel restriction would cause the entity or anyone else serious detriment. The Minister may provide that an essential user is exempt only for a specific activity.

Table 4

Class B Essential Users
Utility services that hold a current Utilities Licence under the <i>Utilities Act 2000</i> , electricity and gas distributors operating in the ACT, and determined electricity and gas technicians.
Municipal waste collection services by determination
Persons under the direction of the Emergency Controller under the <i>Emergencies Act 2004</i> .

Inspectors appointed under the *Electricity Safety Act 1971*, *Gas Safety Act 2000*, *Building Act 2004*, *Water and Sewerage Act 2000*, *Dangerous Substances Act 2004*, and the *Work Health and Safety Act 2011*.

Roads ACT

Fuel transport companies