

**NORTHERN TERRITORY OF AUSTRALIA**

**CONSUMER AFFAIRS AND FAIR TRADING (FUEL RETAILERS)  
REGULATIONS**

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**Subordinate Legislation No. 28 of 2017**

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Subordinate Legislation No. 28 of 2017\*

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## ***Consumer Affairs and Fair Trading (Fuel Retailers) Regulations***

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Consumer Affairs and Fair Trading Act*.

Dated 18 September 2017

J. L. HARDY  
Administrator

By His Honour's Command

N. S. MANISON  
Minister for Children  
acting for  
Attorney-General and Minister for Justice

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\* Notified in the *Northern Territory Government Gazette* on 27 September 2017.

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## 1 Citation

These Regulations may be cited as the *Consumer Affairs and Fair Trading (Fuel Retailers) Regulations*.

## 2 Commencement

These Regulations commence on 1 November 2017.

## 3 Scheme for publication of service station fuel prices

For section 187(1) of the Act, there is to be a scheme known as MyFuel NT.

## 4 Registering for MyFuel NT

- (1) The fuel retailer for a service station is required to register the service station for MyFuel NT before offering prescribed fuel for retail sale at the service station.
- (2) Subject to subregulation (3), a service station is registered in accordance with MyFuel NT when:
  - (a) the fuel retailer for the service station gives the following details (**registration details**) to the Commissioner:
    - (i) the name, ABN and ACN (if any) of the fuel retailer;
    - (ii) the telephone number, postal address and email address of the fuel retailer;
    - (iii) the name, position title, telephone number and email address of the primary contact person for the fuel retailer;
    - (iv) the business name registered under the *Business Names Registration Act 2011* (Cth) for the service station;
    - (v) the telephone number, street address, postal address and email address of the service station;
    - (vi) the name, position title, telephone number and email address of the primary contact person for the service station;
    - (vii) the fuel brand offered for retail sale at the service station (if any);

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- (viii) each prescribed fuel usually offered for retail sale at the service station; and
  - (b) the Commissioner gives confirmation of registration to the fuel retailer.
- (3) A service station is not registered in accordance with MyFuel NT if:
- (a) any of the registration details for the service station change; and
  - (b) the fuel retailer for the service station fails to notify the Commissioner of the change within 14 days of the change occurring.
- (4) The Commissioner must cancel the registration of a service station if:
- (a) the person who registered the service station under subregulation (1) requests the Commissioner to do so; and
  - (b) the Commissioner is satisfied that the person is no longer the fuel retailer for the service station.
- (5) In this regulation:

**ABN**, see section 41 of the *A New Tax System (Australian Business Number) Act 1999* (Cth).

**ACN**, see section 9 of the *Corporations Act 2001*.

## **5 Reporting for MyFuel NT**

The fuel retailer for a service station is required to report the following information to the Commissioner:

- (a) the normal fuel price of each prescribed fuel offered for retail sale at the service station and the date and time at which that normal fuel price is effective;
- (b) that a prescribed fuel offered for retail sale is temporarily unavailable, when that occurs.

## **6 Changing price displayed on price board**

- (1) This regulation applies if a fuel retailer for a service station displays the price of a prescribed fuel on a price board at the service station.

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- (2) If the fuel retailer displays the price of a prescribed fuel on a price board and the normal fuel price of the prescribed fuel changes, the fuel retailer must change the price displayed on the price board:
- (a) as soon as the price change is effective as reported under regulation 5(a); and
  - (b) if the normal fuel price increases - before, or at the same time as, changing the price on any fuel pump display; and
  - (c) if the normal fuel price decreases - after, or at the same time as, changing the price on any fuel pump display.
- (3) In this regulation:

***fuel pump display*** means the display of the normal fuel price appearing on a metered fuel pump at a service station.

## **7 Discounted fuel price not to be displayed on price board**

- (1) A discounted fuel price must not be displayed on a price board.
- (2) To avoid doubt, information about discounts and special offers may be displayed on a price board.

## **8 Exemption**

The Commissioner may exempt a fuel retailer for a service station from a requirement of these Regulations if it appears to the Commissioner that, in the circumstances, compliance with the requirement is not necessary for the public interest.