



New South Wales

Fair Trading (Product Information Standards) Amendment (Petrol Prices) Regulation 1999

under the

Fair Trading Act 1987

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Fair Trading Act 1987*.

JOHN WATKINS, M.P.,

Minister for Fair Trading

Explanatory note

The object of this Regulation is to prescribe that the prominent display of the retail price of regular unleaded petrol by service stations is a product information standard for petrol.

This Regulation is made under the *Fair Trading Act 1987*, including sections 38 and 92 (the general regulation-making power).

1999 No 691

Clause 1 Fair Trading (Product Information Standards) Amendment (Petrol Prices) Regulation 1999

Fair Trading (Product Information Standards) Amendment (Petrol Prices) Regulation 1999

1 Name of Regulation

This Regulation is the *Fair Trading (Product Information Standards) Amendment (Petrol Prices) Regulation 1999*.

2 Commencement

This Regulation commences on 24 March 2000.

3 Amendment of Fair Trading (Product Information Standards) Regulation 1997

The *Fair Trading (Product Information Standards) Regulation 1997* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Schedule 3 Petrol

Insert after Schedule 2:

Schedule 3 Petrol

1 Definitions

In this Schedule:

consent authority, *development application* and *development consent* have the same meanings as they have in the *Environmental Planning and Assessment Act 1979*.

petrol station means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, whether or not any other fuel or other product is sold there and whether or not the building or place is used for any other purpose, but does not include a place where the primary business is the hiring, leasing or sale of motor vehicles.

2 Product information standard

The product information standard for regular unleaded petrol supplied at a petrol station is that the price at which that petrol is supplied to retail customers at the petrol station must be disclosed by being displayed at the petrol station on one or more signs (*petrol price signs*) that comply with the following requirements:

- (a) a petrol price sign must be so positioned and lit that any price and other matter that it displays will be readily seen by motorists approaching the petrol station at any time that the petrol station is open for business for the supply of petrol,
- (b) a price displayed on a petrol price sign must be a price per litre of petrol.

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Schedule 1 Amendment

3 Planning restriction not affected

The product information standard specified in clause 2 does not apply to the extent of any inconsistency with:

- (a) a requirement or prohibition imposed by or under the *Environmental Planning and Assessment Act 1979* or the *Local Government Act 1993* (other than a requirement that development consent be obtained), or
- (b) a requirement under the *Environmental Planning and Assessment Act 1979* that development consent be obtained, but only if that development consent has been applied for and refused.

4 Temporary exemption

- (1) The product information standard specified in clause 2 does not apply to a petrol station in existence as at 24 March 2000 if:
 - (a) a development application for consent to the erection of a sign at the petrol station that complies with the requirements of clause 2 has been lodged with a consent authority but has not been determined, or
 - (b) development consent for such a sign has been granted by a consent authority and the sign is in the process of being erected.
- (2) This clause ceases to have effect on 1 October 2000.

BY AUTHORITY