



New South Wales

Biofuels Regulation (No 2) Amendment Regulation 2021

under the

Biofuels Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Biofuels Act 2007*.

KEVIN ANDERSON, MP
Minister for Better Regulation and Innovation

Explanatory note

The objects of this Regulation are—

- (a) to extend the length of a relevant period from 3 months to 6 months, for the purposes of various reporting requirements, and
- (b) to exclude certain persons from the definition of *primary wholesaler*.

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1 Name of Regulation

This Regulation is the *Biofuels Regulation (No 2) Amendment Regulation 2021*.

2 Commencement

This Regulation commences on 1 July 2021 and is required to be published on the NSW legislation website.

3 Amendment of Biofuels Regulation (No 2) 2016

(1) **Clause 6, heading**

Omit “(section 3 of Act)”. Insert instead “—**the Act, s 3**”.

(2) **Clause 6**

Omit “900,000”. Insert instead “1,800,000”.

(3) **Clause 6A**

Insert after clause 6—

6A Relevant period—the Act, s 3(1A)

- (1) Each 6-month period that starts at the beginning of January and July in each year is a *relevant period*.
- (2) Despite amendments made by the *Biofuels Regulation (No 2) Amendment Regulation 2021*, clause 11 continues to apply to the relevant period commencing on 1 April 2021.

(4) **Clause 7, heading**

Insert “—**the Act, s 4**” after “**wholesaler**”.

(5) **Clause 7**

Omit “Pursuant to section 4(2) of the Act, each”. Insert instead “Each”.

(6) **Clause 7(2)**

Insert at the end of clause 7—

- (2) Despite subclause (1), each of the following is excluded from the definition of *primary wholesaler*—
 - (a) Mobil Oil Australia Pty Ltd (ACN 004 052 984),
 - (b) Viva Energy Australia Pty Ltd (ACN 004 610 459),
 - (c) Freedom Fuels Australia Pty Ltd (ACN 093 244 761).