

Authorised Version No. 050
Business Franchise (Petroleum Products)
Act 1979

No. 9272 of 1979

Authorised Version incorporating amendments as at
27 March 2019

TABLE OF PROVISIONS

<i>Section</i>	<i>Page</i>
1 Short title and commencement	1
2 Definitions	1
2A Transport Integration Act 2010	5
3 Membership of a petroleum wholesalers' group	5
3A Transitional provision	7
13 Better Roads Victoria Trust Account	7
17 Treasurer may make payments	10
18 Treasurer may require information	11
21 Records to be made and kept by petroleum retailers and wholesalers	12
22 Transportation records	13
23 Production of transportation records	14
24 Temporary custody of road vehicles	15
25 Forfeiture of petroleum products	15
26 Regulations	16
Schedule 1—Outer suburban and interface communities and rural and regional Victoria	17
<hr/> <hr/>	
Endnotes	19
1 General information	19
2 Table of Amendments	21
3 Amendments Not in Operation	25
4 Explanatory details	26

Section

Page

Authorised Version No. 050
Business Franchise (Petroleum Products)
Act 1979

No. 9272 of 1979

Authorised Version incorporating amendments as at
27 March 2019

An Act with respect to the licensing of Persons who sell certain
Petroleum Products in Victoria, to amend various Acts and for
other purposes.

BE IT ENACTED by the Queen's Most Excellent Majesty by
and with the advice and consent of the Legislative Council
and the Legislative Assembly of Victoria in this present
Parliament assembled and by the authority of the same as
follows (that is to say):

1 Short title and commencement

- (1) This Act may be cited as the **Business Franchise (Petroleum Products) Act 1979**.
- (2) This Act shall be read and construed as one with the **Business Franchise (Tobacco) Act 1974**.
- (3) This Act shall come into operation on 1 September 1979.

2 Definitions

- (1) In this Act unless inconsistent with the context or subject-matter—

* * * * *

**S. 2(1) def. of
Commissioner
repealed by
No. 40/1997
s. 138(Sch. 2
item 3).**

diesel fuel means a petroleum or shale product used or capable of use in propelling a diesel engined road vehicle;

S. 2(1) def. of *exemption certificate* inserted by No. 94/1997 s. 3(2)(a), repealed by No. 6/2000 s. 33(a).

* * * * *

S. 2(1) def. of *licensed premises* repealed by No. 94/1997 s. 3(1).

* * * * *

motor spirit means gasoline and other petroleum or shale spirit having a flash point of less than 23° Celsius when tested in an Abel Pensky closed test apparatus but does not include aviation gasoline, solvents, special boiling point spirits or liquefied petroleum gas;

petroleum products means motor spirit and diesel fuel;

S. 2(1) def. of *petroleum retailing* amended by Nos 88/1986 s. 38(2)(a)(i), 80/1994 s. 14(1)(a).

petroleum retailing means the business of selling petroleum products by retail either alone or in conjunction with any other merchandise and includes such business carried on as part of or in conjunction with any other business;

S. 2(1) def. of *petroleum wholesaling* amended by Nos 88/1986 s. 38(2)(a)(ii), 66/1988 s. 29, 80/1994 s. 14(1)(b).

petroleum wholesaling means the business of selling motor spirit or the business of selling diesel fuel for use only in propelling diesel engined road vehicles and includes any such business carried on as part of or in conjunction with any other business but does not include the business of petroleum retailing;

police officer has the same meaning as in the
Victoria Police Act 2013;

S. 2(1) def. of
police officer
inserted by
No. 37/2014
s. 10(Sch.
item 10.1).

prescribed capacity, in relation to a tank
containing petroleum products, means
3000 litres;

S. 2(1) def. of
*prescribed
capacity*
inserted by
No. 94/1997
s. 3(2)(b).

road vehicle means a vehicle designed solely or
principally for transporting persons, goods or
animals by road.

(1A) A reference in this Act to the sale of petroleum
products is a reference to the sale of petroleum
products in Victoria.

S. 2(1A)
inserted by
No. 80/1994
s. 14(2).

(1B) A sale of petroleum products made outside
Victoria in the course of petroleum wholesaling or
petroleum retailing shall for the purposes of this
Act be regarded as having been made in Victoria
if the terms (whether express or implied) of the
sale or of any contract for the sale—

S. 2(1B)
inserted by
No. 80/1994
s. 14(2).

(a) require either party to deliver, or arrange
delivery of, the petroleum products into or
within Victoria; or

(b) contemplate delivery of the petroleum
products into or within Victoria.

(2) A reference in this Act to the ***relevant period*** in
relation to—

(a) a petroleum retailers' licence of the duration
specified in section 6(1), a petroleum
wholesalers' licence or a group petroleum
wholesalers' licence which, if granted, will
expire at the end of a month specified in
Column 1 is a reference to the month last
past specified opposite that first-mentioned
month in Column 2 of the Table hereunder—

S. 2(2)(a)
amended by
Nos 9674
s. 22(a)(i),
9885
s. 9(2)(a)(i).

Business Franchise (Petroleum Products) Act 1979
No. 9272 of 1979

<i>Column 1</i>	<i>Column 2</i>
July	May
August	June
September	July
October	August
November	September
December	October
January	November
February	December
March	January
April	February
May	March
June	April

S. 2(2)(b)
amended by
Nos 9674
s. 22(a)(ii),
9885
s. 9(2)(a)(ii).

- (b) a petroleum retailer's licence revocable at will issued pursuant to section 6(2)—
- (i) after 30 June 1980 is a reference to the period commencing 1 September 1979 and ending on 31 March 1980; and
 - (ii) after 30 June 1981 is a reference to the year ending on 31 March preceding the year in which the licence, if granted, will be in force.
- (3) For the purposes of this Act the supply of petroleum products from a refinery for the purposes of resale shall not be regarded as constituting petroleum wholesaling or petroleum retailing.
- (4) A reference in this Act to a petroleum wholesaler or petroleum retailer or to a person who sells petroleum products does not extend to a person who carries on business as an agent or employé of a person who carries on the business of petroleum wholesaling or petroleum retailing.

- (5) In this Act, unless inconsistent with the context or subject-matter, words and expressions shall have the same meaning as is assigned to them in the **Business Franchise (Tobacco) Act 1974**.

2A Transport Integration Act 2010

This Act is transport legislation within the meaning of the **Transport Integration Act 2010**.

S. 2A
inserted by
No. 6/2010
s. 24(5)(Sch. 1
item 3), (as
amended by
No. 45/2010
s. 5).

3 Membership of a petroleum wholesalers' group

- (1) For the purposes of this Act a person is a member of a petroleum wholesalers' group—
- (a) if—
- (i) that person is one of the persons that constitute a group for the purposes of this Act;
 - (ii) one or more of the persons that constitute the group was a petroleum wholesaler in the relevant period;
 - (iii) one or more of the persons that constitute the group intend to carry on petroleum wholesaling in the month or part of the month in respect of which an application for a licence is or is intended to be made under this Act; and
 - (iv) there is not in force a determination by the Commissioner that that person is not a member of the group; or
- (b) if that person declares in writing that the organization or control of his business is such that he would have been a member of the group if it had been so organized or controlled during the relevant period and the other members of the group and the Commissioner agree that this is so.

S. 3(2)
amended by
No. 9885 s. 8.

(2) The Commissioner may in his absolute discretion by writing under his hand determine that a person who would, but for the determination be a member of a group for the purposes of this Act, is not a member of the petroleum wholesalers' group if he is satisfied that that person has continuously carried on petroleum wholesaling independently of the group and will continue to carry on petroleum wholesaling independently of the group and is not subject to control by any other member of the group.

S. 3(3)
amended by
No. 9885 s. 8.

(3) The Commissioner may in his absolute discretion by writing under his hand determine that a person who would, but for the determination, be a member of a group, is not a member of any group for the purposes of this Act if he considers that the person is not carrying on and has no intention of carrying on petroleum wholesaling.

S. 3(4)
amended by
No. 9885 s. 8.

- (4) The Commissioner may in his absolute discretion at any time revoke a determination made under subsection (2) or subsection (3).
- (5) A determination made under subsection (2) or subsection (3) shall come into force on the making thereof and shall continue in force until it is revoked by the Commissioner.
- (6) Notice of a determination under subsection (2) shall be given by the Commissioner to the person in respect of whom the determination was made and to all the members of the group concerned whom he considers are carrying on petroleum wholesaling.
- (7) Notice of a determination under subsection (3) shall be published in the Government Gazette.

(8) Notice of the revocation of a determination made under subsection (2) or subsection (3) shall be given by the Commissioner to the person in respect of whom the determination was made and to all members of the group concerned whom he considers are carrying on petroleum wholesaling.

3A Transitional provision

Section 4, as in force immediately before the commencement of section 5(a) of the **Business Franchise Fees (Safety Net) Act 1997**, continues to apply in respect of anything done before that commencement.

* * * * *

S. 3A
inserted by
No. 94/1997
s. 4.

Ss 4–12
repealed.¹

13 Better Roads Victoria Trust Account

(1) There shall be established in the Public Account as part of the Trust Fund an account to be known as the "Better Roads Victoria Trust Account".

S. 13
repealed by
No. 9863 s. 2,
new s. 13
inserted by
No. 46/1993
s. 5.

(2) There shall be paid out of the Consolidated Fund (which is to the necessary extent appropriated accordingly) into the Better Roads Victoria Trust Account—

S. 13(2)
substituted by
No. 49/1997
s. 4(1).

(a) in respect of the financial year commencing on 1 July 1997 an amount of \$185 000 000;

S. 13(2)(a)
amended by
No. 94/1997
s. 5(b)(i).

(b) in respect of a financial year, an amount equivalent to the total amount of revenue received in that year from the following sources—

S. 13(2)(b)
repealed by
No. 94/1997
s. 5(b)(ii), new
s. 13(2)(b)
inserted by
No. 7/2019
s. 3(1).

(i) fines paid in respect of an offence against the **Road Safety Act 1986** that is detected by a road safety camera or a speed detector;

(ii) fines paid in respect of a prescribed offence—

in such instalments and at such times as are determined from time to time by the Treasurer.

S. 13(3)
amended by
Nos 12/2004
s. 149, 36/2005
s. 3,
substituted by
No. 7/2019
s. 3(2).

(3) Amounts standing to the credit of the Better Roads Victoria Trust Account must be expended, as the Treasurer determines, for the repair and upgrade of—

- (a) roads in outer suburban and interface communities; and
- (b) roads and level crossings in rural and regional Victoria; and
- (c) roads and level crossings in metropolitan areas in Victoria.

S. 13(3A)
inserted by
No. 7/2019
s. 3(2).

(3A) For the purposes of subsection (3), the amounts to be expended must be expended in the following proportions—

- (a) no less than 33 per cent of the total amount received under subsection (2)(b) to be expended in respect of outer suburban and interface communities;
- (b) no less than 33 per cent of the total amount received under subsection (2)(b) to be expended in respect of rural and regional Victoria.

S. 13(3B)
inserted by
No. 7/2019
s. 3(2).

(3B) After expending the amounts to be expended under subsection (3) in the proportions set out in subsection (3A), the Treasurer may expend remaining amounts under subsection (3) as the Treasurer sees fit.

S. 13(3C)
inserted by
No. 7/2019
s. 3(2).

(3C) The amounts to be expended under subsection (3) must be expended in the proportions set out in subsection (3A) over a period of 4 years, where the first period commences on 1 July 2019.

- (4) Despite anything to the contrary in section 4 of the **State Taxation Acts (Further Amendment) Act 1997**, subsection (2) as in force immediately before the commencement of that section continues to apply to the payment to be made by reference to licence fees collected during June 1997. S. 13(4)
inserted by
No. 49/1997
s. 4(2).
- (5) The Treasurer may authorise— S. 13(5)
inserted by
No. 7/2019
s. 3(3).
- (a) any expenditure from the Better Roads Victoria Trust Account in accordance with this section; and
- (b) revenue to be paid into the Trust Account from any source specified by the Treasurer.
- (6) The Treasurer may delegate, by instrument, any of the Treasurer's powers or functions under this section, other than this power of delegation, to any of the following— S. 13(6)
inserted by
No. 7/2019
s. 3(3).
- (a) the Minister for the time being administering the **Road Safety Act 1986**;
- (b) a public service body Head within the meaning of the **Public Administration Act 2004**;
- (c) the Chief Executive for the time being of VicRoads;
- (d) the Head, Transport for Victoria (within the meaning of the **Transport Integration Act 2010**).
- (7) In this section— S. 13(7)
inserted by
No. 7/2019
s. 3(3).
- alpine resort* has the same meaning as it has in the **Alpine Resorts Act 1983**;
- Council* has the same meaning as it has in the **Local Government Act 1989**;

outer suburban and interface community means
a municipal district of a Council listed in
column 1 of the Table in Schedule 1;

road has the same meaning as it has in the **Road
Management Act 2004**;

road safety camera has the same meaning as
it has in the **Road Safety Act 1986**;

rural and regional Victoria means—

(a) a municipal district of a Council listed
in column 2 of the Table in Schedule 1;
or

(b) an alpine resort;

speed detector has the same meaning as it has in
the **Road Safety Act 1986**;

VicRoads means the Roads Corporation within
the meaning of section 3 of the **Transport
Integration Act 2010**.

Ss 14–16
repealed.²

* * * * *

S. 17
inserted by
No. 94/1997
s. 6.

17 Treasurer may make payments

(1) The Treasurer may, from time to time, pay
amounts determined by the Treasurer—

S. 17(1)(a)(b)
repealed by
No. 6/2000
s. 33(b).

* * * * *

(c) to persons who carry on, or have carried on,
a business of petroleum wholesaling in
respect of which duties of excise have been
paid to the Commonwealth.

(2) The Consolidated Fund is appropriated to the
necessary extent for the purposes of
subsection (1).

(3) If the Treasurer pays an amount to a person under this section that exceeds the amount due to that person, the overpayment may be off-set against future payments to that person under this section.

S. 17(3)
inserted by
No. 103/1998
s. 3.

18 Treasurer may require information

S. 18
inserted by
No. 94/1997
s. 7.

(1) For the purpose of determining whether to make a payment under section 17, or the amount of a payment, the Treasurer may require a person referred to in section 17(1)(c)—

S. 18(1)
amended by
No. 6/2000
s. 33(c).

(a) to give the Treasurer any information required by the Treasurer; or

(b) to produce to the Treasurer any document required by the Treasurer.

(2) A person must not give any information or produce any document under subsection (1) that is false or misleading in a material particular.

Penalty: 500 penalty units in the case of a body corporate;

100 penalty units in any other case.

* * * * *

S. 19
inserted by
No. 94/1997
s. 7,
amended by
No. 103/1998
s. 4,
repealed by
No. 6/2000
s. 33(d).

* * * * *

S. 20
inserted by
No. 94/1997
s. 7,
repealed by
No. 6/2000
s. 33(d).

Ss 20A, 20B
inserted by
No. 103/1998
s. 5,
repealed by
No. 6/2000
s. 33(d).

S. 21
inserted by
No. 94/1997
s. 7.

* * * * *

21 Records to be made and kept by petroleum retailers and wholesalers

- (1) A person who carries on the business of petroleum retailing must make a record of purchases of petroleum products and keep each record for a period of 5 years after it was made.
- (2) A person who carries on the business of petroleum wholesaling must make a record of sales and purchases of petroleum products and keep each record for a period of 5 years after it was made.
- (3) A record under this section must be in the form, and contain the particulars, required by the Commissioner.
- (4) A person must not—
 - (a) fail to make or keep a record as required by this section; or
 - (b) include in a record under this section any information that is false or misleading in a material particular.

Penalty: 500 penalty units in the case of a body corporate;

100 penalty units in any other case.

- (5) A record under this section need not be kept for 5 years if the Commissioner authorises its earlier destruction.

22 Transportation records

S. 22
inserted by
No. 94/1997
s. 7.

- (1) If petroleum products are to be transported in Victoria by road vehicle in a tank having a capacity that exceeds the prescribed capacity, the person on whose behalf the petroleum products are to be transported must complete a transportation record in respect of the petroleum products and give the record to the carrier at or before the commencement of the transportation.

Penalty: 20 penalty units.

- (2) The transportation record must be in a form approved by the Commissioner and must contain—
- (a) the date and address at which the transportation is to commence;
 - (b) the class and quantity of the petroleum products;
 - (c) the name and address of the person on whose behalf the petroleum products are to be transported;
 - (d) if the person on whose behalf the petroleum products are to be transported is not the owner of the petroleum products, the name and address of the owner;
 - (e) the name of the person (if any) to whom the carrier is to transport the petroleum products;
 - (f) the address to which the carrier is to transport the petroleum products;
 - (g) the name and address of the person (if any) who has agreed to purchase the petroleum products.

- (3) A person must not include in a transportation record any information that is false or misleading in a material particular.

Penalty: 20 penalty units.

- (4) At all times while petroleum products are being transported in Victoria by road vehicle in a tank having a capacity that exceeds the prescribed capacity the carrier must ensure that the transportation record relating to the petroleum products is carried in the vehicle.

Penalty: 20 penalty units.

S. 23
inserted by
No. 94/1997
s. 7.

23 Production of transportation records

- (1) If an inspector reasonably suspects that petroleum products are being transported by road vehicle in a tank having a capacity that exceeds the prescribed capacity, he or she may search the vehicle.

- (2) If a search under subsection (1) reveals petroleum products in a tank having a capacity that exceeds the prescribed capacity, the inspector may request the driver of the vehicle to produce the transportation record relating to the petroleum products for inspection.

- (3) A driver must comply with a request under subsection (2).

Penalty: 100 penalty units.

- (4) For the purposes of this section a police officer, at the request of an inspector, may request or signal the driver to stop the vehicle.

- (5) A driver must comply with a request or signal under subsection (4).

Penalty: 100 penalty units.

S. 23(4)
amended by
No. 37/2014
s. 10(Sch.
item 10.2).

24 Temporary custody of road vehicles

- (1) If the driver of a road vehicle—
 - (a) does not produce a transportation record to an inspector as required by section 23(3); or
 - (b) produces a transportation record that the inspector reasonably believes is false or misleading in a material particular—

the inspector may request the driver to drive the vehicle to another place within a reasonable distance, as determined by the inspector, where the petroleum products can be unloaded.

- (2) If the driver does not comply with a request under subsection (1), a police officer, at the request of the inspector, may take charge of the road vehicle for the purpose of driving it, or causing it to be driven, to the other place.
- (3) As soon as practicable after arrival at the other place—
 - (a) the inspector must unload, and may seize, the petroleum products; and
 - (b) if the inspector seizes the petroleum products, he or she must tender to the driver a receipt for the petroleum products containing a notice setting out the provisions of section 25.

S. 24
inserted by
No. 94/1997
s. 7.

S. 24(2)
amended by
No. 37/2014
s. 10(Sch.
item 10.2).

25 Forfeiture of petroleum products

- (1) If a person is convicted of an offence against section 22 or 23, any petroleum products seized from the person under section 24(3) or under section 14(2)(ba) or 15A of the **Business Franchise (Tobacco) Act 1974** are forfeited to, and become the property of, the State.

S. 25
inserted by
No. 94/1997
s. 7.

- (2) The Commissioner, on behalf of the State, may dispose of petroleum products that have become the property of the State in any manner he or she thinks fit.

S. 26
inserted by
No. 94/1997
s. 7,
repealed by
No. 13/2013
s. 53,
new s. 26
inserted by
No. 7/2019
s. 4.

26 Regulations

- (1) The Governor in Council may make regulations for or with respect to any matter or thing required or permitted by this Act to be prescribed or necessary to be prescribed to give effect to this Act.
- (2) Regulations made under this Act may—
- (a) be of general or limited application;
 - (b) differ according to differences in time, place or circumstance.

Business Franchise (Petroleum Products) Act 1979
No. 9272 of 1979
Schedule 1—Outer suburban and interface communities and rural and regional Victoria

Schedule 1—Outer suburban and interface communities and rural and regional Victoria

Sch. 1
inserted by
No. 7/2019
s. 5.

Section 13(7)

Table

<i>Item</i>	<i>Column 1 Outer suburban and interface community</i>	<i>Column 2 Rural and regional Victoria</i>
1	Cardinia Shire Council	Alpine Shire Council
2	Casey City Council	Ararat Rural City Council
3	Hume City Council	Ballarat City Council
4	Melton Shire Council	Bass Coast Shire Council
5	Mornington Peninsula Shire Council	Baw Baw Shire Council
6	Nillumbik Shire Council	Benalla Rural City Council
7	Whittlesea City Council	Borough of Queenscliffe
8	Wyndham City Council	Buloke Shire Council
9	Yarra Ranges Shire Council	Campaspe Shire Council
10		Central Goldfields Shire Council
11		Colac-Otway Shire Council
12		Corangamite Shire Council
13		East Gippsland Shire Council
14		Gannawarra Shire Council
15		Glenelg Shire Council
16		Golden Plains Shire Council
17		Greater Bendigo City Council
18		Greater Geelong City Council
19		Greater Shepparton City Council
20		Hepburn Shire Council
21		Hindmarsh Shire Council
22		Horsham Rural City Council
23		Indigo Shire Council

Business Franchise (Petroleum Products) Act 1979
 No. 9272 of 1979
 Schedule 1—Outer suburban and interface communities and rural and
 regional Victoria

<i>Item</i>	<i>Column 1 Outer suburban and interface community</i>	<i>Column 2 Rural and regional Victoria</i>
24		Latrobe City Council
25		Loddon Shire Council
26		Macedon Ranges Shire Council
27		Mansfield Shire Council
28		Mildura Rural City Council
29		Mitchell Shire Council
30		Moira Shire Council
31		Moorabool Shire Council
32		Mount Alexander Shire Council
33		Moyne Shire Council
34		Murrindindi Shire Council
35		Northern Grampians Shire Council
36		Pyrenees Shire Council
37		South Gippsland Shire Council
38		Southern Grampians Shire Council
39		Strathbogie Shire Council
40		Surf Coast Shire Council
41		Swan Hill Rural City Council
42		Towong Shire Council
43		Wangaratta Rural City Council
44		Warrnambool City Council
45		Wellington Shire Council
46		West Wimmera Shire Council
47		Wodonga City Council
48		Yarriambiack Shire Council

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The **Business Franchise (Petroleum Products) Act 1979** was assented to on 10 July 1979 and came into operation on 1 September 1979: section 1(3).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided section or clause of a Schedule is amended by the insertion of one or more subsections or subclauses, the original section or clause becomes subsection or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original section or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in an Act which is passed on or after 1 January 2001 form part of that Act. Any heading inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. This includes headings to Parts, Divisions or Subdivisions in a Schedule; sections; clauses; items; tables; columns; examples; diagrams; notes or forms. See section 36(1A)(2A).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in an Act which is passed on or after 1 January 2001 form part of that Act. Any examples, diagrams or notes inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, form part of that Act. See section 36(3A).

- **Punctuation**

All punctuation included in an Act which is passed on or after 1 January 2001 forms part of that Act. Any punctuation inserted in an Act which was passed before 1 January 2001, by an Act passed on or after 1 January 2001, forms part of that Act. See section 36(3B).

Business Franchise (Petroleum Products) Act 1979
No. 9272 of 1979
Endnotes

- **Provision numbers**

All provision numbers included in an Act form part of that Act, whether inserted in the Act before, on or after 1 January 2001. Provision numbers include section numbers, subsection numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of an Act is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of an Act. See section 36(3)(3D)(3E).

2 Table of Amendments

This publication incorporates amendments made to the **Business Franchise (Petroleum Products) Act 1979** by Acts and subordinate instruments.

Business Franchise (Petroleum Products) (Licence Fees) Act 1979, No. 9295/1979

Assent Date: 30.10.79
Commencement Date: 1.9.79: s. 1(3)
Current State: All of Act in operation

Transport (Road Funds) Act 1980, No. 9418/1980

Assent Date: 20.5.80
Commencement Date: Ss 6–9 on 1.7.80; rest of Act on 20.5.80: s. 1(2)
Current State: All of Act in operation

Business Franchise (Petroleum Products) (Fees) Act 1981, No. 9588/1981

Assent Date: 30.10.81
Commencement Date: 1.11.81: s. 1(3)
Current State: All of Act in operation

Business Franchise (Amendment) Act 1981, No. 9674/1981

Assent Date: 22.12.81
Commencement Date: Ss 6, 13(1) on 18.11.80: s. 1(3); rest of Act on 23.12.81: Government Gazette 23.12.81 p. 4262
Current State: All of Act in operation

Public Account (Trust Funds) Act 1982, No. 9861/1982

Assent Date: 5.1.83
Commencement Date: 12.1.83: Government Gazette 12.1.83 p. 81
Current State: All of Act in operation

Statute Law Revision Act 1982, No. 9863/1982

Assent Date: 5.1.83
Commencement Date: 5.1.83: s. 1(2)
Current State: All of Act in operation

Business Franchise Acts (Amendment) Act 1983, No. 9885/1983

Assent Date: 10.5.83
Commencement Date: All of Act (except ss 6(1), 10) on 10.5.83: s. 1(2); s. 6(1) on 18.11.80: s. 6(2); s. 10 on 1.9.82: s. 10(3)
Current State: All of Act in operation

Business Franchise Acts (Further Amendment) Act 1983, No. 9965/1983

Assent Date: 22.11.83
Commencement Date: S. 7 on 23.12.81: s. 2(3); ss 1, 2 and 6 on 22.11.83: s. 2(1); ss 3–5 on 1.12.83: s. 2(2)
Current State: All of Act in operation

Business Franchise (Petroleum Products) Act 1979
No. 9272 of 1979
Endnotes

Taxation Acts (Amendment) Act 1986, No. 88/1986

Assent Date: 9.12.86
Commencement Date: S. 38 on 9.12.86: s. 2(1)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Business Franchise Acts (Amendment) Act 1987, No. 14/1987

Assent Date: 12.5.87
Commencement Date: 28.5.87: Special Gazette (No. 20) 28.5.87 p. 1
Current State: All of Act in operation

Business Franchise Acts (Amendment) Act 1988, No. 66/1988

Assent Date: 9.12.88
Commencement Date: Ss 6, 8, 20, 21, 30, 34 on 1.12.88: s. 2(2); rest of Act on 9.12.88: s. 2(1)
Current State: All of Act in operation

Business Franchise (Tobacco) (Amendment) Act 1989, No. 75/1989

Assent Date: 28.11.89
Commencement Date: S. 5(1) on 1.10.89: s. 5(2); rest of Act on 28.11.89: s. 2
Current State: All of Act in operation

Business Franchise Acts (Further Amendment) Act 1990, No. 54/1990

Assent Date: 7.11.90
Commencement Date: 7.11.90
Current State: All of Act in operation

State Taxation (Amendment) Act 1992, No. 76/1992

Assent Date: 24.11.92
Commencement Date: S. 3 on 24.11.92: s. 2(1)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Transport Accident (Amendment) Act 1992, No. 79/1992

Assent Date: 24.11.92
Commencement Date: S. 9(1)(3)–(5) on 24.11.92: s. 2(1); s. 9(2) on 15.1.93: s. 2(3)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Business Franchise (Petroleum Products) (Amendment) Act 1993, No. 46/1993

Assent Date: 1.6.93
Commencement Date: 1.6.93
Current State: All of Act in operation

Business Franchise Acts (Amendment) Act 1994, No. 80/1994

Assent Date: 29.11.94
Commencement Date: Ss 13, 15(1) on 29.11.94: s. 2(1); ss 14, 15(2), 16 on 1.12.94: s. 2(2)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Business Franchise (Petroleum Products) Act 1979
No. 9272 of 1979
Endnotes

State Taxation (Further Omnibus Amendment) Act 1996, No. 42/1996

Assent Date: 12.11.96
Commencement Date: S. 3 on 12.11.96: s. 2(1)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Taxation Administration Act 1997, No. 40/1997

Assent Date: 3.6.97
Commencement Date: S. 138(Sch. 2 item 3) on 1.7.97: Government Gazette 12.6.97 p. 1330
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

State Taxation Acts (Further Amendment) Act 1997, No. 49/1997

Assent Date: 11.6.97
Commencement Date: S. 3 on 11.6.97: s. 2(1); s. 4 on 1.7.97: s. 2(3)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Business Franchise Fees (Safety Net) Act 1997, No. 94/1997

Assent Date: 16.12.97
Commencement Date: Ss 3(1), 4–6 on 7.8.97: s. 2(2); ss 3(2), 7 on 16.12.97: s. 2(3)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

State Taxation (Further Amendment) Act 1998, No. 103/1998

Assent Date: 1.12.98
Commencement Date: Ss 3–5 on 1.12.98: s. 2(1)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

National Taxation Reform (Consequential Provisions) Act 2000, No. 6/2000

Assent Date: 11.4.00
Commencement Date: S. 33 on 1.7.00: s. 2(3)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Road Management Act 2004, No. 12/2004

Assent Date: 11.5.04
Commencement Date: S. 149 on 1.7.04: s. 2(2)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Business Franchise (Petroleum Products) Act 1979
No. 9272 of 1979
Endnotes

State Taxation Acts (General Amendment) Act 2005, No. 36/2005

Assent Date: 28.6.05
Commencement Date: S. 3 on 1.7.05: s. 2(7)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Transport Integration Act 2010, No. 6/2010 (as amended by No. 45/2010)

Assent Date: 2.3.10
Commencement Date: S. 24(5)(Sch. 1 item 3) on 1.7.10: Special Gazette (No. 256) 30.6.10 p. 1
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Statute Law Amendment (Directors' Liability) Act 2013, No. 13/2013

Assent Date: 13.3.13
Commencement Date: S. 53 on 14.3.13: s. 2
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Victoria Police Amendment (Consequential and Other Matters) Act 2014, No. 37/2014

Assent Date: 3.6.14
Commencement Date: S. 10(Sch. item 10) on 1.7.14: Special Gazette (No. 200) 24.6.14 p. 2
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Act 2019, No. 7/2019

Assent Date: 26.3.19
Commencement Date: Ss 3–5 on 27.3.19: s. 2(1)
Current State: This information relates only to the provision/s amending the **Business Franchise (Petroleum Products) Act 1979**

3 Amendments Not in Operation

There are no amendments which were Not in Operation at the date of this publication.

4 Explanatory details

¹ Ss 4–12:

S. 4 amended by Nos 9674 ss 18, 22(b)(i)(ii), 14/1987 s. 9, 66/1988 s. 30(a)–(d), repealed by No. 94/1997 s. 5(a).

S. 5 amended by Nos 9674 s. 19, 80/1994 s. 15(1), repealed by No. 94/1997 s. 5(a).

S. 6 amended by Nos 9295 s. 2(a)(b), 9674 s. 22(c)(d), substituted by No. 9885 s. 9(1), repealed by No. 94/1997 s. 5(a).

S. 7 amended by Nos 9295 s. 3, 9588 s. 2(a)(b), 9674 ss 20(a)(b), 22(f), 9885 ss 9(2)(a)(b), 10(1)(2), 9965 s. 4(1)(a)(b), 88/1986 s. 38 (2)(b)–(d), 66/1988 ss 31, 32(1)(2), 75/1989 s. 8, 54/1990 s. 4(1), 76/1992 s. 3, 79/1992 s. 9(1), 46/1993 s. 4(1)(a)(b), 80/1994 s. 15(2)(a)–(c), 49/1997 s. 3(1)(a)–(c)(2), repealed by No. 94/1997 s. 5(a).

S. 7A inserted by No. 88/1986 s. 38(1), amended by No. 66/1988 s. 33(1)(2) repealed by No. 94/1997 s. 5(a).

S. 8 amended by Nos 9674 ss 21, 22(e)(i)(ii), 88/1986 s. 38(2)(e), 66/1988 s. 34, repealed by No. 94/1997 s. 5(a).

S. 9 amended by No. 66/1988 s. 35, repealed by No. 94/1997 s. 5(a).

S. 10 amended by No. 9674 s. 22(g)(i)(ii), repealed by No. 94/1997 s. 5(a).

S. 11 amended by No. 9418 s. 6(a)(b), repealed by No. 9861 s. 3(1), new s. 11 inserted by No. 66/1988 s. 36, repealed by No. 94/1997 s. 5(a).

S. 11A inserted by No. 80/1994 s. 16, repealed by No. 94/1997 s. 5(a).

S. 12 repealed by No. 9863 s. 2, new s.12 inserted by No. 54/1990 s. 5, amended by No. 79/1992 s. 9(2)(3), repealed by No. 94/1997 s. 5(a).

² Ss 14–16:

S. 14 repealed by No. 9863 s. 2, new s. 14 inserted by No. 42/1996 s. 3, repealed by No. 94/1997 s. 5(c).

S. 15 repealed by No. 9863 s. 2.

S. 16 repealed by No. 94/1997 s. 5(c).