Commonwealth of Australia

Liquid Fuel Emergency Act 1984

LIQUID FUEL EMERGENCY (ACTIVITIES – ESSENTIAL USERS) DETERMINATION
2008

Explanatory Statement

Issued by the authority of the Minister for Resources and Energy

MARTIN FERGUSON

Dated of approval: 19 September 2008

LIQUID FUEL EMERGENCY DETERMINATION 2008

Activities – Essential Users

General Outline

Section 11 of the Liquid Fuel Emergency Act 1984 (the Act) grants the Minister the power, by legislative instrument, to determine activities to identify a person or organisation as an essential user of fuel. These essential users may receive priority access to petroleum products in the event of a national liquid fuel emergency.

The purpose of the Liquid Fuel Emergency (Activities – Essential Users) Determination 2008 is to provide a predetermined list of essential user activities. This allows for greater planning and preparation, so that if a Liquid Fuel Emergency does occur, there will be an existing strategy to meet the needs of these essential users.

This Determination was made in accordance with the Liquid Fuel Emergency Act and the Liquid Fuel Emergency Guidelines 2008.

Legislative Authority

Subsection 11(3) of the Act, allows the Minister, by legislative instrument, to determine the activities for the purpose of paragraph (1)(d) of the Act to identify a person or organisation as an essential user.

The Act may be found at:

Once the *Liquid Fuel Emergency Guidelines 2008* have been placed on the Federal Register of Legislative Instruments they can be found at:


**Consultation**

The Determination has been developed in consultation with the National Oil Supplies Emergency Committee (NOSEC), the main executive channel through which Australian governments, in cooperation with industry, formulate the overall management response to a national liquid fuel emergency.

In determining a Direction under this section, either immediately prior to or during an LFE, the Minister will consult with state and territory jurisdictions and relevant fuel industry corporations.

**Financial Implications**

There are no financial implications.

**Date of Effect**

The Determination will commence on the day after they are registered on the Federal Register of Legislative Instruments.
Notes on Provisions

Clause 1 – Name of Guidelines

This prescribes the name of the Determination as the Liquid Fuel Emergency (Activities – Essential Users) Determination 2008.

Clause 2 - Commencement

Clause 2 provides for the Determination to commence on the day after they are registered.

Clause 3 - Definitions

Clause 3 provides a list of definitions for the purpose of this Determination.

Clause 4 – Determination of activities

Clause 4 lists the activities which are determined to be activities of essential users, these are:

(a) a police service;
(b) a corrective service;
(c) a fire or rescue service;
(d) an ambulance service;
(e) a State Emergency Service or and equivalent organisation;
(f) a public transport service; and
(g) a taxi service.