

1978 BILL 45

Fourth Session, 18th Legislature, 27 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 45

THE FUEL OIL ADMINISTRATION AMENDMENT ACT, 1978

THE PROVINCIAL TREASURER

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 45

1978

THE FUEL OIL ADMINISTRATION AMENDMENT ACT, 1978

(Assented to , 1978)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1 *The Fuel Oil Administration Act is amended by this Act.*

2 *Section 6 is amended*

(a) by repealing subsection (1) and substituting the following:

6(1) The Minister may provide farm fuel distribution allowances in accordance with this Act and the regulations in respect of marked fuel used

(a) for farming operations in Alberta,

(b) in domestic appliances in Alberta, and

(c) for heating or lighting premises located in Alberta elsewhere than on a farm and used as private dwellings.

(b) by adding the following after subsection (2):

(3) For the purposes of this Part, except subsection (1)(a), a reference to farming operations shall be deemed to include a use referred to in subsection (1)(b) or (c).

3 *Section 14 is amended*

(a) in subsection (1)(a) by striking out “or” at the end of subclause (ii), by adding “or” at the end of subclause (iii) and by adding the following after subclause (iii):

(iv) is contained in a domestic appliance or in heating or lighting equipment in premises referred to in section 6(1)(c),

Explanatory Notes

1 This Bill will amend The Fuel Oil Administration Act (Bill 23 of 1978) which was given Royal Assent on March 31, 1978.

2 Section 6(1) presently reads:

6(1) The Minister may provide farm fuel distribution allowances in accordance with this Act and the regulations in respect of marked fuel used in farming operations in Alberta.

The effect of the amendment is to extend the farm fuel distribution allowance program to marked fuel used for domestic purposes referred to in the proposed section 6(1)(b) and (c).

3 Section 14 reads in part:

14(1) No person shall be in possession of marked fuel unless he

(a) is in possession of it for use in farming operations in Alberta carried on by him and then only if the fuel

(i) is in the fuel system of a farm truck or farm machinery of which he is the owner or operator,

(b) by adding the following after subsection (10):

(11) In a prosecution for a contravention of subsection (8)(c) or (d) it is a defence to prove that the accused used the blended fuel for a purpose referred to in section 6(1)(b) or (c) or kept blended fuel in storage with the intention of using it for such a purpose.

4 This Act comes into force on the day upon which it is assented to.

(ii) is being transported or kept in storage by him, or

(iii) is contained in heating equipment for a building or dwelling referred to in section 1(1)(h)(ii),

(8) No person shall

(c) mix or blend any marked fuel with any other fuel oil that is not marked fuel;

(d) without justification, sell or be in possession of blended fuel;