

BILL

No. 201 of 2006-07

An Act respecting Bio-diesel

(Assented to _____)

Preamble

WHEREAS bio-diesel is a domestic, renewable fuel for diesel engines derived from natural oils that contains no petroleum, but it can be blended at any level with petroleum diesel to create a bio-diesel blend;

WHEREAS the use of bio-diesel results in a substantial reduction of unburned hydrocarbons, carbon monoxide, and particular matter compared to emissions from diesel fuel;

WHEREAS scientific research confirms that bio-diesel exhaust has a less harmful impact on human health than petroleum diesel fuel exhaust;

WHEREAS the use of bio-diesel could help the viability of rural Saskatchewan due to the development of a value added commodity.

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

Short title

1 *The Bio-diesel Fuel Act.*

Interpretation

2 In this Act:

- (a) **“bio-diesel”** means a fuel composed of mono-alkyl esters of long chain fatty acids derived from vegetable or canola oils or animal fats and is also designated as B100;
- (b) **“bio-diesel blend”** means a blend of bio-diesel and petroleum diesel fuel that is blended at the prescribed level that meets a minimum EN-14214 standard;
- (c) **“distributor”** means a person in Saskatchewan who sells or provides fuel to consumers;
- (d) **“fuel”** means fuel as defined in *The Fuel Tax Act, 2000*;
- (e) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (f) **“prescribed”** means prescribed in the regulations.

Minister's responsibilities

3 The minister is responsible for all matters not by law assigned to any other minister, department, branch or agency of the Government of Saskatchewan relating to the production and use of bio-diesel, including matters respecting:

- (a) the blending of bio-diesel with diesel fuel; or
- (b) the use of bio-diesel blended fuel for a prescribed purpose.

Use of bio-diesel blended fuel

4(1) Subsections (2) and (3) do not come into effect until the minister is satisfied that Saskatchewan's bio-diesel production is sufficient to meet provincial needs.

(2) Subject to subsection (1), on and after the date prescribed in the regulations pursuant to this Act, no less than 2.5 percent of bio-diesel blended fuel shall be used.

(3) Subject to subsection (1), on and after January 1, 2010, no less than 5 percent of bio-diesel blended fuel shall be used.

(4) This section does not apply to:

- (a) any prescribed fuel; or
- (b) fuel used for a prescribed purpose.

Enforcement and compliance

5 For the purposes of enforcing and administering this Act:

(a) the minister and enforcement officers may exercise the powers given by Part IV of *The Fuel Tax Act, 2000* to the minister responsible for the administration of *The Fuel Tax Act, 2000* and to enforcement officers as defined in that Act; and

(b) Part IV of *The Fuel Tax Act, 2000* applies, with any necessary modifications, to the minister, enforcement officers and any other persons governed by this Act.

Offence and penalties

6(1) No person shall:

- (a) make or participate in, or assent to or acquiesce in making, a false or misleading statement in any document provided to the minister or an enforcement officer pursuant to this Act;
- (b) destroy, alter, mutilate or dispose of any book or record, if the book or record is required to be kept for the purposes of this Act;
- (c) make or participate in, or assent to or acquiesce in omitting, an entry of a material fact in a book or record, if the book or record is required to be kept for the purposes of this Act; or
- (e) contravene any other provision of this Act or the regulations.

(2) Every person who contravenes any provision of this Act is guilty of an offence and liable on summary conviction:

- (a) in the case of an individual, to a fine not exceeding \$10,000.00;
- (b) in the case of a corporation, to a fine not exceeding \$50,000.00.

(3) If a corporation commits an offence pursuant to this Act, any officer or director of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable on summary conviction to the penalties mentioned in this section whether or not the corporation has been prosecuted or convicted.

Regulations

7 The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) prescribing a date for the purposes of section 4;
- (c) prescribing fuel for the purposes of clause 4(4)(a);
- (d) prescribing a purpose for which fuel may be used for the purposes of clause 4(4)(b);
- (e) respecting the records and documents that a distributor must keep for the purposes of this Act and requiring the keeping of those records;
- (f) respecting the handling and storage of bio-diesel bended fuel;
- (g) prescribing any other matter or thing required or authorized by this Act to be prescribed in the regulations;
- (h) respecting any other matter or thing the Lieutenant Governor in Council considers necessary or expedient to carry out the intent of this Act.

Coming into force

8 This Act comes into force on January 1, 2008.

THIRD SESSION

Twenty-fifth Legislature

SASKATCHEWAN

B I L L

No. 201 of 2006-07

An Act respecting Bio-Diesel

Received and read the

First time

Second time

Third time

And Passed

Mr. Greg Brkich

REGINA SASKATCHEWAN
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