



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 41

An Act to foster transparency in the sale of gasoline and diesel fuel

Introduction

**Introduced by
Mr. Claude Béchar
Minister of Natural Resources and Wildlife**

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EXPLANATORY NOTES

The object of this bill is to impose on enterprises selling gasoline or diesel fuel at retail the obligation to display the components of the sale price of those products on the site of the service station. The bill requires that enterprises notify the Régie de l'énergie of any change in the sale price of gasoline and diesel fuel, and of the reasons justifying any increase; the Régie must make such notices public. The bill also introduces offences for which enterprises failing to fulfill their obligations are to be penalized.

The bill amends the Act respecting the Régie de l'énergie in order to entrust the Régie with the responsibility of estimating certain components of the cost of the gasoline and diesel fuel delivered to the retailer and of the sale price of those products, for the period determined by the Minister. It also gives the Régie the mandate to set a maximum sale price for gasoline and diesel fuel on the request of and for the period determined by the Minister.

LEGISLATION AMENDED BY THIS BILL:

- Petroleum Products Act (R.S.Q., chapter P-29.1);
- Act respecting the Régie de l'énergie (R.S.Q., chapter R-6.01).

Bill 41

AN ACT TO FOSTER TRANSPARENCY IN THE SALE OF GASOLINE AND DIESEL FUEL

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Sections 68 to 76 of the Petroleum Products Act (R.S.Q., chapter P-29.1) are repealed.

2. The Act is amended by inserting the following sections after section 76:

“76.1. An enterprise that sells gasoline or diesel fuel at retail must display, in full view on the site of the service station, the total of the cost of the gasoline or diesel fuel delivered to the retailer and the applicable federal and provincial retail sales taxes as estimated by the Régie de l'énergie.

The enterprise must also display the components of the sale price of gasoline and diesel fuel as estimated by the Régie de l'énergie.

“76.2. An enterprise that sells gasoline or diesel fuel at retail, or any person so authorized and acting on behalf of a group of enterprises, must send a notice to the Régie de l'énergie stating the sale price of gasoline and diesel fuel and reporting any change in that price. The notice must be sent to the Régie de l'énergie in the manner determined by the Régie.

In the case of an increase in the sale price, the notice must state the reasons justifying that increase and be sent on the very day of the increase.”

3. Section 98 of the Act is amended by replacing paragraph 2 by the following paragraph:

“(2) every person who contravenes section 76.1 or 76.2.”

4. The Act respecting the Régie de l'énergie (R.S.Q., chapter R-6.01) is amended by inserting the following sections after section 59:

“59.1. For the purposes of section 76.1 of the Petroleum Products Act (chapter P-29.1), the Régie shall estimate, for the zones it determines and according to the period and method determined by the Minister, the total of the cost of the gasoline or diesel fuel delivered to the retailer and the applicable federal and provincial retail sales taxes.

In the same manner, the Régie shall estimate any component of the sale price of gasoline and diesel fuel identified by the Minister.

“59.2. At the Minister’s request, the Régie shall set, for the period and according to the method determined by the Minister, the maximum price at which an enterprise may sell gasoline or diesel fuel at retail, which may vary according to the zones the Régie determines and the type of gasoline or fuel.

“59.3. The Régie must take the necessary measures to make the following public:

(1) the notices sent to the Régie in accordance with section 76.2 of the Petroleum Products Act (chapter P-29.1);

(2) the periods, methods and components referred to in sections 59.1 and 59.2; and

(3) the maximum price set under section 59.2.”

5. Section 116 of the Act is amended by inserting the following subparagraph before subparagraph 1 of the second paragraph:

“(0.1) any enterprise that sells gasoline or diesel fuel at retail at a higher price than the maximum price set under section 59.2;”.

6. This Act comes into force on the date to be set by the Government.