

# *The Ethanol Fuel Act*

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[Chapter E-11.1](#) of *The Statutes of Saskatchewan, 2002*  
(effective July 15, 2002).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

## Table of Contents

- 1 Short title
- 2 Interpretation
- 3 Minister's responsibilities
- 4 Use of ethanol-blended fuel required
- 5 Enforcement and compliance
- 6 Offence and penalties
- 7 Regulations
- 8 Coming into force

## CHAPTER E-11.1

### An Act respecting Ethanol

#### Short title

1 This Act may be cited as *The Ethanol Fuel Act*.

#### Interpretation

2 In this Act:

- (a) “**consumer**” means a consumer as defined in *The Fuel Tax Act, 2000*;
- (b) “**distributor**” means a person in Saskatchewan who sells or provides fuel to consumers;
- (c) “**enforcement officer**” means any prescribed person or class of prescribed persons;
- (d) “**ethanol**” means ethanol produced from biomass or renewable feedstocks;
- (e) “**ethanol-blended fuel**” means fuel that is blended with ethanol in the prescribed manner;
- (f) “**fuel**” means fuel as defined in *The Fuel Tax Act, 2000*;
- (g) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (h) “**prescribed**” means prescribed in the regulations.

2002, c.E-11.1, s.2.

#### 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 ethanol, including matters respecting:

- (a) the blending of ethanol with fuel; and
- (b) the promotion of a cleaner environment through the use of ethanol.

2002, c.E-11.1, s.3.

#### Use of ethanol-blended fuel required

4(1) On and after the prescribed date, every distributor must sell only ethanol-blended fuel.

(2) Subsection (1) does not apply to:

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

2002, c.E-11.1, s.4.

**Enforcement and compliance**

**5** For the purposes of enforcing and administering this Act:

- (a) the minister and an enforcement officer 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.

2002, c.E-11.1, s.5.

**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 making, a false or misleading entry in a book or record, if the book or record is required to be kept for the purposes of this Act;
- (d) omit 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;
- (b) in the case of a corporation, to a fine not exceeding \$50,000.

(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.

2002, c.E-11.1, s.6.

**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 persons or classes of persons as enforcement officers;

## ETHANOL FUEL

## c. E-11.1

- (c) prescribing a date for the purposes of subsection 4(1);
- (d) prescribing fuel for the purposes of clause 4(2)(a);
- (e) prescribing a purpose for which fuel may be used for the purposes of clause 4(2)(b);
- (f) respecting the records and documents that a distributor must keep for the purposes of this Act and requiring the keeping of those records;
- (g) respecting the handling and storage of ethanol-blended fuel;
- (h) prescribing any other matter or thing required or authorized by this Act to be prescribed in the regulations;
- (i) respecting any other matter or thing the Lieutenant Governor in Council considers necessary or expedient to carry out the intent of this Act.

2002, c.E-11.1, s.7.

**Coming into force**

8 This Act comes into force on proclamation.

2002, c.E-11.1, s.8.

