

The Renewable Diesel Regulations

being

[Chapter R-19.001 Reg 1](#) (effective July 1, 2012).

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.

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CHAPTER R-19.001 REG 1

The Renewable Diesel Act

PART I

Preliminary Matters

Title

- 1 These regulations may be cited as *The Renewable Diesel Regulations*.

Interpretation

- 2 In these regulations:

- (a) “**Act**” means *The Renewable Diesel Act*;
- (b) “**authorized official**” means:
 - (i) with respect to a distributor who is an individual, that individual or a person authorized to act on behalf of that individual;
 - (ii) with respect to a distributor that is a corporation, an officer of the corporation who is authorized to act on behalf of that corporation.

6 Jly 2012 c.R-19.001 Reg 1 s2.

Fuels prescribed as diesel fuel

- 3 For the purposes of clause 2(c) of the Act, the following fuels are prescribed as diesel fuel:

- (a) diesel fuel used in powering a diesel engine, including marked or coloured diesel fuel;
- (b) motive fuel used in powering a railway locomotive;
- (c) bunker-C fuel.

6 Jly 2012 c.R-19.001 Reg 1 s3.

Prescribed distributors

- 4 The following classes of persons are prescribed as distributors for the purposes of clause 2(d) of the Act:

- (a) persons who hold a valid licence issued pursuant to section 27 or 28 of *The Fuel Tax Act, 2000*;
- (b) persons who are required to remit fuel tax pursuant to subsection 9(1) and clauses 9(2)(a) to (d) and (g) of *The Fuel Tax Act, 2000*.

6 Jly 2012 c.R-19.001 Reg 1 s4.

Deemed consumer

- 5 Every person to whom diesel fuel is sold or provided by a person mentioned in clause 4(b) is deemed to be a consumer.

6 Jly 2012 c.R-19.001 Reg 1 s5.

PART I
Regulation of Distributors

Use of renewable diesel fuel required on and after July 1, 2012

6 For the purposes of subsection 3(1) of the Act, the prescribed date is July 1, 2012.

6 Jly 2012 c.R-19.001 Reg 1 s6.

To what fuels the Act does not apply

7(1) In this section, “**Northern Saskatchewan Administration District**” means district as defined in *The Northern Municipalities Act, 2010*.

(2) For the purposes of subsection 3(2) of the Act, and subject to clause 9(a), the Act does not apply to diesel fuel used:

- (a) for aviation;
- (b) for any purpose in the Northern Saskatchewan Administration District.

6 Jly 2012 c.R-19.001 Reg 1 s7.

Transfer and assignment of volumes of renewable diesel fuel

8(1) Subject to subsection (2), any volume of renewable diesel fuel that is assigned or transferred by a distributor to another distributor counts towards compliance with subsection 3(1) of the Act for the distributor to whom the renewable diesel fuel is being assigned or transferred.

(2) Any volume of renewable diesel fuel that is assigned or transferred to a distributor only counts towards compliance with subsection 3(1) of the Act if that renewable diesel fuel is sold or provided to consumers in Saskatchewan.

6 Jly 2012 c.R-19.001 Reg 1 s8.

Other renewable diesel fuel to be included in compliance volume

9 The volumes of any blended diesel fuel resulting from the following processes may be used by a distributor to comply with subsection 3(1) of the Act:

- (a) renewable diesel fuel blended with diesel fuel that is intended to be used for a purpose set out in subsection 7(2); and
- (b) renewable diesel fuel produced simultaneously with hydrocarbon-based diesel fuel in a refinery or manufacturing process, if the resulting notional volumes are calculated in accordance with subsections 6(6) and (7) of the *Renewable Fuels Regulations* (Canada).

6 Jly 2012 c.R-19.001 Reg 1 s9.

Standards and specifications for renewable diesel fuel

10(1) Renewable diesel fuel is fuel that is diesel fuel substitute made from:

- (a) renewable materials, including vegetable oil, waste cooking oil, animal fat or fish oil, fungi, and algae or other microbes; or
- (b) cellulosic feedstock consisting of agriculture and forest biomass.

- (2) Renewable diesel fuel must meet the following specifications:
- (a) fuel-grade ASTM International specifications;
 - (b) fuel-grade specifications accepted under Canadian General Standards Board or European standards.

6 Jly 2012 c.R-19.001 Reg 1 s10.

Disruption of supply due to unforeseen and uncontrollable external event

11 In the event a distributor is unable to comply with subsection 3(1) of the Act due to an unforeseen and uncontrollable external event, the minister may, subject to the approval of the Lieutenant Governor in Council, waive compliance with subsection 3(1) of the Act for that distributor with respect to a specified reporting period subject to any terms and conditions that the Lieutenant Governor in Council may impose.

6 Jly 2012 c.R-19.001 Reg 1 s11.

PART III Records and Reporting

Notification to minister by distributor

12(1) In this section:

- (a) **“existing distributor”** means a distributor that commenced operations on or before June 30, 2012;
 - (b) **“new distributor”** means a distributor that commenced operations on or after July 1, 2012.
- (2) On or before August 30, 2012, every existing distributor shall:
- (a) notify the minister in writing that the existing distributor is selling diesel fuel in Saskatchewan; and
 - (b) provide the minister with the existing distributor’s contact information, including the name, title, address, telephone number, facsimile number and e-mail address of the existing distributor’s authorized official.
- (3) On or after July 1, 2012, every new distributor shall, within 90 days after commencing operations as a distributor:
- (a) notify the minister in writing that the new distributor is selling diesel fuel in Saskatchewan; and
 - (b) provide the minister with the new distributor’s contact information, including the name, title, address, telephone number, facsimile number and e-mail address of the new distributor’s authorized official.
- (4) Every existing distributor and new distributor shall notify the minister in writing within 30 days after any change to the information provided pursuant to this section.

6 Jly 2012 c.R-19.001 Reg 1 s12.

Records

13(1) For the purposes of clause 5(1)(c) of the Act, a distributor shall ensure that a copy is kept of any notice sent to the minister pursuant to section 12.

(2) A distributor shall retain the records mentioned in section 5 of the Act for at least five years after the records were created.

6 Jly 2012 c.R-19.001 Reg 1 s13.

Reporting

14(1) In this section:

(a) **“first reporting period”** means the period commencing on July 1, 2012 and ending on December 31, 2014;

(b) **“subsequent reporting period”** means the reporting period commencing on the day after the date on which a distributor’s previous reporting period ended.

(2) For the purposes of clause 2(i) of the Act and this section, **“reporting period”** means the period commencing on January 1 in one year and ending on December 31 in the same year.

(3) The report required pursuant to section 6 of the Act must:

(a) contain the following information:

(i) the name, address, telephone number, facsimile number and e-mail address of the distributor, along with the name of the distributor’s authorized official, including the name, title, address, telephone number, facsimile number and e-mail address of the authorized official;

(ii) with respect to each reporting period:

(A) changes in the information that has been provided to the minister in the distributor’s previous report, if any;

(B) details respecting the volume of diesel fuel and renewable diesel fuel sold or provided to consumers, corrected to 15 degrees Celsius;

(C) details and supporting documentation respecting renewable diesel fuel that is assigned or transferred to the distributor;

(iii) any other information that the minister may reasonably require; and

(b) be certified by an authorized official.

(4) For the purposes of section 6 of the Act, every distributor shall provide the report to the minister within 90 days after the first reporting period and each subsequent reporting period.

6 Jly 2012 c.R-19.001 Reg 1 s14.

PART IV
General

Enforcement officers

15 The following are prescribed as enforcement officers:

- (a) persons who are enforcement officers for the purposes of *The Fuel Tax Act, 2000*;
- (b) employees of the ministry or an agency over which the minister presides who are designated by the minister.

6 Jly 2012 c.R-19.001 Reg 1 s15.

Coming into force

16(1) Subject to subsection (2), these regulations come into force on the day on which section 1 of *The Renewable Diesel Act* comes into force.

(2) If section 1 of *The Renewable Diesel Act* comes into force before the day on which these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

6 Jly 2012 c.R-19.001 Reg 1 s16.

