

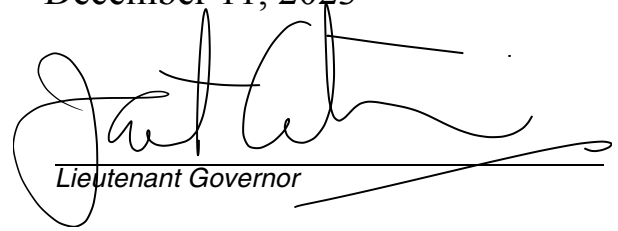
PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 699

, Approved and Ordered

December 11, 2023



Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective January 1, 2024,

- (a) the *Low Carbon Fuels Act*, S.B.C. 2022, c. 21, except for the following provisions, is brought into force:
  - (i) section 1, as it enacts the definitions of “**initiative fund**”, “**initiative plan**” and “**reporting utility**”;
  - (ii) section 14;
  - (iii) sections 23 to 27;
  - (iv) section 28 (2) (d) and (3);
  - (v) section 30 (1) (j) (ii), (k) (ii) and (o);
  - (vi) section 35 (1) (d);
  - (vii) section 53 (f);
  - (viii) section 54,
- (b) sections 16 to 24 of the *Miscellaneous Statutes Amendment Act (No. 3)*, 2023, S.B.C. 2023, c. 47, are brought into force,
- (c) the Renewable and Low Carbon Fuel Requirements Regulation, B.C. Reg. 394/2008, is repealed, and
- (d) the attached Low Carbon Fuels (General) Regulation is made.



Minister of Energy, Mines and Low Carbon Innovation



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

**Authority under which Order is made:**

Act and section: *Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act*, S.B.C. 2008, c. 16, ss. 24 to 29  
*Low Carbon Fuels Act*, S.B.C. 2022, c. 21, ss. 52, 53, 55, 56, 66  
*Miscellaneous Statutes Amendment Act (No. 3)*, 2023, S.B.C. 2023, c. 47, s. 119

Other:

R10622840

# LOW CARBON FUELS (GENERAL) REGULATION

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**PART 1 – INTERPRETATION**

**Division 1 – Definitions**

**Definitions**

**1** In this regulation:

“**Act**” means the *Low Carbon Fuels Act*;

“**biodiesel**” means fuel that is

- (a) produced from biomass, and
- (b) made up of mono-alkyl esters of long chain fatty acids;

“**cargo handling equipment**” means cranes, container handlers, tractors and other equipment that is used to move cargo within a port or other marine terminal;

“**fuel code**” means, in relation to a fuel for which a carbon intensity is published under section 20 (1) (b) [*determining carbon intensity – publication*] of the Act, a unique identifying number specified for the fuel in the publication;

“**ground support equipment**” means equipment that is used to service aircraft between flights;

“**target carbon intensity**” means, in relation to a fuel, the target carbon intensity for the fuel determined in accordance with the formula set out in section 13 (5) [*supply of fuel*] of the Act.

**Applicable purpose**

**2** For the purposes of paragraph (b) of the definition of “applicable purpose” in section 1 of the Act, the following purposes are prescribed:

- (a) use in cargo handling equipment;
- (b) use in ground support equipment;
- (c) use in a forklift.

**Type B fuel – hydrogen**

- 3 For the purposes of paragraph (d) of the definition of “type B fuel” in section 1 of the Act, hydrogen is prescribed.

**Compliance period**

- 4 For the purposes of the definition of “compliance period” in section 1 of the Act, the prescribed period is the calendar year.

**Compliance date**

- 5 For the purposes of the definition of “compliance date” in section 1 of the Act, the prescribed date is March 31.

**Division 2 – Application**

**Application – biodiesel**

- 6 For the purposes of section 2 (2) (a) [*application of Act*] of the Act, biodiesel fuel that does not meet one or both of the following standards, as amended from time to time, is prescribed:
- (a) the Canadian General Standards Board Standard CAN/CGSB-3.524-2022 Biodiesel (B100) for Blending in Middle Distillate Fuels;
  - (b) the ASTM International Standard ASTM D6751-15ce1.

**Application – use, supply or export of fuel in prescribed circumstances**

- 7 (1) For the purposes of section 2 (2) (b) [*application of Act*] of the Act, the following circumstances are prescribed:
- (a) the fuel was brought into British Columbia in the fuel tank, battery or hydrogen fuel cell of
    - (i) a vehicle, train, vessel or aircraft, or
    - (ii) a device necessary for the intended use of a vehicle, train, vessel or aircraft;
  - (b) in the case of fuel in the gasoline category, the fuel is used in, or is supplied or exported by a person who reasonably expects at the time of the supply or export that the fuel will be used in, an aircraft.
- (2) For the purposes of section 2 (2) (b) of the Act, a prescribed circumstance in relation only to the export of fuel is that the fuel is taken out of British Columbia in the fuel tank, battery or hydrogen fuel cell of
- (a) a vehicle, train, vessel or aircraft, or
  - (b) a device necessary for the intended use of a vehicle, train, vessel or aircraft.

### Application – supply of electricity

- 8 (1) For the purposes of section 2 (2) (b) [*application of Act*] of the Act, the Act does not apply to the supply or export of electricity by a person in a compliance period if
- (a) the person does not market or reportably export any fuel other than electricity in the compliance period, and
  - (b) the total amount of electricity supplied or exported by the person in the compliance period does not exceed 15 000 kWh.
- (2) Despite subsection (1) of this section, the Act applies to the supply of electricity by a person through final supply equipment in a compliance period if
- (a) the person allocates responsibility for the electricity under an allocation agreement, and
  - (b) the electricity is marketed by a person who, in the compliance period, does one or both of the following:
    - (i) markets or reportably exports fuel other than electricity;
    - (ii) markets or reportably exports at least 15 000 kWh of electricity.

## PART 2 – RESPONSIBILITY FOR FUEL

### Content of allocation agreement – general

- 9 (1) In this section, “**identifying information**”, in relation to a fuel, means
- (a) the name and category of the fuel, and
  - (b) the fuel code for the fuel or, if there is no fuel code, both
    - (i) the carbon intensity of the fuel, and
    - (ii) the provision required under section 18 (2) (b) [*carbon intensity record*] of the Act to be referenced in the carbon intensity record for the fuel.
- (2) If the director has published, on a publicly accessible website maintained by or on behalf of the minister, a system for categorizing or describing fuels, an allocation agreement must identify fuels in accordance with the system as it is published at the time the allocation agreement is entered into.
- (3) An allocation agreement, other than an inter-refiner agreement, must include the following information:
- (a) for each person who is a party to the agreement,
    - (i) the legal name of the person,
    - (ii) the operating name of the person,
    - (iii) the telephone number of the person, and
    - (iv) the person’s address for service, which must include both a postal address in British Columbia and an email address;

- (b) in relation to fuel for which responsibility is allocated under the agreement,
  - (i) the identifying information for the fuel, and
  - (ii) in the case of electricity, the following information for each piece of final supply equipment through which the electricity will be supplied:
    - (A) the registration number assigned by the director to the equipment or, if none has been assigned, the information set out in subsection (4) for the equipment;
    - (B) the days on which electricity reportably supplied through the equipment will be subject to the allocation of responsibility under the agreement.
- (4) For the purposes of subsection (3) (b) (ii) (A), the following information, or an explanation of why the information is unavailable, is to be included for final supply equipment that has not been assigned a registration number by the director:
  - (a) the address and GPS coordinates of the equipment's location;
  - (b) the manufacturer, serial number and level of the equipment;
  - (c) the intended use of the electricity supplied through the equipment.

#### **Content of allocation agreement respecting electricity**

- 10** If, under an allocation agreement, a person who supplies electricity through final supply equipment allocates responsibility for the electricity to another person, the allocation agreement must
- (a) specify a term of the agreement that does not exceed 3 years, and
  - (b) include a term requiring the person to whom responsibility is allocated to provide the following information to the person who supplies the electricity:
    - (i) the number of credits issued by the director in relation to the electricity;
    - (ii) the fair market value of the credits on the date of issuance.

#### **Restriction on allocation of responsibility for electricity**

- 11** A person may not, under an allocation agreement, allocate responsibility for electricity supplied through final supply equipment during an increment of time that is less than one calendar day.

#### **Exemptions from renewable fuel and low carbon fuel targets**

- 12** (1) In this section:
- “**affiliate**” has the same meaning as in section 1 (1) of the *Business Corporations Act*;
  - “**associate**” means, in relation to a person,
    - (a) an affiliate of the person, or
    - (b) a partner of the person.

- (2) The director may, on application by a person,
- (a) do one or both of the following, if the director is satisfied that the criteria set out in subsection (3) of this section are met:
    - (i) exempt the person from section 9 [*renewable fuel target*] of the Act for a compliance period;
    - (ii) exempt the person from section 12 [*low carbon fuel target*] of the Act for a compliance period, or
  - (b) exempt a person, solely to the extent that the person markets jet fuel, from section 12 of the Act for a compliance period if the director is satisfied that
    - (i) the criteria set out in subsection (3) (b) of this section is met, and
    - (ii) the person, or an associate of the person, has not received credits under section 13 [*supply of fuel*] of the Act in the compliance period for marketing fuel in the jet fuel category.
- (3) The criteria for the purposes of subsection (2) of this section are as follows:
- (a) the total amount of base fuels, other than fossil-derived jet fuel, marketed in the compliance period by the person and the person’s associates is not more than 200 000 litres;
  - (b) the total amount of fossil-derived jet fuel marketed in the compliance period by the person and the person’s associates is not more than the amount specified in Column 2 of the Table opposite the applicable compliance period in Column 1;

**Table**

<b>Item</b>	<b>Column 1 Compliance Period</b>	<b>Column 2 Maximum amount of jet fuel marketed</b>
1	2024	100 000 000 litres
2	2025	100 000 000 litres
3	2026	100 000 000 litres
4	2027	100 000 000 litres
5	2028	10 000 000 litres
6	2029	10 000 000 litres
7	2030 and subsequent compliance periods	4 000 000 litres

- (c) in the case of an exemption from section 9 of the Act, the person, or an associate of the person, has not notionally transferred fuel under section 10 (1) [*notional transfer*] of the Act in the compliance period;
- (d) in the case of an exemption from section 12 of the Act, the person, or an associate of the person, has not received credits under section 13 [*supply of fuel*] of the Act in the compliance period.

- (4) Sections 13 and 17 of the Act do not apply in a compliance period in relation to the following:
  - (a) a person who is exempted from section 12 of the Act for the compliance period;
  - (b) a person to the extent that the person markets jet fuel, if the person is exempted to that extent from section 12 of the Act for the compliance period.
- (5) An application under this section in relation to a compliance period
  - (a) must include one of the following:
    - (i) a statement that the applicant has no associates;
    - (ii) a list of the applicant’s associates, and
  - (b) must be submitted to the director
    - (i) with the report under section 28 [*compliance reports*] of the Act that is submitted by the applicant for the compliance period, and
    - (ii) in the form and manner required by the director.

**PART 3 – RENEWABLE FUEL REQUIREMENTS**

**Renewable fuel target**

- 13** (1) For the purposes of section 9 [*renewable fuel target*] of the Act, the prescribed percentage is
- (a) 4% for the diesel fuel category,
  - (b) 5% for the gasoline category, and
  - (c) the percentage specified in subsection (2) of this section for the jet fuel category.
- (2) For the purposes of subsection (1) (c) of this section, the percentage specified for the jet fuel category for a compliance period set out in Column 1 of the Table is the percentage set out in Column 2 opposite.

**Table**

<b>Item</b>	<b>Column 1 Compliance Period</b>	<b>Column 2 Renewable fuel percentage for jet fuel</b>
1	2024	0%
2	2025	0%
3	2026	0%
4	2027	0%
5	2028	1%
6	2029	2%
7	2030 and subsequent compliance periods	3%



**Notional retention and deferral of portion of renewable fuel target**

- 14 For the purposes of section 10 (2) (a) [notional retention] and (3) (a) [notional deferral] of the Act, the prescribed portion of the renewable fuel target is 5%.

**PART 4 – LOW CARBON FUEL REQUIREMENTS**

**Division 1 – Low Carbon Fuel Target**

**Low carbon fuel target**

- 15 For the purposes of the formula set out in section 13 (5) [supply of fuel – target carbon intensity] of the Act, for a compliance period set out in Column 1 of the Table,
- (a) the prescribed reduction for fuel in the diesel fuel or gasoline categories is the reduction set out in Column 2 opposite the compliance period, and
  - (b) the prescribed reduction for fuel in the jet fuel category is the reduction set out in Column 3 opposite the compliance period.

**Table**

<b>Item</b>	<b>Column 1 Compliance Period</b>	<b>Column 2 Percent reduction for diesel fuel and gasoline categories</b>	<b>Column 3 Percent reduction for jet fuel category</b>
1	2024	16%	0%
2	2025	18.3%	0%
3	2026	20.6%	2%
4	2027	23%	4%
5	2028	25.3%	6%
6	2029	27.7%	8%
7	2030 and subsequent compliance periods	30%	10%

**Division 2 – Initiative Agreements**

**Initiative agreements – eligible goal**

- 16 For the purposes of the definition of “eligible goal” in section 15 (1) [initiative agreements] of the Act, the prescribed carbon intensity in relation to a fuel is the target carbon intensity, calculated as of the date the initiative agreement is entered into, that will apply in relation to the fuel 10 years after that date.

**Division 3 – Transfer of Credits**

**Registration to trade credits**

- 17 (1) For the purposes of section 16 (1) (a) [transfer of credits] of the Act, the director may register a person to transfer credits if the person provides the director with the following information:
- (a) the legal name of the person;

- (b) the operating name of the person;
  - (c) the telephone number of the person;
  - (d) an address for service of the person, which must include both a postal address in British Columbia and an email address.
- (2) Without limiting the director's discretion under subsection (1) of this section, the director may refuse to register a person under that subsection if
- (a) the director is satisfied that the person does not supply or market fuel, and
  - (b) the person's registration previously has been suspended or cancelled on the grounds set out in subsection (3) (b) (i) of this section.
- (3) The director may suspend or cancel a person's registration if
- (a) the director is satisfied that the person does not supply or market fuel, and
  - (b) one or both of the following applies:
    - (i) the person provided false or misleading information under subsection (1) or in a notice under section 16 (1) (b) of the Act;
    - (ii) the person has not submitted a notice under section 16 (1) (b) of the Act for a period of at least 18 months.

**Notice of proposed transfer of credits**

**18** A notice under section 16 (1) (b) [*transfer of credits*] of the Act must include the following information:

- (a) whether the transfer is for consideration;
- (b) if the transfer is for consideration,
  - (i) the fair market value of the consideration in Canadian dollars per credit, and
  - (ii) the period of time between the date on which the consideration was decided on and the date on which the notice is submitted to the director.

**Grounds for refusing to record a transfer of credits**

**19** The director may refuse to record a transfer of credits under section 16 of the Act if

- (a) all of the following apply:
  - (i) the director is conducting a reassessment in relation to the transferor;
  - (ii) the director has reason to believe that the transferor was issued a number of credits as a result of fraud or misrepresentation;
  - (iii) the director has reason to believe that, if the transfer is recorded, the transferor will have a negative balance on reassessment, or
- (b) the director otherwise considers that
  - (i) the transferor will be unable to meet the target set under section 12 [*low carbon fuel target*] of the Act, or
  - (ii) the intent of the transfer is to avoid compliance with the Act.

## Division 4 – Reportable Export of Fuel

### Calculating debits on reportable export

- 20** For the purposes of section 17 (3) [*export of fuel – number of debits to be issued*] of the Act, the formula under section 13 (3) [*supply of fuel*] of the Act is modified as follows:
- (a) the target carbon intensity of a Type B fuel is
    - (i) the target carbon intensity for fuel in the category to which the fuel belonged at the time of reportable supply, or
    - (ii) if the category to which the fuel belonged at the time of reportable supply is unknown, the target carbon intensity for fuel in the diesel fuel category;
  - (b) the energy effectiveness ratio of a type B fuel is
    - (i) the energy effectiveness ratio for the fuel, determined as if the end use of the fuel is the same end use that was attributable to the fuel at the time of reportable supply, or
    - (ii) if the end use attributable to the fuel at the time of reportable supply is unknown, the highest energy effectiveness ratio prescribed in relation to the fuel in the Low Carbon Fuels (Technical) Regulation;
  - (c) the additional carbon intensity of a Type A or Type B fuel is
    - (i) the additional carbon intensity for the fuel, determined as if the end use of the fuel is the same end use that was attributable to the fuel at the time of reportable supply, or
    - (ii) if the end use attributable to the fuel at the time of reportable supply is unknown, zero.

## Division 5 – Carbon Intensity

### Requirement to prepare carbon intensity record

- 21** A person must prepare a carbon intensity record for a fuel in the following circumstances:
- (a) if the fuel is a type A fuel, other than a base fuel or a fossil-derived component of a base fuel, the person manufactures or imports the fuel in British Columbia;
  - (b) if the fuel is a type B fuel,
    - (i) the person manufactures or imports the fuel in British Columbia, and
    - (ii) the fuel has a published carbon intensity.

### Requirement to give carbon intensity record

- 22** A person must give to another person a copy of the carbon intensity record for a fuel, other than a base fuel or fossil-derived component of a base fuel, if all of the following apply:
- (a) the person supplies the fuel to the other person;

- (b) the person
  - (i) is required to prepare a carbon intensity record for the fuel, or
  - (ii) holds a carbon intensity record for the fuel that was required to be given to the person under this section;
- (c) if the fuel is a type B fuel, the fuel has a published carbon intensity under section 20 (1) (b) [*determining carbon intensity – publication*] of the Act.

#### **Information in carbon intensity record**

- 23** For the purposes of section 18 (2) (d) [*carbon intensity record*] of the Act, a carbon intensity record for a fuel must include the following information:
- (a) the date the record is prepared;
  - (b) the fuel code for the fuel, if any;
  - (c) if the director has published, on a publicly accessible website maintained by or on behalf of the minister, a system for categorizing or describing fuels, a description identifying the fuel in accordance with the system as it is published at the time the carbon intensity record is prepared.

#### **Publication of proposed alternative method for determining carbon intensity for lifecycle stage**

- 24** The minister may publish, on a website maintained by or on behalf of the minister, an alternative method proposed for the purposes of section 21 (3) (b) [*determining carbon intensity – lifecycle analysis*] of the Act.

## **PART 5 –REPORTS AND RECORD-KEEPING**

#### **Requirement to submit compliance report**

- 25** Subject to section 26 of this regulation, a person must submit a report under section 28 (2) (b) [*compliance reports*] of the Act for a compliance period if, in the period, the person allocates responsibility for a type B fuel under an allocation agreement.

#### **Reporting and record-keeping if responsibility is allocated for electricity**

- 26** (1) Section 25 of this regulation does not apply to a person in a compliance period if, in the compliance period,
- (a) the only type B fuel for which the person allocates responsibility under an allocation agreement is electricity that is supplied by the person through final supply equipment, and
  - (b) the person is not required to submit a report under section 28 (1) of the Act.
- (2) A person referred to in subsection (1) of this section must
- (a) maintain records of each allocation agreement under which the person allocates responsibility for electricity in the compliance period, and
  - (b) retain the records for 7 years after the agreement is terminated.

### **Requirement to keep records in British Columbia**

- 27 A person who is required to maintain records under section 35 (1) (a), (b), (d), (e) or (f) [*record-keeping requirements*] of the Act must maintain the records in British Columbia.

## **PART 6 – ADMINISTRATIVE PENALTIES**

### **Division 1 – Automatic Administrative Penalties**

#### **Automatic administrative penalty rate**

- 28 (1) For the purposes of section 37 (1) (b) [*automatic administrative penalties*] of the Act, the prescribed penalty rate is
- (a) \$0.45 for fuel in the diesel fuel category,
  - (b) \$0.30 for fuel in the gasoline category, and
  - (c) \$0.50 for fuel in the jet fuel category.
- (2) For the purposes of section 37 (2) (a) (ii) of the Act, the prescribed penalty rate is \$600.

### **Division 2 – Discretionary Administrative Penalties**

#### **Discretionary administrative penalties – contraventions**

- 29 (1) A person who contravenes any of the following provisions of the Act is liable to an administrative penalty under section 38 [*discretionary administrative penalties*] of the Act not exceeding \$1 000 000:
- (a) section 18 (1) or (3) [*carbon intensity records*];
  - (b) section 20 (6) [*notice of change in carbon intensity*];
  - (c) section 28 (1) or (2) [*compliance reports*];
  - (d) section 29 (1) [*supplementary reports*];
  - (e) section 33 [*information requests*];
  - (f) section 34 [*audits of reports*];
  - (g) section 35 [*record-keeping requirements*];
  - (h) section 36 (3) [*inspections*].
- (2) A person who provides information that is false or misleading in the circumstances referred to in section 38 (1) (b) of the Act is liable to an administrative penalty under section 38 of the Act not exceeding the following amount:
- (a) in the case of a person who is issued a number of credits as a result of the person's provision of false or misleading information in the circumstances referred to in section 38 (1) (b) (ii) of the Act, the product of
    - (i) \$600, and
    - (ii) the number of credits;
  - (b) in any other case, \$1 000 000.

- (3) A person who contravenes section 11 [*renewable fuel labelling*] of the Act is liable to an administrative penalty under section 38 of the Act not exceeding \$10 000.

#### **Notice of intent to impose administrative penalty**

- 30** Before serving a person with an administrative penalty notice under section 38 of the Act, the director must
- (a) serve the person with a notice of intent to impose an administrative penalty, and
  - (b) provide the person with an opportunity to be heard.

#### **Limitation period**

- 31** (1) The time limit for serving a notice of intent to impose an administrative penalty under section 38 of the Act is the later of the following:
- (a) 3 years after the date of the non-compliance to which the notice relates;
  - (b) if the minister completes a certificate described in subsection (2) of this section, 2 years after the date on which the minister became aware of that non-compliance.
- (2) A document purporting to have been issued by the minister, certifying the date referred to in subsection (1) (b) of this section, is proof of that date.

#### **Administrative penalty notice**

- 32** An administrative penalty notice under section 38 (2) of the Act must set out the following:
- (a) an explanation of when and how the administrative penalty is to be paid;
  - (b) the person's option to admit the determinations set out in the notice under section 39 (2) (a) [*requirement to pay administrative penalties*] of the Act;
  - (c) the person's right to an appeal under section 48 (2) [*appeals to Environmental Appeal Board*] of the Act and the time limit for commencing an appeal.

#### **Determining amount of administrative penalty**

- 33** In determining the amount of an administrative penalty under section 38 of the Act, the director must consider the following:
- (a) the nature of the non-compliance;
  - (b) any previous non-compliance by, or administrative penalties imposed on,
    - (i) the person who is the subject of the administrative penalty,
    - (ii) if the person is an individual, a corporation for which the individual is or was a director, officer or agent, or
    - (iii) if the person is a corporation, an individual who is or was a director, officer or agent of the corporation;
  - (c) whether the non-compliance was repeated or continuous;
  - (d) whether the non-compliance was deliberate;
  - (e) any economic benefit derived by the person from the non-compliance;

- (f) the person's efforts to correct the non-compliance;
- (g) the person's efforts to prevent recurrence of the non-compliance;
- (h) any other matters the director considers relevant.

#### **Administrative penalty for continuing contraventions**

- 34** If non-compliance continues for more than one day, separate administrative penalties, each not exceeding the applicable maximum administrative penalty, may be imposed for each day the non-compliance continues.

#### **Payment of administrative penalty**

- 35** An administrative penalty under section 38 of the Act must be paid to the government within 30 days after the penalty is imposed under section 39 [*requirement to pay administrative penalties*] of the Act.

#### **Enforcement of administrative penalty**

- 36** If all or a portion of an administrative penalty imposed under section 38 of the Act is not paid when it is due, the director may impose an additional penalty of up to 10% of the outstanding balance for each 14-day period that the outstanding balance remains unpaid.

#### **Publication of names**

- 37** (1) The director may publish on a website maintained by or on behalf of the minister all of the following information in respect of a person on whom an administrative penalty has been imposed under section 38 of the Act:
- (a) the legal name of the person;
  - (b) the amount of the administrative penalty;
  - (c) the nature of the non-compliance, including the provision of the Act the person contravened.
- (2) Publication under subsection (1) of this section may not occur until the person is subject to the administrative penalty under section 39 [*requirement to pay administrative penalties*] of the Act.

## **PART 7 – RECONSIDERATIONS**

#### **Prescribed decision**

- 38** For the purposes of section 47 (1) (e) [*reconsiderations*] of the Act, a prescribed decision is a decision to refuse to waive all or part of an administrative penalty under section 37 (4) [*automatic administrative penalties*] of the Act.

#### **Time limit for requesting reconsideration**

- 39** For the purposes of section 47 (3) [*reconsiderations*] of the Act, the prescribed time limit is 30 days after a person is served with a document referred to in section 47 (2) of the Act.

## PART 8 – GENERAL

### Disclosure of information

- 40** For the purposes of section 50 (4) (b) [*confidentiality*] of the Act, the following enactments are prescribed:
- (a) the *Carbon Tax Act*;
  - (b) the *Greenhouse Gas Industrial Reporting and Control Act*;
  - (c) the *Motor Fuel Tax Act*.