

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Hydrocarbon Oil Duties Act 1979. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 1

EXCEPTED VEHICLES

Annotations:

Amendments (Textual)

F1 Sch. 1 substituted (1.7.1995) by [1995 c. 4, s. 8\(2\)\(3\)](#)

Unlicensed vehicles not used on public roads

- 1 (1) A vehicle is an excepted vehicle while—
- (a) it is not used on a public road, ^{F2}...
 - (b) no licence under the ^{M1}Vehicle Excise and Registration Act 1994 is in force in respect of it^{F3}, and
 - (c) it is kept by a person who has furnished such particulars and made such declarations as may be prescribed by regulations under section 22(1D) of that Act.]
- (2) A vehicle in respect of which there is current a certificate or document in the form of a licence issued under regulations under section 22(2) of the Vehicle Excise and Registration Act 1994 shall be treated for the purposes of sub-paragraph (1) above as a vehicle in respect of which a licence under that Act is in force.

Annotations:

Amendments (Textual)

- F2** Word in Sch. 1 para. 1 omitted (1.4.2007) by virtue of [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **3(1)**
- F3** Sch. 1 para. 1(c) and preceding word inserted (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **3(2)**

Marginal Citations

M1 [1994 c. 22.](#)

Tractors

- 2 (1) A vehicle is an excepted vehicle if it is—
- (a) an agricultural tractor, ^{F4}...
 - (b)
- [^{F5}(2) In sub-paragraph (1) above “agricultural tractor” means a tractor which—
- (a) is designed and constructed primarily for use otherwise than on roads, and

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- (b) is used on public roads solely for—
- (i) purposes relating to agriculture, horticulture or forestry;
 - (ii) cutting verges bordering public roads; or
 - (iii) cutting hedges or trees bordering public roads or bordering verges which border public roads.]

^{F6}(4)

Annotations:

Amendments (Textual)

- F4** Sch. 1 para. 2(1)(b) and the word “or” immediately preceding it repealed (28.7.2000 with effect in relation to the use of rebated heavy fuel on or after 1.5.2000) by 2000 c. 17, ss. 9(2)(a)(3), 156, **Sch. 40 Pt. I(1)** Note 3
- F5** Sch. 1 para. 2(2) substituted for Sch. 1 para. 2(2)(3) (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), 4
- F6** Sch. 1 para. 2(4) repealed (28.7.2000 with effect in relation to the use of rebated heavy fuel on or after 1.5.2000) by 2000 c. 17, ss. 9(2)(b)(3), 156, **Sch. 40 Pt. I(1)** Note 3

Light agricultural vehicles

- 3 (1) A vehicle is an excepted vehicle if it is a light agricultural vehicle.
- (2) In sub-paragraph (1) above “light agricultural vehicle” means a vehicle which—
- (a) has a revenue weight not exceeding 1,000 kilograms,
 - (b) is designed and constructed so as to seat only the driver,
 - (c) is designed and constructed primarily for use otherwise than on roads, and
 - (d) is used solely for purposes relating to agriculture, horticulture or forestry.
- (3) In sub-paragraph (2)(a) above “revenue weight” has the meaning given by section 60A of the ^{M2}Vehicle Excise and Registration Act 1994.

Annotations:

Marginal Citations

M2 1994 c. 22.

^{F7}Agricultural material handlers

Annotations:

Amendments (Textual)

- F7** Sch. 1 para. 3A and cross-heading inserted (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), 5

- 3A. (1) An agricultural material handler is an excepted vehicle.
- (2) In sub-paragraph (1) above an “agricultural material handler” means a vehicle which is—
- (a) designed and constructed primarily for use otherwise than on roads,

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- (b) designed to lift goods or burden, and
- (c) used on public roads solely for —
 - (i) purposes relating to agriculture, horticulture or forestry;
 - (ii) cutting verges bordering public roads; or
 - (iii) cutting hedges or trees bordering public roads or bordering verges which border public roads.]

Agricultural engines

4 [F8(1)] An agricultural engine is an excepted vehicle.

- [F9(2) In sub-paragraph (1) above “agricultural engine” means a vehicle which—
- (a) is designed and constructed primarily for use otherwise than on roads,
 - (b) is designed, and used, solely for purposes relating to agriculture, horticulture or forestry,
 - (c) is used on public roads only for proceeding to and from the place where it is to be or has been used for those purposes, and
 - (d) when so proceeding does not carry any load except such as is necessary for its propulsion or for the operation of any machinery built-in or permanently attached to the vehicle.]

Annotations:

Amendments (Textual)

- F8** Sch. 1 para. 4(1) renumbered (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), 6
- F9** Sch. 1 para. 4(2) added (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), 6

[F10] Agricultural processing vehicles

Annotations:

Amendments (Textual)

- F10** Sch. 1 para. 4A and cross-heading inserted (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), 7

- 4A. (1) An agricultural processing vehicle is an excepted vehicle.
- (2) In sub-paragraph (1) above “an agricultural processing vehicle” means a vehicle which—
- (a) is used for the conveyance of built-in processing machinery,
 - (b) is used on public roads only for proceeding to and from the place where that processing machinery is to be used, and
 - (c) when so proceeding does not carry any load except such as is necessary for its propulsion or for the operation of the processing machinery.
- (3) Built-in processing machinery means machinery built in as part of, or permanently attached to, the vehicle that is used for the processing of agricultural, horticultural or forestry produce whilst the vehicle is stationary.]

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Vehicles used between different parts of land

- 5 ^{F11}(1) A vehicle is an excepted vehicle if—
- (a) it is used only for purposes relating to agriculture, horticulture or forestry,
 - (b) it is used on public roads only in passing between different areas of land occupied by the same person, ^{F12}...
 - (c) the distance it travels on public roads in passing between any two such areas does not exceed 1.5 kilometres^{F13}, and
 - (d) a nil licence is in force in respect of it.
- (2) In sub-paragraph (1) above “nil licence” has the meaning given by section 62 of the Vehicle Excise and Registration Act 1994.]

Annotations:

Amendments (Textual)

- F11** Sch. 1 para. 5(1) renumbered (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **8**
- F12** Word in Sch. 1 para. 5(1) omitted (1.4.2007) by virtue of [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **8(1)**
- F13** Words in Sch. 1 para. 5 inserted (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **8(2)**

Mowing machines

- 6 A mowing machine is an excepted vehicle.

Snow clearing vehicles

- 7 A vehicle is an excepted vehicle when it is—
- (a) being used, or
 - (b) going to or from the place where it is to be or has been used,
- for the purpose of clearing snow from public roads by means of a snow plough or similar device (whether or not forming part of the vehicle).

Gritters

- 8 A vehicle is an excepted vehicle if it is constructed or adapted, and used, solely for the conveyance of machinery for spreading material on roads to deal with frost, ice or snow (with or without articles or material used for the purposes of the machinery).

Mobile cranes

- 9 (1) A mobile crane is an excepted vehicle.
- (2) In sub-paragraph (1) above “mobile crane” means a vehicle which is designed and constructed as a mobile crane and which—
- (a) is used on public roads only as a crane in connection with work carried on at a site in the immediate vicinity or for the purpose of proceeding to and from a place where it is to be or has been used as a crane, ^{F14}...

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- (b) when so proceeding does not carry any load except such as is necessary for its propulsion or ^{F15}the operation of built-in lifting apparatus, and .
- (c) has a revenue weight exceeding 3,500 kilograms.

(3) In sub-paragraph (2)(c) above “revenue weight” has the meaning given by section 60A of the Vehicle Excise and Registration Act 1994.]

Annotations:

Amendments (Textual)

- F14** Word in Sch. 1 para. 9(2)(a) omitted (1.4.2007) by virtue of [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **9(1)**
- F15** Words in Sch. 1 para. 9 substituted (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **9(2)**

^{F16}Mobile pumping vehicles

Annotations:

Amendments (Textual)

- F16** Sch. 1 para. 9A and cross-heading inserted (1.4.2007) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **10**

- 9A. (1) A mobile pumping vehicle is an excepted vehicle.
- (2) In sub-paragraph (1) above a “mobile pumping vehicle” means a vehicle—
- (a) which is constructed or adapted for use, and used, for the conveyance of a pump and a jib satisfying the requirements specified in sub-paragraph (3),
 - (b) which is used on public roads only—
 - (i) when the vehicle is stationary and the pump is being used to pump material from a point in the immediate vicinity to another such point, or
 - (ii) for the purpose of proceeding to and from a place where the pump is to be or has been used, and
 - (c) which when so proceeding, does not carry—
 - (i) the material that is to be or has been pumped, or
 - (ii) any other load except such as is necessary for the propulsion or equipment of the vehicle or for the operation of the pump.
- (3) The requirements referred to in sub-paragraph (2)(a) are that each of the pump and the jib is—
- (a) built in as part of the vehicle, and
 - (b) designed so that material pumped by the pump is delivered to a desired height or depth through piping that—
 - (i) is attached to the pump and the jib, and
 - (ii) is raised or lowered to that height or depth by operation of the jib.]

Digging machines

- 10 (1) A digging machine is an excepted vehicle.

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- (2) In sub-paragraph (1) above “digging machine” means a vehicle which is designed, constructed and used for the purpose of trench digging, or any kind of excavating or shovelling work, and which—
 - (a) is used on public roads only for that purpose or for the purpose of proceeding to and from the place where it is to be or has been used for that purpose, and
 - (b) when so proceeding does not carry any load except such as is necessary for its propulsion or equipment.

Works trucks

- 11 (1) A works truck is an excepted vehicle.
- (2) In sub-paragraph (1) above “works truck” means a goods vehicle which is designed for use in private premises and is used on public roads only—
 - (a) for carrying goods between private premises and a vehicle on a road within one kilometre of those premises,
 - (b) in passing from one part of private premises to another,
 - (c) in passing between private premises and other private premises in a case where the premises are within one kilometre of each other, or
 - (d) in connection with road works at the site of the works or within one kilometre of the site of the works.
- (3) In sub-paragraph (2) above “goods vehicle” means a vehicle constructed or adapted for use and used for the conveyance of goods or burden of any description, whether in the course of trade or not.

Road construction vehicles

^{F17}12

Annotations:

Amendments (Textual)

F17 Sch. 1 para. 12 omitted (1.4.2008) by virtue of [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **11**

Road rollers

13 A road roller is an excepted vehicle.

^{F18}*Road surfacing vehicles*

Annotations:

Amendments (Textual)

F18 Sch. 1 paras. 13A, 13B and cross-headings inserted (1.4.2008) by [The Excepted Vehicles \(Amendment of Schedule 1 to the Hydrocarbon Oil Duties Act 1979\) Order 2007 \(S.I. 2007/93\)](#), arts. 1(2), **12**

13A. (1) A road surfacing vehicle is an excepted vehicle.

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- (2) In sub-paragraph (1) above “road surfacing vehicle” means a vehicle which —
- (a) is designed and constructed to perform an operation necessary to construct or restore the surface of a road,
 - (b) does not carry any load on a public road except such as is necessary for its propulsion or for the operation of any machinery built-in or permanently attached to the vehicle, and
 - (c) has a maximum speed not exceeding 20 kilometres per hour.

Tar Sprayers

- 13B. (1) A tar sprayer is an excepted vehicle.
- (2) In sub-paragraph (1) above a tar sprayer means a vehicle which is constructed or permanently adapted, and used, solely for spraying tar on to the road or for proceeding to and from the place where it is to be or has been used for that purpose.]

Interpretation

- 14 In this Schedule “public road” means a road which is repairable at the public expense.]

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Changes and effects yet to be applied to :

- Sch. 1 para. 3(2)(d) substituted by [S.I. 2013/2799 art. 4](#)
- Sch. 1 para. 2(2)(b)(ii) word omitted by [S.I. 2013/2799 art. 3\(b\)](#)
- Sch. 1 para. 3A(2)(c)(ii) word omitted by [S.I. 2013/2799 art. 5\(b\)](#)
- Sch. 1 para. 2(2)(b) words substituted by [S.I. 2013/2799 art. 3\(a\)](#)
- Sch. 1 para. 3A(2)(c) words substituted by [S.I. 2013/2799 art. 5\(a\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by [2012 c. 14 s. 188](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 2A(1)(ba) inserted by [2016 c. 24 Sch. 17 para. 3](#)
- s. 2AC inserted by [2016 c. 24 Sch. 17 para. 2](#)
- s. 6A(1)(f) and word inserted by [2016 c. 24 Sch. 17 para. 5\(b\)](#)
- s. 6AB(6)-(8) substituted for s. 6AB(6) by [2002 c. 23 Sch. 2 para. 7\(2\)](#)
- s. 6AG 6AH inserted by [2016 c. 24 Sch. 17 para. 4](#)
- s. 14E(7A) inserted by [2012 c. 14 s. 189\(2\)](#)
- s. 20AAC 20AAD and cross-heading inserted by [2016 c. 24 Sch. 17 para. 6\(2\)](#)
- s. 22(1AC) inserted by [2016 c. 24 Sch. 17 para. 7\(2\)](#)
- s. 23C(4)(da) inserted by [2016 c. 24 Sch. 17 para. 8](#)
- Sch. 1 para. 2(2)(b)(iv)-(vi) inserted by [S.I. 2013/2799 art. 3\(c\)](#)
- Sch. 1 para. 3A(2)(c)(iv)-(vi) inserted by [S.I. 2013/2799 art. 5\(c\)](#)