

1973 No. 2087

**CONTROL OF FUEL AND ELECTRICITY**

**The Motor Fuel (Restriction of Acquisition) Order 1973**

<i>Made</i>	- - -	11th December 1973
<i>Laid before Parliament</i>		12th December 1973
<i>Coming into Operation</i>		13th December 1973

The Secretary of State, in exercise of his powers under section 2(1) of the Fuel and Electricity (Control) Act 1973(a) and section 7 of the Emergency Laws (Re-enactments and Repeals) Act 1964(b) as having effect by virtue of section 5 of the Fuel and Electricity (Control) Act 1973, and all other powers in that behalf enabling him, hereby orders as follows:

*Citation and commencement*

1. This Order may be cited as the Motor Fuel (Restriction of Acquisition) Order 1973 and shall come into operation on 13th December 1973.

*Interpretation*

2. In this Order—

“business” includes a trade, profession or employment and includes any activity carried on by a body of persons whether corporate or unincorporate and the performance by a local or public authority of its functions;

“dealer” means a person carrying on an undertaking for the supply of motor fuel by retail;

“motor fuel” means—

(a) light oil (within the meaning of the Hydrocarbon Oil (Customs & Excise) Act 1971(c) of a kind intended for use as fuel for propelling a motor vehicle; or

(b) heavy oil (within the meaning of that Act) of a kind intended for use as fuel for propelling a motor vehicle other than heavy oil in respect of which rebate of duty has been allowed under section 9 of that Act;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;

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(a) 1973 c. 67.  
(c) 1971 c. 12.

(b) 1964 c. 60.

“normal quantity”, in relation to the acquisition of motor fuel, means a quantity not exceeding the greatest quantity acquired by the acquirer from his normal supplier on any single occasion after 20th May 1973 and before the date of the coming into operation of this Order;

“normal supplier”, in relation to the acquisition of motor fuel by a person, means the dealer or other supplier from whom that person has acquired motor fuel on at least 3 occasions after 20th May 1973 and before the date of the coming into operation of this Order;

“two-stroke mixture” means a mixture of motor fuel being light oil within the meaning of the Hydrocarbon Oil (Customs & Excise) Act 1971 and other oil consisting of not less than 16 nor more than 100 parts of motor fuel of that description to one part of other oil.

#### *Restriction of Acquisition*

- 3.—(1) Subject to this Article, no person shall acquire motor fuel unless—
- (a) it is supplied by a dealer directly into the ordinary fuel tank of a motor vehicle; or
  - (b) it is acquired in a normal quantity from the acquirer’s normal supplier for use within a reasonable time—
    - (i) in a motor vehicle which is an agricultural machine within the meaning of Schedule 3 to the Vehicles (Excise) Act 1971(a) or in respect of which no duty is chargeable under that Act;
    - (ii) otherwise than in a motor vehicle; or
    - (iii) in the course of the acquirer’s business.
- (2) Nothing in paragraph (1) of this Article shall prevent—
- (a) the acquisition of two-stroke mixture in a normal quantity from the acquirer’s normal supplier or the acquisition of motor fuel in a normal quantity from the acquirer’s normal supplier for making two-stroke mixture within a reasonable time; or
  - (b) where motor fuel is supplied to an acquirer under sub-paragraph (b) of that paragraph—
    - (i) the subsequent issue or distribution of that fuel by the acquirer for use by any officer, servant or agent of the acquirer in the course of the acquirer’s business;
    - (ii) the acquisition by any such officer, servant or agent of any such fuel for such use when it has been so issued or distributed.

#### *Records*

- 4.—(1) Every person shall keep a record of any motor fuel supplied by him under Article 3(1)(b) of this Order showing—
- (a) the quantity supplied;
  - (b) the date of the supply; and
  - (c) the identity of the acquirer.

(2) Notwithstanding the expiry of the Motor Fuel (Restriction of Supplies) Order 1973(a) any person required to keep a record by Article 4 of that Order shall preserve that record for the period of 6 months beginning with the date of the coming into operation of this Order.

*Directions*

5. Nothing in this Order shall prevent the acquisition by a person of such motor fuel as is required to be supplied to that person by a direction given by the Secretary of State under section 2(2)(b) of the Fuel and Electricity (Control) Act 1973.

*Licences*

6.—(1) Nothing in this Order shall prevent the acquisition of motor fuel under the authority of a licence granted by the Secretary of State under this Order.

(2) Any licence granted under this Order may be subject to conditions and may be revoked without prior notice.

(3) Every licence granted under this Order shall be the property of the Secretary of State and any person being in possession of any such licence shall, if requested to do so by the Secretary of State, produce or deliver it to such a person or to a person of such class or description, and within such time, as may be specified in or at the time of the request.

*Application to Northern Ireland*

7. This Order shall not extend to Northern Ireland.

*Tom Boardman,*  
Minister for Industry,

Department of Trade and Industry.

11th December, 1973.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order restricts the acquisition of motor fuel by requiring it to be supplied directly into the fuel tank of a motor vehicle or, if it is for use in an agricultural motor vehicle or in a motor vehicle not chargeable with vehicle excise duty or for use otherwise than in a motor vehicle or for business use, by requiring it to be supplied in normal quantities from the acquirer's normal supplier. This Order does not extend to Northern Ireland.

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