
STATUTORY INSTRUMENTS

1994 No. 2295

**PUBLIC HEALTH, ENGLAND AND WALES
PUBLIC HEALTH, SCOTLAND
PUBLIC HEALTH, NORTHERN IRELAND**

The Motor Fuel (Composition and Content) Regulations 1994

Made - - - - *2nd September 1994*
Laid before Parliament *8th September 1994*
Coming into force - - *1st October 1994*

The Secretary of State for Transport—

- (a) in exercise of the powers conferred by sections 30(1) and (3) and 63(1) of the Clean Air Act 1993(1) (the “1993 Act”); and
- (b) being a Minister designated(2) for the purposes of subsection (2) of section 2 of the European Communities Act 1972(3) in relation to the control of air pollution, in exercise of the powers conferred by that section;

and in exercise of all other enabling powers, and after consultation with persons appearing to him to represent manufacturers and users of motor vehicles, persons appearing to him to represent the producers and users of fuel for motor vehicles and persons appearing to him to be conversant with problems of air pollution in accordance with the provisions of section 30(2) of the 1993 Act, hereby makes the following Regulations:—

Commencement and citation

1. These Regulations may be cited as the Motor Fuel (Composition and Content) Regulations 1994 and shall come into force on 1st October 1994.

Preliminary

2. So far as any requirement is imposed by virtue of these Regulations, that requirement is imposed in exercise of the powers conferred by sections 30 and 63 of the Clean Air Act 1993 to the exclusion of the powers conferred by section 2(2) of the European Communities Act 1972.

(1) 1993 c. 11.
(2) S.I. 1988/735.
(3) 1972 c. 68.

General Interpretation

3.—(1) In these Regulations—

“BS 4040:1988” means the British Standard which is entitled “British Standard Specification for leaded petrol (gasoline) for motor vehicles” and was published under the number BS 4040:1988 as amended by Amendment No. 1 published on 29th June 1990;

“BS 7800:1992” means the British Standard which is entitled “British Standard Specification for high octane (super) unleaded petrol (gasoline) for motor vehicles” and was published under the number BS 7800:1992;

“BS EN 228:1993” means the British Standard which is entitled “British Standard Specification for unleaded petrol (gasoline) for motor vehicles” and was published under the number BS EN 228:1993;

“BS EN 590:1993” means the British Standard which is entitled “British Standard Specification for automotive diesel fuel” and was published under the number BS EN 590:1993;

“diesel fuel” means any liquid petroleum fuel product produced in a refinery and of a kind used as fuel in motor vehicles propelled by diesel engines of which not more than 65 per cent by volume, including distillation losses, is distilled at a temperature of 250°C and of which at least 85 per cent by volume, including distillation losses, is distilled at a temperature of 350°C when it is tested by the method described in the British Standard Specification which is entitled “Method for Determination of distillation characteristics of Petroleum Products” and which was published under the number BS 7392:1990;

“distribute”, in relation to motor fuel, means distribute from an oil refinery or an oil import terminal and does not accordingly include distributing motor fuel from any place to which it has been distributed from an oil refinery or oil import terminal or supplying motor fuel by retail at a filling station;

“EEA State” means a state which is a contracting Party to the EEA Agreement but, until the EEA Agreement comes into force in relation to Liechtenstein, does not include the State of Liechtenstein and “EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993⁽⁴⁾;

“filling station” means any premises used, or intended to be used for fuelling motor vehicles with motor fuel in the course of the business of supplying motor fuel by retail;

“hovercraft” has the same meaning as in section 4(1) of the Hovercraft Act 1968⁽⁵⁾;

“import terminal” means a place for the storage of refined oil immediately after it has been brought onshore in the United Kingdom;

“motor fuel” means petrol or diesel fuel;

“petrol” means petroleum spirit as defined in section 23 of the Petroleum (Consolidation) Act 1928⁽⁶⁾ of a kind used as fuel in motor vehicles.

(2) Unless the context otherwise requires, any reference in these Regulations to—

- (a) a numbered regulation is a reference to the regulation bearing that number in these Regulations; and
- (b) a numbered paragraph is a reference to the paragraph bearing that number in the regulation in which the reference appears.

⁽⁴⁾ Cm 2073 and 2183.

⁽⁵⁾ 1968 c. 59.

⁽⁶⁾ 1928 c. 32; the definition of “petroleum spirit” was substituted by Schedule 3 to the Health and Safety (Miscellaneous Provisions) (Metrication etc) Regulations 1992 (S.I. 1992/1811).

Modifications to BS 4040:1988, BS 7800:1992, BS EN 228:1993 and BS EN 590:1993

4.—(1) For the purposes of these Regulations, BS 4040:1988 shall have effect as if for a reference in the Tables to any publication shown in an entry in column 1 of Part I of Schedule 1 to these Regulations there were substituted a reference to the publication shown in that entry in column 2.

(2) For the purposes of these Regulations, BS 7800:1992 shall have effect as if for a reference in the Tables to any publication shown in an entry in column 1 of Part II of Schedule 1 to these Regulations there were substituted a reference to the publication shown in that entry in column 2.

(3) For the purposes of these Regulations, BS EN 228:1993 shall have effect as if for a reference in the Tables to any publication shown in an entry in column 1 of Part III of Schedule 1 to these Regulations there were substituted a reference to the publication shown in that entry in column 2.

(4) For the purposes of these Regulations, BS EN 590:1993 shall have effect—

- (a) as if paragraphs 5.3.2 and 5.3.3 were omitted;
- (b) as if for a reference in the Tables to any publication shown in an entry in column 1 of Part IV of Schedule 1 to these Regulations there were substituted a reference to the publication shown in that entry in column 2;
- (c) on and after 1st October 1996, as if in the third column of Table 1 for “0.20” there were substituted “0.05”; and
- (d) in relation to diesel fuel which contains ignition improver, as if in Table 1 the entry concerning carbon residue were omitted.

Requirements relating to motor fuel

5.—(1) Subject to regulation 4, references in these Regulations to petrol complying with a specified requirement shall be construed in accordance with this regulation.

(2) Petrol complies with “the winter leaded petrol requirement” if and only if the composition and content of the petrol are such that it—

- (a) fulfils the requirements set out in paragraphs 3 and 4.1.1 of BS 4040:1988;
- (b) fulfils the requirements set out in paragraph 4.2 of BS 4040:1988 in relation to petrol of 2 star grade; and
- (c) has the volatility characteristics recommended for the winter period in Appendix A to BS 4040:1988.

(3) Petrol complies with “the intermediate leaded petrol requirement” if and only if the composition and content of the petrol are such that it—

- (a) fulfils the requirements specified in paragraph (2)(a) and (b); and
- (b) has the volatility characteristics recommended for the intermediate period in Appendix A to BS 4040:1988.

(4) Petrol complies with “the summer leaded petrol requirement” if and only if the composition and content of the petrol are such that it—

- (a) fulfils the requirements specified in paragraph (2)(a) and (b); and
- (b) when tested in accordance with the test methods indicated in Table 4 in paragraph 5.7.2 of BS EN 228:1993, fulfils the requirements set out in that Table by reference to volatility class 4.

(5) Petrol complies with “the winter unleaded petrol requirement” if and only if the composition and content of the petrol are such that it—

- (a) fulfils the requirements set out in paragraphs 5.3, 5.4 and 5.5 of BS EN 228:1993;

- (b) fulfils the requirements set out in paragraph 5.6 of BS EN 228:1993 in relation to petrol of regular grade; and
 - (c) when tested in accordance with the test methods indicated in Table 4 in paragraph 5.7.2 of BS EN 228:1993, fulfils the requirements set out in that Table by reference to volatility class 8.
- (6) Petrol complies with “the summer unleaded petrol requirement” if and only if the composition and content of the petrol are such that it—
- (a) fulfils the requirements specified in paragraph (5)(a) and (b);
 - (b) when tested in accordance with the test methods indicated in Table 4 in paragraph 5.7.2 of BS EN 228:1993, fulfils the requirements set out in that Table by reference to volatility class 4.
- (7) Petrol complies with “the winter super unleaded petrol requirement” if and only if the composition and content of the petrol are such that it—
- (a) fulfils the requirements set out in paragraphs 3, 4.1.1 and 4.2 of BS 7800:1992; and
 - (b) when tested in accordance with the test methods indicated in Table 4 in paragraph 5.7.2 of BS EN 228:1993, fulfils the requirements set out in that Table by reference to volatility class 8.
- (8) Petrol complies with “the summer super unleaded petrol requirement” if and only if the composition and content of the petrol are such that it—
- (a) fulfils the requirements specified in paragraph (7)(a); and
 - (b) when tested in accordance with the test methods indicated in Table 4 in paragraph 5.7.2 of BS EN 228:1993, fulfils the requirements set out in that Table by reference to volatility class 4.
- (9) Diesel fuel complies with “the winter diesel fuel requirement” if and only if the composition and content of the diesel fuel are such that it—
- (a) fulfils the requirements set out in paragraph 5.3.1 of BS EN 590:1993;
 - (b) fulfils the requirements set out in paragraph 5.4.1 of BS EN 590:1993 that relate to fuel for use in temperate climates other than the requirements relating to cold filter plugging points; and
 - (c) fulfils the requirements set out in paragraph 5.4.1 of BS EN 590:1993 relating to cold filter plugging points by reference to CF PP grade E.
- (10) Diesel fuel complies with “the summer diesel fuel requirement” if and only if the composition and content of the diesel fuel are such that it—
- (a) fulfils the requirements specified in paragraph (9)(a) and (b); and
 - (b) fulfils the requirements set out in paragraph 5.4.1 of BS EN 590:1993 relating to cold filter plugging points by reference to CF PP grade C.

Restrictions with respect to the distribution of motor fuel

6.—(1) Subject to the provisions of these Regulations, no person shall, during a period beginning on 1st September and ending on 31st October in any year, distribute petrol which—

- (a) does not comply with the intermediate leaded petrol requirement, the winter unleaded petrol requirement or the winter super unleaded petrol requirement; and
- (b) is for use within the United Kingdom.

(2) Subject to the provisions of these Regulations, no person shall, during a period beginning on 1st November in any year and ending on 15th April in the following year, distribute petrol which—

- (a) does not comply with the winter leaded petrol requirement, the winter unleaded petrol requirement or the winter super unleaded petrol requirement; and
 - (b) is for use within the United Kingdom.
- (3) Subject to the provisions of these Regulations, no person shall, during a period beginning on 16th April and ending on 31st August in any year, distribute petrol which—
- (a) does not comply with the summer leaded petrol requirement, the summer unleaded petrol requirement or the summer super unleaded petrol requirement; and
 - (b) is for use within the United Kingdom.
- (4) Subject to the provisions of these Regulations, no person shall, during a period beginning on 10th September in any year and ending on 15th March in the following year, distribute diesel fuel which—
- (a) does not comply with the winter diesel fuel requirement; and
 - (b) is for use within the United Kingdom.
- (5) Subject to the provisions of these Regulations, no person shall, during a period beginning on 16th March and ending on 9th September in any year, distribute diesel fuel which—
- (a) does not comply with the summer diesel fuel requirement; and
 - (b) is for use within the United Kingdom.

Restrictions with respect to the sale of motor fuel

- 7.—(1) Subject to the provisions of these Regulations, no person shall, during a period beginning on 1st September in any year and ending on 31st May in the following year, sell by retail at a filling station petrol which—
- (a) does not comply with the winter leaded petrol requirement, the intermediate leaded petrol requirement, the winter unleaded petrol requirement or the winter super unleaded petrol requirement; and
 - (b) is for use within the United Kingdom.
- (2) Paragraph (1) does not apply to the sale of petrol which complies with—
- (a) the summer leaded petrol requirement; or
 - (b) the summer unleaded petrol requirement or the summer super unleaded petrol requirement,
- at a filling station to which, at the time of the sale, less than three deliveries of petrol have been made since 20th July next before the beginning of the period referred to in paragraph (1).
- (3) Subject to the provisions of these Regulations, no person shall, during a period beginning on 1st June and ending on 31st August in any year, sell by retail at a filling station petrol which—
- (a) does not comply with the summer leaded petrol requirement, the summer unleaded petrol requirement or the summer super unleaded petrol requirement; and
 - (b) is for use within the United Kingdom.
- (4) Paragraph (3) does not apply to the sale of petrol which complies with—
- (a) the winter leaded petrol requirement or the intermediate leaded petrol requirement; or
 - (b) the winter unleaded petrol requirement or the winter super unleaded petrol requirement,
- at a filling station to which, at the time of the sale, less than three deliveries of petrol have been made since 15th April next before the beginning of the period referred to in paragraph (3).
- (5) Subject to the provisions of these Regulations, no person shall, during a period beginning on 22nd October in any year and ending on 15th March in the following year, sell by retail at a filling station diesel fuel which—

- (a) does not comply with the winter diesel fuel requirement; and
- (b) is for use within the United Kingdom.

(6) Paragraph (5) does not apply to the sale of diesel fuel which complies with the summer diesel fuel requirement at a filling station to which, at the time of the sale, less than three deliveries of diesel fuel have been made since 9th September next before the beginning of the period referred to in paragraph (5).

(7) Subject to the provisions of these Regulations, no person shall, during a period beginning on 16th March and ending on 21st October in any year, sell by retail at a filling station diesel fuel which—

- (a) does not comply with the summer diesel fuel requirement; and
- (b) is for use within the United Kingdom.

Exemptions relating to the distribution or sale of motor fuel

8.—(1) Regulations 6 and 7 do not apply to the distribution or sale of motor fuel for the purposes of tests or experiments in connection with—

- (a) the composition or content of motor fuel; or
- (b) the design or performance of any article which uses, or is intended to use, motor fuel, or any component or lubricant of such article, in a case where the composition or content of the fuel is relevant to such design or performance.

(2) Regulations 6 and 7 do not apply to the distribution or sale of motor fuel—

- (a) for use in an aircraft (other than a hovercraft);
- (b) for use in a vehicle constructed or adapted for use solely in competitions or trials; or
- (c) which is in the course of being manufactured or blended.

(3) Nothing in regulation 6 or 7 shall render it unlawful for a person to distribute or sell any motor fuel on the grounds that it fails to comply with any requirements mentioned in those regulations if—

- (a) the failure is due to a mistake or to reliance on information supplied to him or to the act or default of another person, accident or some other cause beyond his control; and
- (b) the person in question has taken all reasonable precautions and exercised all due diligence to avoid such failure by himself or any person under his control.

Power for the Secretary of State to grant exemptions

9. The Secretary of State may by instrument in writing confer exemption from any provision of regulation 6 or 7 upon such person or classes of person for such period and in such circumstances as may be specified in the instrument conferring the exemption.

Evidence by certificate in Scotland

10.—(1) In any proceedings in Scotland against any person for contravention of, or failure to comply with, any provision of these Regulations a certificate issued by any person possessing the qualifications prescribed by regulations made under section 27 of the Food Safety Act 1990⁽⁷⁾ as qualifying persons for appointment as public analysts under that Act and stating the results of any test carried out in accordance with the appropriate method specified in paragraph (2) below shall be received in evidence, and be sufficient evidence of the matters stated in the certificate, and the provisions of subsections (2) to (4) of section 31 of the Trade Descriptions Act 1968⁽⁸⁾ (evidence

(7) 1990 c. 16.

(8) 1968 c. 29.

by certificate) shall apply to any such certificate as they apply to such a certificate as is mentioned in that section.

(2) A test carried out in accordance with the appropriate method referred to in paragraph (1) is a test carried out in accordance with one of the methods described in paragraphs 3, 4.1.1 and 4.2 of BS 4040:1988 and BS 7800:1992 or with paragraphs 5.4, 5.5, 5.6 and 5.7.2 of BS EN 228:1993 or paragraphs 5.3.1 and 5.4.1 of BS EN 590:1993.

Equivalent standards

11.—(1) Nothing in regulation 6 or 7 shall prevent a person distributing or selling any motor fuel in circumstances in which he could do so without contravening that regulation were there substituted for the references in regulation 5 to provisions in a relevant British Standard Specification references to equivalent provisions in a corresponding standard.

(2) For the purposes of this regulation, “corresponding standard”, in relation to a relevant British Standard Specification, means—

- (a) a standard or code of practice of a national standards body or equivalent body of any EEA State;
- (b) any international standard recognised for use as a standard by any EEA State; or
- (c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any EEA State,

where the standard, code of practice, international standard or technical specification provides, in relation to motor fuel, a level of control of air pollution equivalent to that provided by that British Standard Specification.

(3) For the purposes of this regulation, a reference to a relevant British Standard Specification, is a reference to BS 4040:1988, BS 7800:1992, BS EN 228:1993 and BS EN 590:1993, as modified (in each case) by regulation 4.

Revocations and transitional provisions

12.—(1) Subject to paragraph (3) below, the Regulations specified in Schedule 2 to these Regulations are revoked.

(2) Regulations 6 and 7 shall not apply to a person as regards any motor fuel which came into his possession before 1st October 1994.

(3) The Regulations referred to in paragraph (1) shall continue to have effect in relation to a person as regards any motor fuel which came into his possession before the 1st October 1994.

(4) For the purposes of this regulation, motor fuel which before 1st October 1994 came into the possession of a person who sells motor fuel by retail at a filling station—

- (a) shall continue to be regarded as having come into his possession before that date notwithstanding that it has been mixed with one or two deliveries of motor fuel that were made to him on or after that date;
- (b) shall be regarded as having come into his possession after that date if it has been mixed with three or more deliveries of motor fuel that were made to him on or after that date.

Status: *This is the original version (as it was originally made). UK
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Signed by authority of the Secretary of State.

2nd September 1994

Steven Norris
Parliamentary Under Secretary of State,
Department of Transport

SCHEDULE 1

Regulation 4

PUBLICATIONS

**EFFECT OF REFERENCE TO CERTAIN PUBLICATIONS IN BRITISH STANDARDS
BS 4040:1988, BS 7800:1992, BS EN 228:1993 AND BS EN 590:1993**

PART I

Column 1	Column 2
BS 2000: Part 69 (Methods of test for petroleum and its products Part 69. Reid vapour pressure of petroleum products).	BS 2000: Part 402:1994/BS EN:1994 which is entitled "Methods of test for petroleum and its products Part 402. Petroleum products — Determination of Reid vapour pressure — Wet method."
BS 2000:Part 123 (Methods of test for petroleum and its products Part 123. Distillation of petroleum products).	BS 7392:1990/ISO 3405:1988 which is entitled "Method for Determination of distillation characteristics of petroleum products."
BS 2637 (Method for determination of knock characteristics of motor and aviation-type fuels (motor method)).	BS 2000:Part 236:1994/BS EN 25163:1994 which is entitled "Methods of test for petroleum and its products Part 236. Motor and aviation-type fuels— Determination of knock characteristics— Motor method."
BS 2638 (Method for determination of knock characteristics of motor fuels (research method)).	BS 2000:Part 237:1994/BS EN 25164:1994 which is entitled "Methods of test for petroleum and its products Part 237. Motor fuels— Determination of knock characteristics — Research method."
BS 4306 (Method for determination and application of precision data in relation to methods of test for petroleum products).	IP 367/94 which is entitled "Petroleum products— Determination and application of precision data in relation to methods of test."
BS 4348 (Determination of existent gum in fuels by jet evaporation).	BS 2000: Part 131: 1994/BS EN 26246:1994 which is entitled "Methods of test for petroleum and its products Part 131. Petroleum products— Motor gasoline and aviation fuels— Determination of existent gum— Jet evaporation method."

PART II

BS 2000: Part 69 (Methods of test for petroleum and its products Part 69. Reid vapour pressure of petroleum products).	BS 2000: Part 402:1994/BS EN 12:1994 which is entitled "Methods of test for petroleum and its products Part 402. Petroleum products— Determination of Reid vapour pressure— Wet method."
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BS 2000:Part 123 (Methods of test for petroleum and its products Part 123. Distillation of petroleum products).	BS 7392:1990/ISO 3405:1988 which is entitled "Method for Determination of distillation characteristics of petroleum products."
BS 2637 (Method for determination of knock characteristics of motor and aviation-type fuels (motor method)).	BS 2000:Part 236:1994/BS EN 25163:1994 which is entitled "Methods of test for petroleum and its products Part 236. Motor and aviation-type fuels— Determination of knock characteristics— Motor method."
BS 2638 (Method for determination of knock characteristics of motor fuels (research method)).	BS 2000:Part 237:1994/BS EN 25164:1994 which is entitled "Methods of test for petroleum and its products Part 237. Motor fuels— Determination of knock characteristics — Research method."
BS 4306 (Method for determination and application of precision data in relation to methods of test for petroleum products).	IP 367/94 which is entitled "Petroleum products— Determination and application of precision data in relation to methods of test."
BS 4348 (Determination of existent gum in fuels by jet evaporation).	BS 2000: Part 131: 1994/BS EN 26246:1994 which is entitled "Methods of test for petroleum and its products Part 131. Petroleum products— Motor gasoline and aviation fuels— Determination of existent gum— Jet evaporation method."

PART III

EN 12 (Petroleum products— Determination of Reid vapour pressure— Wet method).	BS 2000:Part 402:1994/BS EN 12:1994 which is entitled "Methods of test for petroleum and its products Part 402. Petroleum products— Determination of Reid vapour pressure— Wet method."
EN 237 (Liquid petroleum products— Determination of low lead concentrations— Atomic absorption spectrometric method).	ASTM D 3237—90 which is entitled "Standard Test Method for Lead in Gasoline by Atomic Absorption Spectroscopy."
EN 238 (Liquid petroleum products— Determination of the benzene content— Infra red spectrometric method).	ASTM D 3606—92 which is entitled "Determination of benzene and toluene in finished motor and aviation gasoline by gas chromatography."
EN 24260 (Petroleum products and hydrocarbons— Determination of sulfur content— Wickbold combustion method).	BS 2000:Part 243:1004/BS EN 24260:1994 which is entitled "Methods of test for petroleum and its products Part 243. Petroleum products and hydrocarbons— Determination of sulfur content— Wickbold combustion method."
ISO 2160 (Petroleum products— Corrosiveness to copper— Copper strip test).	BS 2000:Part 154:1993 which is entitled "Methods of test for petroleum and its products"

	Part 154. Petroleum products— Corrosiveness to copper— Copper strip test.”.
ISO 7536 (Petroleum products— Determination of oxidation stability of gasoline — Induction period method).	BS 2000:Part 40:1992 which is entitled “Methods of test for petroleum and its products Part 40. Determination of oxidation stability of gasoline— Induction period method.”.
ISO 8754 (Petroleum products— Determination of sulfur content— Energy-dispersive X-ray fluorescence method).	BS 2000:Part 336:1993 which is entitled “Methods of test for petroleum and its products Part 336. Petroleum products— Determination of sulfur content— Energy-dispersive X-ray fluorescence method.”.

PART IV

EN 24260 (Petroleum products and hydrocarbons— Determination of sulfur content— Wickbold combustion method).	BS 2000:Part 243:1994/BS EN 24260:1994 which is entitled “Methods of test for petroleum and its products Part 243. Petroleum products and hydrocarbons— Determination of sulfur content— Wickbold combustion method.”.
EN 26245 (Petroleum products— Determination of ash).	ISO 6245:1993/IP 4/94 which is entitled “Petroleum products— Determination of ash.”.
ISO 3015 (Petroleum products— Determination of cloud point).	BS 2000:Part 219:1994/BS EN 23015:1994 which is entitled “Methods of test for petroleum and its products Part 219. Petroleum products— Determination of cloud point.”.
ISO 4264 (Petroleum products— Distillate fuels— Calculation of cetane index).	IP 380/94 which is entitled “Calculation of cetane index of distillate fuels by four variable equation.”.
ISO 8754 (Petroleum products— Determination of sulfur content— Energy-dispersive X-ray fluorescence method).	BS 2000:Part 336:1993 which is entitled “Methods of test for petroleum and its products Part 336. Petroleum products— Determination of sulfur content— Energy-dispersive X-ray fluorescence method.”.
ISO 10370 (Petroleum products— Determination of carbon residue— Micro method).	IP 398/94 which is entitled “Petroleum products— Determination of carbon residue— Micro method.”.

SCHEDULE 2

Regulation 12

REVOCATIONS

(1) Regulations revoked	(2) Reference
The Motor Fuel (Sulphur Content of Gas Oil) Regulations 1976	S.I.1976/1989
The Motor Fuel (Lead Content of Petrol) Regulations 1981	S.I. 1981/1523
The Motor Fuel (Lead Content of Petrol) (Amendment) Regulations 1985	S.I. 1985/1728
The Motor Fuel (Lead Content of Petrol) (Amendment) Regulations 1989	S.I. 1989/547
The Motor Fuel (Sulphur Content of Gas Oil) (Amendment) Regulations 1990	S.I. 1990/1097

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Motor Fuel (Lead Content of Petrol) Regulations 1981 and the Motor Fuel (Sulphur Content of Gas Oil) Regulations 1976 and their amending regulations.

The Regulations lay down requirements as to the composition and content of motor fuel (regulation 5). The requirements are based on specified paragraphs contained in British Standard Specifications BS 4040:1988, BS EN 228:1993, BS 7800:1992 and BS EN 590:1993 respectively (or their equivalent in accordance with regulation 11) for leaded, unleaded and high octane (super) unleaded petrols and for diesel fuel. The Regulations embrace the requirements with respect to the maximum permitted lead and benzene content of petrol, as specified by Council Directive [85/210/EEC](#) (OJ No L96, 3.1.1985, p. 25.), and the maximum sulphur content of diesel fuel, as specified by Council Directive [93/12/EEC](#) (OJ No L74 27.3.1993, p. 81.), together with other requirements with respect to fuel properties. Certain of these requirements vary according to the time of year when the fuel is distributed or sold.

The distribution of non-complying motor fuel from a refinery or an import terminal and the sale of such fuel by retail at a filling station are prohibited (regulations 6 and 7).

Regulation 8 provides for certain exemptions from these prohibitions and regulation 9 enables the Secretary of State to grant exemptions to specified persons or classes of person.

Provision is made for evidence of the results of tests to be given by certificate in proceedings in Scotland (regulation 10) and regulation 12 contains transitional provisions.

A compliance cost assessment has been prepared and copies can be obtained from the Department of Transport, Room C19/07, 2 Marsham Street, London SW1 3EB. A copy has been placed in the library of each House of Parliament.

Copies of the British Standard Specifications and ISO publications referred to in these Regulations may be obtained from any of the outlets operated by the British Standards Institution, or by post from the British Standards Institution at Linford Wood, Milton Keynes, MK14 6LE (Tel No: Milton Keynes (STD 0908) 221166).

Copies of the Institute of Petroleum publications referred to in these Regulations may be obtained from the Institute of Petroleum, 61 Cavendish Street, London W1M 8AR (Tel No: London (STD 071) 467 7100).

Copies of the ASTM publications referred to in these Regulations may be obtained from ASTM European Office, 27/29 Knowl Piece, Wilbury Way, Hitchin, Hertfordshire SG4 0SX (Tel No: Hitchin (STD 0462) 437 933).