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STATUTORY INSTRUMENTS

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**1999 No. 3107**

**The Motor Fuel (Composition and Content) Regulations 1999**

**PART II**

**REGULATIONS RELATING TO THE SALE  
AND DISTRIBUTION OF MOTOR FUEL**

**Interpretation of requirements relating to motor fuel**

**3.—**(1) References in these Regulations to motor fuel complying with a specified requirement shall be construed in accordance with this regulation.

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

- (a) from 1st January 2000 it complies with the environmental specifications in Annex I of the Directive,
- (b) from 1st January 2005 it complies with the environmental specifications in Annex III of the Directive.

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

- (a) from 1st January 2000—
  - (i) it complies with the environmental specifications in Annex I of the Directive, with the exception of the Reid vapour pressure, and
  - (ii) it has a Reid vapour pressure of not more than 70kPa;
- (b) from 1st January 2005 it complies with the environmental specifications in Annex III of the Directive.

(4) Petrol complies with “the transitional requirement” if the composition and content of the petrol are such that it complies with the environmental specifications in Annex I of the Directive with the exception of the environmental specifications for benzene and sulphur content.

(5) Diesel fuel complies with “the diesel fuel requirement” if the composition and content of the diesel fuel are such that—

- (a) from 1st January 2000 it complies with the environmental specifications in Annex II of the Directive,
- (b) from 1st January 2005 it complies with the environmental specifications in Annex IV of the Directive.

**Restrictions on the distribution of motor fuel**

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

- (a) does not comply with the winter 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 16th April and ending on 31st August in any year, distribute petrol which—
- (a) does not comply with the summer petrol requirement; and
  - (b) is for use within the United Kingdom.
- (3) Subject to the provisions of these Regulations, no person shall distribute diesel fuel which—
- (a) does not comply with the diesel fuel requirement; and
  - (b) is for use within the United Kingdom.

### **Restrictions on the sale of motor fuel**

- 5.—(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 petrol which—
- (a) does not comply with the winter 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 June and ending on 31st August in any year, sell petrol which—
- (a) does not comply with the summer petrol requirement; and
  - (b) is for use within the United Kingdom.
- (3) Paragraph (2) shall not apply to petrol—
- (a) which complies with the winter petrol requirement, and
  - (b) which is stored in a filling station tank to which fewer than three deliveries of petrol have been made since 15th April immediately preceding the beginning of the period mentioned in paragraph (2).
- (4) This paragraph applies to a filling station which is supplied from a facility (in this regulation referred to as “the supplying facility”)—
- (a) which is only supplied by sea-going vessels, and
  - (b) whose total annual throughput of petrol is not more than 8,000 metric tonnes.
- (5) Where paragraph (4) applies to a filling station, paragraph (2) shall not apply to petrol stored at that filling station where that petrol—
- (a) complies with the winter petrol requirement, and
  - (b) is stored in a filling station tank to which fewer than two deliveries of petrol have been made since the second delivery of petrol to the supplying facility since 15th April immediately preceding the beginning of the period mentioned in paragraph (2).
- (6) Subject to the provisions of these Regulations, no person shall sell diesel fuel which—
- (a) does not comply with the diesel fuel requirement; and
  - (b) is for use within the United Kingdom.

### **Exemptions relating to the distribution or sale of motor fuel**

- 6.—(1) Regulations 4 and 5 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) Notwithstanding the provisions of regulations 4 and 5, leaded petrol may be distributed and sold—
- (a) for use in a vehicle which belongs to the Crown and which is used for naval, military or air force purposes; or
  - (b) in accordance with the provisions of Part III of these Regulations.
- (3) Regulations 4 and 5 do not apply to the distribution or sale of motor fuel which is in the course of being manufactured or blended or which requires, for whatever reason, further manufacturing or blending.
- (4) Regulation 5(1) shall not apply to petrol—
- (a) which complies with the transitional requirement, and
  - (b) which is stored in a filling station tank to which fewer than three deliveries of petrol have been made since 1st January 2000.
- (5) Nothing in regulation 4 or 5 shall render it unlawful for a person to distribute or sell any motor fuel on the ground 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 of the Secretary of State to grant exemptions**

7.—(1) The Secretary of State may grant exemptions from the provisions of regulations 4 and 5 but only in accordance with the provisions of Articles 3(5), 4(3) and 7 of the Directive.

(2) Any exemption granted under paragraph (1) shall be made by instrument in writing and shall confer exemption upon such person or classes of person for such period and in such circumstances as may be specified in the instrument conferring the exemption.