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STATUTORY RULES OF NORTHERN IRELAND

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**2007 No. 272**

**The Sulphur Content of Liquid Fuels  
Regulations (Northern Ireland) 2007**

**Interpretation**

2.—(1) In these Regulations—

“combustion plant” means any technical apparatus in which fuels are oxidised in order to use the heat generated;

“gas oil” means any petroleum-derived liquid fuel—

- (a) which falls within CN code 2710 19 25, 2710 19 29, 2710 19 45 or 2710 19 49; or
- (b) where less than 65 per cent by volume (including losses) distils at 250°C and at least 85 per cent by volume (including losses) distils at 350°C by the ASTM D86 method,

but excluding marine fuel, diesel fuels (as defined in Article 2(2) of Council Directive [98/70/EC](#) relating to the quality of petrol and diesel fuels<sup>(1)</sup> and fuels used in non-road mobile machinery and agricultural tractors;

“heavy fuel oil” means any petroleum-derived liquid fuel—

- (a) which falls within CN code 2710 19 51 to 2710 19 69;
- (b) which by reason of its distillation limits, falls within the category of heavy oils intended for use as fuel and of which less than 65 per cent by volume (including losses) distils at 250°C by the ASTM D86 method; or
- (c) where the distillation cannot be determined by the ASTM D86 method, which is categorised as heavy fuel oil,

but excluding marine fuel and gas oil;

“marine fuel” means any petroleum-derived liquid fuel intended for use or in use on board a vessel, including those fuels defined in ISO 8217<sup>(2)</sup>;

“sulphur content of liquid fuels permit” has the meaning given in regulation 4(4)(b)(ii).

“the 1997 Order” means “The Industrial Pollution Control (Northern Ireland) Order 1997”<sup>(3)</sup>

“the 2003 Regulations” means “The Pollution Prevention and Control Regulations (Northern Ireland) 2003”<sup>(4)</sup>

(2) In paragraph (1)—

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(1) OJ L 350, 28.12.1998, p.58.

(2) ISO 8217 (1996) is described in the British Standard entitled, “Specification for Petroleum Fuels for marine oil engines and boilers”, published under the numbers BS MA 100 and ISO 8217:1996, which came into effect on 15<sup>th</sup> August 1996.

(3) [S.I. 1997/2777 \(N.I. 18\)](#)

(4) [S.R. 2003 No. 46](#)

- (a) “ASTM method” means the methods laid down by the American Society for Testing and Materials in the 1976 edition of standard definitions and specifications for petroleum and lubricating products<sup>(5)</sup>; and
  - (b) the reference to a numbered CN code is a reference to the code set out in the Integrated Customs Tariff of the United Kingdom (2000 edition) and the CN code within that number<sup>(6)</sup>.
- (3) Expressions used in these Regulations that also appear in Council Directive 1999/32/EC relating to a reduction in the sulphur content of certain liquid fuels as amended by Directive 2005/33/EC of the European Parliament and of the Council<sup>(7)</sup> have the same meaning as they do in that Directive.
- (4) The Interpretation Act (Northern Ireland) 1954<sup>(8)</sup> shall apply to these Regulations as it applies to the Act of the Northern Ireland Assembly.

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(5) The ASTM method is described in the 1999 Annual Book of the ASTM Standards: Section 5-Petroleum Products, Lubricants and Fossil Fuels, published by the American Society for Testing and Materials, November 1999.

(6) The Integrated Customs Tariff of the United Kingdom (2000 edition) is published by HMSO (ISBN 0117818054).

(7) OJL 191 22.7.2005, p. 59

(8) 1954 c. 33 (N.I.)