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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement Council Directive 1999–94 which relates to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars. Such information is measured in accordance with Council Directive 80/1268/EEC and is referred to in these Regulations as “official fuel consumption” and “official specific emissions of CO<sub>2</sub>” figures.

The Regulations apply to all new passenger cars for which an EC certificate of conformity has been issued (*regulations 3 and 4*). The provisions of the Passenger Car Fuel Consumption Order 1983 (S.I.1983/1486) which also regulate this area, are disapplied in respect of such vehicles (*regulation 2*). Duties are imposed on suppliers of and dealers in passenger cars to which the Regulations apply.

The duties include the provision of the relevant information by suppliers to dealers (*regulation 5*) and that, at the point of sale for new passenger cars, a label with information in a specified form on fuel economy and CO<sub>2</sub> emissions relating to each model is displayed by the dealer (*regulation 6*).

*Regulation 7* provides that a guide covering fuel economy and CO<sub>2</sub> emissions must also be available free of charge to consumers who request one, and *regulation 8* provides that a poster or display incorporating the relevant information must be exhibited in a prominent position at the point of sale. *Regulation 9* provides that the relevant information must also be available on promotional literature relating to new passenger cars. Schedules 1 to 4 of the Regulations prescribe the form which the guide, label, poster and promotional material should take.

The inclusion of misleading or confusing information in the material relating to fuel economy and specific emissions of CO<sub>2</sub> is prohibited under *regulation 10*.

*Regulation 11 and Schedule 5* provide for offences and enforcement. Offences are created for failure to comply with the duties created by the Regulations, enforced by Weights and Measures authorities in Great Britain, and in Northern Ireland by the Department of Enterprise, Trade and Investment. Under paragraph 1 of Schedule 5 it is an offence to contravene any of the duties specified in *regulations 5 to 10* as well as certain enforcement provisions in the Schedule. Paragraph 2 of the Schedule provides for the bringing of criminal proceedings, paragraph 3 of the Schedule establishes certain defences and paragraphs 4 to 8 contain provisions (including powers of entry and seizure) aimed at assisting enforcement.

Copies of the Directives and Regulations which are relevant to these Regulations can be obtained from the Stationery Office.

A Regulatory Impact Assessment for Directive 99/94 has been prepared and copies may be obtained from the Vehicle Standards and Engineering Division, Department for Transport, Local Government and the Regions, Zone 4/17, Great Minster House, 76 Marsham Street, London SW1P 4DR, telephone number 020 7944 2097. A copy has been placed in the library of both Houses of Parliament.