Control of Liquid Fuel Act 1967

1967 CHAPTER 57

An Act to make temporary provision for controlling the supply, acquisition and consumption of liquid fuel and of lubricating oil and grease, and for purposes connected therewith. [21st July 1967]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Control of liquid fuel.

1.—(1) The Minister of Power may by order provide for regulating or prohibiting any one or more of the following, that is to say—

(*a*) the supply of liquid fuel;

(*b*) the acquisition of liquid fuel; and

(*c*) the consumption of liquid fuel.

(2) Any provision made by an order under the preceding subsection may be made in relation to liquid fuel generally or in relation to any particular description of liquid fuel, and (in either case) may be made with respect to the supply, acquisition or consumption of liquid fuel, or of the description of liquid fuel in question, for all purposes or for any particular purposes specified in the order.

(3) Without prejudice to the preceding provisions of this section, the Minister of Power may give to any person carrying on business as a refiner or supplier of liquid fuel directions as to the persons to whom he is to supply any such liquid fuel as may be specified in the directions; and any such directions may in particular require any liquid fuel to be supplied to such persons as may be specified in the directions in accordance with such

requirements as may be so specified or may, to such extent as may be specified in the directions, prohibit the supply of liquid fuel to persons so specified.

(4) Any directions given to a person under subsection (3) of this section may include provision as to the persons to whom he is to supply any such lubricating oil as may be specified in the directions; and any such directions may in particular require any lubricating oil to be supplied to such persons as may be specified in the directions in accordance with such requirements as may be so specified or may, to such extent as may be specified in the directions, prohibit the supply of lubricating oil to persons so specified.

(5) Where any liquid fuel or lubricating oil is supplied to any person in pursuance of directions under subsection (3) of this section, that person shall pay such price in respect of the fuel or lubricating oil as may be reasonable.

Documents and information relating to liquid fuel.

2. The Minister of Power may, by directions given with respect to any undertaking, or by order made with respect to any class of undertakings, require the person carrying on the undertaking, or persons carrying on undertakings of that class, as the case may be,—

(*a*) to keep such books, accounts and records relating to liquid fuel as may be prescribed by the directions or (as the case may be) by the order or by a notice served under the order;

(*b*) to furnish, at such times, in such manner and in such form as may be so prescribed, such estimates, returns or information relating to liquid fuel as may be so prescribed.

Relaxation of restrictions on use of goods vehicles. 1960 c. 16.

3.—(1) A goods vehicle with respect to which no licence under Part IV of the Road Traffic Act 1960 is in force may, notwithstanding anything in that Act, be used on a road for the carriage of goods for hire or reward, or for or in connection with any trade or business carried on by any person, so long as the use of the vehicle is under, and in accordance with, any general or special authority granted for the purposes of this subsection by or on behalf of the Minister of Transport.

(2) Where a licence granted under Part IV of the Road Traffic Act 1960 is in force with respect to any vehicle, the uses of that vehicle which are authorised by the licence shall, notwithstanding anything in section 166 of that Act or in the terms of the licence, be deemed to extend to any use made of that vehicle under, and in accordance with, any general or special authority granted for the purposes of this subsection by or on behalf of the Minister of Transport; and nothing in any condition of a licence so granted

shall apply to any use of any vehicle to which the licence relates so long as that use is under, and in accordance with, any such general or special authority.

(3) The power to grant any general or special authority under this section shall not be exercisable except where it appears to the person granting the authority to be necessary or expedient to do so for the purpose of promoting economy in the consumption of liquid fuel; and no such authority shall be granted so as to have effect except at a time when an order under section 1(1) of this Act is in force.

(4) In the application of this section to Northern Ireland the following subsection shall be substituted for subsections (1) and (2) of this section:—

> " (1) So long as the use of a motor vehicle is under, and in accordance with, any general or special authority granted for the purposes of this subsection by or on behalf of the Ministry of Development for Northern Ireland, any person may use that vehicle on a road in Northern Ireland for the carriage of goods for hire or reward notwithstanding that there is not in force under the Transport Act (Northern Ireland) 1966 a road freight operator's licence in respect of that person or a road freight vehicle licence in respect of that vehicle." 1966 c. 3. (N.I.)

Application of provisions of Emergency Laws (Re-enactments and Repeals) Act 1964. 1964 c. 60.

4.—(1) The following provisions of the Emergency Laws (Re-enactments and Repeals) Act 1964, that is to say sections 7 (orders and directions), 8 (notices, authorisations and proof of documents), 9 (territorial extent of Part I), 10 (false documents and false statements), 11 (restrictions on disclosing information) and 12 (offences by corporations), shall have effect for the purposes of this Act as if in those provisions any reference to Part I of that Act were a reference to this Act; and in the following provisions of this Act any reference to an offence under this Act shall be construed accordingly.

(2) Schedule 1 to that Act (production of documents) shall have effect for the purposes of this Act as if paragraph 3 of that Schedule were omitted and in that Schedule—

(*a*) any reference to the relevant section of that Act were a reference to this Act, and

(*b*) any reference to a competent authority were a reference to a government department (including a department of the Government of Northern Ireland),

and in paragraph 2(3) of that Schedule the reference to that Act included a reference to this Act.

Offences and penalties.

5.—(1) Any person who—

(*a*) contravenes, or fails to comply with, any order made, directions given or requirement imposed under this Act (other than any such requirement as is mentioned in paragraph 1(3) of Schedule 1 to the Emergency Laws (Re-enactments and Repeals) Act 1964, as applied by section 4 of this Act), or

1964 c. 60.

(*b*) (except as mentioned in paragraph 2(4) of that Schedule as so applied) wilfully obstructs any person exercising a power, or performing a duty, conferred or imposed on him under this Act,

shall be guilty of an offence under this Act.

(2) Without prejudice to the operation—

1861 c. 94.
1952 c. 55.

(*a*) of section 8 of the Accessories and Abettors Act 1861 or of section 35 of the Magistrates' Courts Act 1952, or

1887 c. 35.
1954 c. 48.

(*b*) in Scotland, of section 61 of the Criminal Procedure (Scotland) Act 1887 or of section 2 of the Summary Jurisdiction (Scotland) Act 1954, or

1964 c. 21 (N.I.).

(*c*) in Northern Ireland, of section 8 of the Accessories and Abettors Act 1861 or of section 68 of the Magistrates' Courts Act (Northern Ireland) 1964,

any person who attempts to commit, conspires with any other person to commit, or does any act or makes any statement preparatory to the commission of, an offence under this Act or under Schedule 1 to the Emergency Laws (Re-enactments and Repeals) Act 1964 as applied by this Act shall be guilty of an offence under this Act.

(3) Proceedings against any person in respect of an offence under this Act, or under that Schedule as so applied, may be taken before the appropriate court in the United Kingdom having jurisdiction in the place where that person is for the time being.

(4) Any person guilty of an offence under this Act shall be liable on summary conviction to imprisonment for a term not exceeding three months, or to a fine not exceeding £100, or to both.

Financial provisions.

6.—(1) The Minister of Power shall pay to the Postmaster General sums, of such amounts as may be agreed between them, for work done by the Postmaster General in connection with the execution of this Act.

1962 c. 13.

(2) For the purposes of section 22 of the Vehicles (Excise) Act 1962, any expenses which, in accordance with arrangements made in that behalf by the Minister of Transport, are incurred

by any such council as is mentioned in paragraph (*a*) of subsection (1) of that section in connection with the execution of this Act in Great Britain shall be treated as expenses incurred as mentioned in that paragraph.

(3) All expenses incurred by any government department (except the Postmaster General) in consequence of this Act shall be defrayed out of moneys provided by Parliament.

Interpretation.

7.—(1) In this Act "liquid fuel" means any liquid used as fuel, whether for the propulsion of vehicles or for industrial, domestic or any other purposes, "lubricating oil" includes lubricating grease, and "undertaking" means any public utility undertaking or any undertaking by way of any trade or business.

(2) Except in so far as the context otherwise requires, any reference in this Act to an enactment shall be construed as a reference to that enactment as amended or extended by or under any other enactment.

(3) In this section "enactment" includes an enactment of the Parliament of Northern Ireland.

Isle of Man and Channel Islands.

8.—(1) Her Majesty may by Order in Council direct that this Act shall extend to the Isle of Man or any of the Channel Islands, with such exceptions, adaptations and modifications as may be specified in the Order.

(2) Any Order in Council under this section may be varied or revoked by a subsequent Order of Her Majesty in Council.

Duration of Act.

9.—(1) This Act shall continue in force until 30th June 1968 and shall then expire unless Parliament otherwise determines.

1889 c. 63.

(2) Upon the expiry of this Act section 38(2) of the Interpretation Act 1889 (which relates to the effect of repeals) shall apply as if this Act had been repealed by another Act.

Short title and extent.

10.—(1) This Act may be cited as the Control of Liquid Fuel Act 1967.

(2) This Act extends to Northern Ireland.