Draft Regulations laid before Parliament under section 22(1)(b) and (d) of the Data (Use and Access) Act 2025 (c. 18), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No. ****

COMPETITION

The Motor Fuel Price (Open Data) Regulations 2025

Made - - - - ***

Coming into force in accordance with regulation 1(2) and (3)

CONTENTS

PART 1

Introductory

1. Citation, commencement and extent
2. Interpretation

PART 2

Aggregator

3. Aggregator
4. Information for motor fuel traders
5. Complaints

PART 3

Registration information

6. Duty to provide registration information
7. Registration number
8. Changes to registration information

PART 4

Reporting of motor fuel price changes

9. Duty to provide motor fuel price changes
10. Means of provision of information under this Part

PART 5

Sharing of price information

11. Processing information
12. Information recipients
13. Sharing of price information

PART 6

Monitoring and enforcement

14. Monitoring by aggregator
15. Compliance notices
16. Investigation by CMA
17. Liability in damages

18. Complaints

PART 7
Penalties

19. Financial penalties
20. Determination of turnover and daily turnover
21. Financial penalties: procedural requirements
22. Withdrawal or amendment of notice
23. Payments and interest
24. Recovery of financial penalties
25. Guidance on penalties
26. Offences etc

PART 8
Appeals in relation to penalties

27. Appeals in relation to penalties

PART 9
Review

28. Duty to review Regulations

SCHEDULES

Schedule 1 — Registration information in relation to a petrol filling station
Schedule 2 — Turnover of an undertaking

The Secretary of State makes these Regulations in exercise of the powers conferred by section 4(1)(b) and (4)(b), (c) and (d), 5(3)(a), (4)(a), (b), (c) and (e), (7)(a), (8) and (9), 7(1), (4)(d), (g), (j), (k) and (l) and (5), 8(1) to (11) and (13), 10, 18, 19 and 21(1) of the Data (Use and Access) Act 2025(**a**).

In deciding to make these Regulations, the Secretary of State has had regard to the matters mentioned in section 4(5) of that Act.

The Secretary of State has carried out the consultation required by section 22(3) of that Act before making these Regulations.

In accordance with section 22(1)(b) and (d) of that Act(**b**), a draft of these Regulations was laid before and approved by a resolution of each House of Parliament.

(**a**) 2025 c. 18.
(**b**) See section 140(2) of the Data (Use and Access) Act 2025 for the meaning of the "affirmative procedure".

PART 1

Introductory

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Motor Fuel Price (Open Data) Regulations 2025.

(2) The following provisions come into force on 18th December 2025—

(a) this Part;

(b) Part 2 (aggregator) and Part 3 and Schedule 1 (registration information), with the exception of regulation 8(2) (exclusion of price changes from duty to notify changes to registration information);

(c) Part 6 (monitoring and enforcement), Part 7 and Schedule 2 (penalties) and Part 8 (appeals), for the purposes of the requirements on motor fuel traders in Part 3.

(3) The following provisions come into force on 2nd February 2026—

(a) regulation 8(2);

(b) Part 4 (reporting of motor fuel price information) and Part 5 (sharing of price information);

(c) Parts 6 to 8 and Schedule 2 for all purposes other than those mentioned in paragraph (2)(c);

(d) Part 9 (review).

(4) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Interpretation

2.—(1) In these Regulations—

"aggregator" means the person appointed in accordance with regulation 3 (the aggregator);

"CMA" means the Competition and Markets Authority(**a**);

"compliance notice" means a notice issued under regulation 15 (compliance notices);

"diesel fuel" means a petroleum-derived liquid falling within CN code 2710 19 43 and used for self-propelling vehicles as referred to in Regulation (EC) No 715/2007 and Regulation (EC) No 595/2009;

"flat file" means the electronic document referred to in regulation 13(2)(b);

"grade", in relation to a motor fuel, means the category of the fuel as denoted by an indicator described in Schedule 1 to the Alternative Fuel Labelling and Greenhouse Gas Emissions (Miscellaneous Amendments) Regulations 2019(**b**);

"information recipient" means a person described in regulation 12 (information recipients);

"motor fuel" means petrol or diesel fuel;

"motor fuel trader" means a person who offers motor fuel for sale in the course of a retail business, whether acting personally or through another person acting in the motor fuel trader's name or on the motor fuel trader's behalf;

(**a**) The Competition and Markets Authority is established by section 25 of the Enterprise and Regulatory Reform Act 2013 (c. 24).
(**b**) S.I. 2019/421.

"petrol" means any volatile mineral oil intended for the operation of internal combustion positive-ignition engines for the propulsion of vehicles and falling within CN codes 2710 12 41, 2710 12 45, 2710 12 49 and 2710 12 50;

"petrol filling station" means premises from which a motor fuel trader offers motor fuel for sale in the course of a retail business;

"price API" has the meaning given in regulation 13(1) (sharing of price information);

"price information" means the following information in relation to a petrol filling station—

(a) the unique number assigned under regulation 7, and

(b) the information in paragraphs 1 to 10 of Schedule 1 (registration information);

"registration information" means the information listed in Schedule 1 in relation to a petrol filling station;

"Regulation (EC) No 595/2009" means Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC(**a**), as it had effect immediately before IP completion day;

"Regulation (EC) No 715/2007" means Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information(**b**), as it had effect immediately before IP completion day;

"relevant petrol filling station", in relation to a motor fuel trader, means a petrol filling station from which that motor fuel trader offers motor fuel for sale in the course of a retail business;

"reportable information" means information provided by a motor fuel trader under regulation 9(2) (duty to provide motor fuel price changes);

"selling price", in relation to a grade of motor fuel, means the price at which a litre of the grade of fuel is offered for sale at a petrol filling station, before applying any discount to which particular customers may be entitled;

"undertaking" has the same meaning as it has for the purposes of Part 1 of the Competition Act 1998(**c**) (competition: agreements, abuse of dominant position etc).

(2) In paragraph (1), any reference to a numbered CN code is a reference to the code set out in Annex 1 to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff(**d**), as it had effect immediately before IP completion day.

(**a**) OJ No. L 188, 18.7.2009, p. 1; as last amended immediately before IP completion day by Regulation (EU) 2019/1242.
(**b**) OJ No. L 171, 29.6.2007, p. 1–16; as last amended immediately before IP completion day by Regulation (EU) 2018/858.
(**c**) 1998 c. 41.
(**d**) OJ No. L 256, 07/09/1987, p. 1–675; as last amended immediately before IP completion day by Regulation (EU) 2020/1577.

PART 2

Aggregator

Aggregator

3. The aggregator is a person appointed by the Secretary of State to carry out the functions of a third party recipient(**a**) and an interface body(**b**) which are conferred on the aggregator by these Regulations in relation to the business data(**c**) required to be provided by motor fuel traders in accordance with these Regulations.

Information for motor fuel traders

4. The aggregator must publish information relating to the rights and obligations of motor fuel traders under these Regulations.

Complaints

5. The aggregator must implement procedures for receiving, managing and acting upon complaints relating to inaccuracies in the price information.

PART 3

Registration information

Duty to provide registration information

6.—(1) A motor fuel trader must ensure that the registration information is provided to the aggregator in respect of each relevant petrol filling station—

(a) before 2nd February 2026, or

(b) in relation to a relevant petrol filling station which is a new petrol filling station, before the end of the period of seven days beginning with the date on which motor fuel is first offered for sale from the relevant petrol filling station.

(2) In paragraph (1)(b) "new petrol filling station" means a petrol filling station from which motor fuel is first offered for sale on or after 2nd February 2026.

Registration number

7. The aggregator must assign a unique registration number to each petrol filling station in respect of which the registration information is provided.

Changes to registration information

8.—(1) A motor fuel trader must ensure that any changes to the registration information in respect of a relevant petrol filling station are notified to the aggregator before the end of the period of three days beginning with the day on which the change occurs.

(2) The obligation in paragraph (1) does not apply in relation to changes to the information in paragraph 9 of Schedule 1 (motor fuel price).

(**a**) See sections 4(2) and 25(1) of the Data (Use and Access) Act 2025 for the meaning of "third party recipient".
(**b**) See section 7(2) of the Data (Use and Access) Act 2025 for the meaning of "interface body".
(**c**) See section 1(2) of the Data (Use and Access) Act 2025 for the meaning of "business data".

(3) A motor fuel trader must ensure that the permanent closure of a relevant petrol filling station is notified to the aggregator—

(a) where the closure is foreseen, before the start of the period of 28 days ending with the date of closure, or

(b) where the closure is unforeseen, as soon as reasonably practicable after the closure.

PART 4

Reporting of motor fuel price changes

Duty to provide motor fuel price changes

9.—(1) Paragraph (2) applies where the selling price of one or more grades of motor fuel offered for sale at a petrol filling station changes.

(2) The motor fuel trader in relation to whom that petrol filling station is a relevant petrol filling station must ensure that the new selling price of the grade of motor fuel is provided to the aggregator before the end of the period of 30 minutes beginning with the time at which the change occurs.

Means of provision of information under this Part

10. The aggregator must establish, make available and maintain at least the following facilities, for the purpose of enabling motor fuel traders to provide the reportable information—

(a) an online portal,

(b) a telephone number for the receipt of short message service text messages,

(c) an automated telephone system enabling provision of information by means of voice or keypad input, and

(d) an application programming interface(**a**).

PART 5

Sharing of price information

Processing information

11. The aggregator must process(**b**) the registration information, changes to the registration information notified under regulation 8 and the reportable information for the purpose of sharing the price information in accordance with this Part.

Information recipients

12.—(1) An information recipient is a person who seeks access to the price information and registers with the aggregator for that purpose.

(2) The aggregator must publish guidance about the registration process.

(**a**) See section 25(1) of the Data (Use and Access) Act 2025 for the meaning of "application programming interface".
(**b**) See section 25(1) of the Data (Use and Access) Act 2025 for the meaning of "processing".

Sharing of price information

13.—(1) The aggregator must establish, make available and maintain an application programming interface for the purposes of sharing the price information ("the price API").

(2) The aggregator must provide the price information to information recipients in relation to each petrol filling station in respect of which the registration information is provided—

(a) at all times on the price API, and

(b) on two separate occasions on each day by means of an electronic document ("flat file").

(3) The aggregator must update the price API within 5 minutes of a motor fuel trader providing reportable information.

(4) The aggregator must ensure that the flat file provided under paragraph (2)(b) includes the most recent price information.

(5) The aggregator may specify standards relating to the use by information recipients of the price API, the flat file and the price information.

(6) The aggregator may withhold the price information from an information recipient if the information recipient does not comply with standards specified by the aggregator under paragraph (5).

PART 6

Monitoring and enforcement

Monitoring by aggregator

14.—(1) The aggregator must monitor the use of—

(a) the facilities for providing reportable information mentioned in regulation 10, and

(b) the price API and the flat file.

(2) The aggregator may, for the purpose mentioned in paragraph (1), request a motor fuel trader to provide it with information.

(3) Where the aggregator makes a request under paragraph (2), the motor fuel trader must provide the information to the aggregator by the date specified in the request.

(4) The aggregator must consider any complaints about the price information which are made in accordance with the procedures implemented under regulation 5 (complaints).

(5) Where the aggregator reasonably believes that there has been a breach of the requirements of these Regulations or a failure to comply with a requirement imposed under them, it must alert the CMA and provide the CMA with information relating to the possible breach or failure.

Compliance notices

15.—(1) The CMA may issue a notice (a "compliance notice") requiring compliance by a motor fuel trader with a requirement imposed by or under these Regulations.

(2) A compliance notice must—

(a) explain the reasons why the CMA believes that a requirement imposed by or under these Regulations has not been, or is not being, complied with,

(b) require the motor fuel trader to comply with the requirement and specify the period of time within which the motor fuel trader must do so, and

(c) warn the motor fuel trader about the consequences of not complying with the notice.

(3) Compliance with a compliance notice is enforceable by civil proceedings brought by the CMA for an injunction or for interdict or for any other appropriate relief or remedy.

(4) Where the CMA issues a compliance notice, it may publish a statement of that fact which—

(a) summarises the matters to which the compliance notice relates, and

(b) identifies the motor fuel trader to whom the compliance notice was issued.

Investigation by CMA

16.—(1) The CMA may exercise any of the powers in paragraphs (2) to (4) for the purpose of exercising, or deciding whether to exercise, its powers under regulation 15 (compliance notices) or regulation 19 (financial penalties).

(2) The CMA may give a notice to a motor fuel trader requiring the motor fuel trader to—

(a) attend at a time and at a place, or in a manner, which may be remote, specified in the notice, and

(b) give evidence to the CMA or to a person nominated by the CMA for that purpose.

(3) The CMA may give a notice to a motor fuel trader requiring the motor fuel trader—

(a) to produce any documents which—

(i) are specified or described in the notice, or fall within a category of document which is specified or described in the notice, and

(ii) are in the motor fuel trader's custody or under its control, and

(b) to produce them at a time and place so specified and to a person so specified.

(4) The CMA may give a notice to a motor fuel trader requiring the motor fuel trader—

(a) to supply to the CMA such information as may be specified or described in the notice, and

(b) to supply it at a time and place, and in a form and manner, so specified and to a person so specified.

(5) A notice under this regulation must—

(a) specify the purpose for which the motor fuel trader is being required to take action described in paragraph (2), (3) or (4), as the case may be, and

(b) include information about the consequences of not complying with the notice.

(6) The CMA or any person nominated by it for the purpose may, for the purpose mentioned in paragraph (1), take evidence on oath and for that purpose may administer oaths.

(7) The person to whom any document is produced in accordance with a notice under this regulation may, for the purpose mentioned in paragraph (1), copy the document so produced.

(8) Any reference in this regulation to the production of a document includes a reference to the production of a legible and intelligible copy of information recorded otherwise than in legible form.

Liability in damages

17.—(1) The CMA is not liable in damages for anything done or omitted to be done in the exercise of functions conferred on it by these Regulations.

(2) Paragraph (1) does not have effect so as to—

(a) remove liability for an act or omission which is shown to have been in bad faith, or

(b) prevent an award of damages made in respect of an act or omission on the ground that the act or omission was unlawful as a result of section 6(1) of the Human Rights Act 1998(**a**).

Complaints

18.—(1) The CMA must implement procedures for the handling and resolution of complaints relating to the exercise of the CMA's functions under these Regulations.

(2) The CMA may revise its complaints procedures and, where it does so, it must publish the revised procedures.

(3) Before publishing its complaints procedures under paragraph (1), or revised procedures under paragraph (2), the CMA must consult such persons as it thinks fit.

PART 7

Penalties

Financial penalties

19.—(1) The CMA may impose a financial penalty on a motor fuel trader if it considers that the motor fuel trader has, without reasonable excuse—

(a) provided false or misleading information in response to a request made under these Regulations;

(b) failed to comply with a requirement imposed by these Regulations;

(c) failed to comply with a requirement imposed in exercise of a power conferred by these Regulations.

(2) The CMA may impose a financial penalty under this regulation—

(a) whether or not it has issued a compliance notice under regulation 15 (compliance notices), and

(b) whether or not the behaviour giving rise to the imposition of a financial penalty has been rectified.

(3) The amount of a financial penalty imposed under this regulation may be such amount as the CMA considers appropriate, provided it does not exceed the amounts set out in paragraphs (5) and (6).

(4) The amount of a financial penalty under this regulation must be—

(a) a fixed amount,

(b) an amount calculated by reference to a daily rate, or

(c) a combination of a fixed amount and an amount calculated by reference to a daily rate.

(5) The maximum amounts of a financial penalty which may be imposed on a motor fuel trader are—

(a) in the case of a fixed amount, an amount equal to 1% of the total value of the turnover, both inside and outside the United Kingdom, of the undertaking which the motor fuel trader constitutes or of which it forms part;

(b) in the case of an amount calculated by reference to a daily rate, for each day an amount equal to 5% of the total value of the daily turnover, both inside and outside the United

(**a**) 1998 c. 42.

Kingdom, of the undertaking which the motor fuel trader constitutes or of which it forms part;

(c) in the case of a combination of a fixed amount and an amount calculated by reference to a daily rate, the amounts mentioned in sub-paragraph (a), in relation to the fixed amount, and sub-paragraph (b), in relation to the amount calculated by reference to a daily rate.

(6) In imposing a financial penalty under this regulation by reference to a daily rate—

(a) no account is to be taken of any days before the service on the motor fuel trader concerned of the notice of intent under regulation 21(1) (financial penalties: procedural requirements), and

(b) unless the CMA determines an earlier day, whether before or after the financial penalty is imposed, the amount payable ceases to accumulate at the beginning of the day on which the motor fuel trader first complies with the requirement in question.

(7) Regulation 20 (determination of turnover and daily turnover) applies for the purposes of determining the turnover and daily turnover, both inside and outside the United Kingdom, of the undertaking which the motor fuel trader constitutes or of which it forms part.

Determination of turnover and daily turnover

20.—(1) Subject to paragraphs (3) to (6), the turnover of an undertaking is its turnover in—

(a) the last accounting period to end before the relevant date (its "relevant accounting period"), or

(b) where the undertaking has no accounting period that ends before the relevant date, the period beginning with the day on which the activities of the undertaking began to be carried on and ending with the last day of the month preceding the month in which the relevant date falls.

(2) Where the CMA estimates on the relevant date that the turnover of the undertaking in the accounting period immediately preceding its relevant accounting period (the "preceding accounting period") was higher than the turnover of the undertaking in its relevant accounting period, the turnover is its turnover in the preceding accounting period.

(3) Where the figures necessary to calculate the turnover of the undertaking in its relevant accounting period are not available to the CMA on the relevant date, the turnover is, subject to paragraph (4), its turnover in—

(a) the preceding accounting period, or

(b) where the undertaking has no preceding accounting period, the period beginning with the day on which the activities of the undertaking began to be carried on and ending with the day immediately preceding the date on which its relevant accounting period began.

(4) Where the figures necessary to calculate the turnover of the undertaking under paragraph (3)(a) or (b) are not available to the CMA on the relevant date, the turnover of the undertaking is its turnover in the period beginning with the day after the last day of its relevant accounting period and ending with the last day of the month preceding the month in which the relevant date falls.

(5) Where the period by reference to which turnover is calculated does not equal 12 months, the turnover of the undertaking is the turnover in that period divided by the number of days in that period and multiplied by 365 or, where the period includes 29th February, 366.

(6) The daily turnover of the undertaking is the turnover divided by 365 or, where the period by reference to which turnover is calculated includes 29th February, 366.

(7) For the purposes of this regulation—

(a) an "accounting period" of an undertaking is a period of more than six months in respect of which accounts are prepared or required to be prepared in relation to the undertaking;

(b) the "relevant date" means the date on which the notice of intent is issued under regulation 21(1) (notice of intent to impose financial penalty);

(c) the provisions of Schedule 2 apply in the determination of turnover.

Financial penalties: procedural requirements

21.—(1) Before imposing a financial penalty on a motor fuel trader, the CMA must give the motor fuel trader a notice of intent.

(2) A notice of intent must—

(a) contain a draft of the final penalty notice the CMA is minded to give to the motor fuel trader under paragraph (4),

(b) invite the making of representations by the motor fuel trader to the CMA about the proposed final penalty notice, and

(c) specify the means by which, and the time by which, such representations may be made.

(3) The CMA must have regard to any representations received in response to a notice of intent and, as soon as practicable after the expiry of the time period for making such representations, must decide whether to impose a financial penalty under regulation 19 (financial penalties).

(4) As soon as practicable after deciding to impose a financial penalty under regulation 19, the CMA must give the motor fuel trader a final notice.

(5) A final notice must state—

(a) that the CMA has imposed a financial penalty on the motor fuel trader concerned,

(b) whether the financial penalty is of a fixed amount, of an amount calculated by reference to a daily rate or both,

(c) the amount or amounts concerned and, in the case of an amount calculated by reference to a daily rate, the day on which the amount first starts to accumulate and the day or days on which it might cease to accumulate,

(d) the act or omission in question which the CMA considers gave it the power to impose the financial penalty,

(e) any other facts which the CMA considers justify the imposition of a financial penalty and the amount or amounts of the penalty,

(f) the manner in which, and place at which, the financial penalty is required to be paid to the CMA,

(g) the date or dates, no earlier than the end of the relevant period, by which the financial penalty or, as the case may be, different portions of it are required to be paid,

(h) that the financial penalty or, as the case may be, different portions of it may be paid earlier than the date or dates by which it or they are required to be paid, and

(i) that the motor fuel trader concerned has the right to apply under paragraph (6) or to appeal under regulation 27 (appeals in relation to penalties) and the main details of those rights.

(6) The motor fuel trader against whom the financial penalty was imposed may, within 14 days of the date of service on the motor fuel trader of a notice under paragraph (4), apply to the CMA for it to specify a different date or, as the case may be, different dates by which the financial penalty or, as the case may be, different portions of it are to be paid.

(7) A notice of intent is given by serving a copy of the notice on the motor fuel trader on whom the CMA is minded to impose the financial penalty.

(8) A final penalty notice is given by—

(a) serving a copy of the notice on the motor fuel trader on whom the financial penalty was imposed, and

(b) publishing the notice.

(9) In this regulation "relevant period" means the period of 28 days mentioned in regulation 27(3).

Withdrawal or amendment of notice

22. The CMA may withdraw or amend a notice of intent given under regulation 21(1) or a final notice given under regulation 21(4).

Payments and interest

23.—(1) If the whole or any portion of a financial penalty is not paid by the date by which it is required to be paid, the unpaid balance from time to time carries interest at the rate for the time being specified in section 17 of the Judgments Act 1838(**a**).

(2) Where an application has been made under regulation 21(6) (application to CMA to specify different date for payment), the financial penalty is not required to be made until the application has been determined, withdrawn or otherwise dealt with.

(3) If a portion of a financial penalty has not been paid by the date by which it is required to be paid, the CMA may, where it considers it appropriate to do so, require so much of the penalty as has not already been paid, and is capable of being paid immediately, to be paid immediately.

(4) Any sums received by the CMA in or towards the payment of a financial penalty, or interest on such a penalty, are to be paid into the Consolidated Fund.

Recovery of financial penalties

24.—(1) Paragraph (2) applies where a financial penalty imposed under regulation 19 (financial penalties), or any portion of such a penalty, has not been paid by the date on which it is required to be paid and—

(a) no application relating to the financial penalty has been made under regulation 27 (appeals in relation to penalties) during the period within which such an application may be made, or

(b) any such application which has been made has been determined, withdrawn or otherwise dealt with.

(2) The financial penalty and any interest on the penalty may be recovered summarily, or in Scotland recovered, as a civil debt by the CMA.

Guidance on penalties

25.—(1) The CMA must prepare and publish guidance in relation to its enforcement functions under these Regulations.

(2) The guidance must, in particular, include guidance about how the CMA proposes to exercise its discretion to determine the amount of a financial penalty in accordance with regulation 19.

(**a**) 1838 c. 110. Section 17 was amended by the Civil Procedure Acts Repeal Act 1879 (c. 59), the Statute Law Revision (No. 2) Act 1888 (c. 57), S.I. 1993/564 and S.I. 1998/2940.

(3) The CMA must have regard to the guidance referred to in paragraph (2) when exercising its discretion to determine the amount of a financial penalty under regulation 19.

(4) The CMA may revise its guidance and, where it does so, it must publish the revised guidance.

(5) Before publishing guidance under paragraph (1) or revised guidance under paragraph (4), the CMA must consult such persons as it thinks fit.

Offences etc

26.—(1) A person commits an offence if the person—

(a) provides false or misleading information in response to a request made in accordance with these Regulations;

(b) does, or omits to do, a thing, including falsification, which prevents the CMA or the aggregator from accessing information, documents, equipment or other material.

(2) A person guilty of an offence under this regulation is liable—

(a) on summary conviction in England and Wales, to a fine;

(b) on summary conviction in Scotland or Northern Ireland to a fine not exceeding level 5 on the standard scale.

(3) Where an offence under this regulation committed by a body corporate is proved—

(a) to have been committed with the consent or connivance of an officer of the body corporate, or

(b) to be attributable to neglect on the part of an officer of the body corporate,

the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

(4) Where the affairs of a body corporate are managed by its members, paragraph (3) applies in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were an officer of the body corporate.

(5) Where an offence under this paragraph committed by a partnership in Scotland is proved—

(a) to have been committed with the consent or connivance of a partner, or

(b) to be attributable to neglect on the partner's part,

the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.

(6) In paragraph (5), "partner" includes a person purporting to act as a partner.

PART 8

Appeals in relation to penalties

Appeals in relation to penalties

27.—(1) This regulation applies where a motor fuel trader on whom a financial penalty is imposed under regulation 19 is aggrieved by—

(a) the imposition or nature of the penalty,

(b) the amount or amounts of the penalty, or

(c) the date by which the penalty is required to be paid or, as the case may be, the different dates by which portions of the penalty are required to be paid.

(2) The motor fuel trader aggrieved may apply to the Competition Appeal Tribunal.

(3) If a copy of the notice under regulation 21(4) (final penalty notice) was served on the motor fuel trader on whom the financial penalty was imposed, the application to the Competition Appeal Tribunal must, subject to paragraph (4), be made within the period of 28 days starting with the day on which the copy was served on the motor fuel trader concerned.

(4) If the application relates to a decision of the CMA on an application by the motor fuel trader on whom the financial penalty was imposed under regulation 21(6) (application to CMA to specify different date for payment), the application to the Competition Appeal Tribunal must be made within the period of 28 days starting with the day on which the motor fuel trader concerned is notified of the decision.

(5) On an application under this regulation, the Competition Appeal Tribunal may—

(a) quash the financial penalty,

(b) substitute a financial penalty of a different nature or of such lesser amount or amounts as the Competition Appeal Tribunal considers appropriate, or

(c) in a case falling within paragraph (1)(c), substitute for the date or dates imposed by the CMA an alternative date or dates.

(6) In considering what is appropriate for the purposes of paragraph (5) the Competition Appeal Tribunal must have regard to the guidance which was most recently published under regulation 25 (guidance on penalties) when the act or omission occurred.

(7) The Competition Appeal Tribunal may not substitute a financial penalty of a different nature under paragraph (5)(b) unless it considers that the motor fuel trader on whom the penalty is imposed will, or is likely to, pay less under the substituted penalty than the motor fuel trader would have paid under the original penalty.

(8) Where an application has been made under this regulation, the CMA may agree to reduce the amount or amounts of the financial penalty in settlement of the application.

(9) Where the Competition Appeal Tribunal substitutes a financial penalty of a different nature or of a lesser amount or amounts it may require the payment of interest on the substituted penalty at such rate or rates, and from such date or dates, as it considers appropriate.

(10) Where the Competition Appeal Tribunal specifies as a date by which the financial penalty, or a portion of the penalty, is to be paid a date before the determination of the application under this regulation, it may require the payment of interest on the penalty, or portion, from that date at such rate as it considers appropriate.

(11) An appeal lies to the appropriate court—

(a) on a point of law arising from a decision of the Competition Appeal Tribunal in proceedings under this regulation, or

(b) from a decision of the Competition Appeal Tribunal in such proceedings as to the amount or amounts of a financial penalty.

(12) An appeal under paragraph (11)—

(a) may be brought by a party to the proceedings before the Competition Appeal Tribunal; and

(b) requires the permission of the Competition Appeal Tribunal or the appropriate court.

(13) In this regulation—

"the appropriate court" means the Court of Appeal or, in the case of Tribunal proceedings in Scotland, the Court of Session;

"the Competition Appeal Tribunal" means the tribunal established under section 12(1) of the Enterprise Act 2002(**a**).

PART 9

Review

Duty to review Regulations

28.—(1) The Secretary of State must—

(a) review the provisions of these Regulations,

(b) prepare and publish a report setting out the findings of the review, and

(c) lay a copy of the report before Parliament.

(2) The Secretary of State must—

(a) publish a report under paragraph (1)(b) before the end of the period of 5 years beginning with the day on which this regulation comes into force, and

(b) publish reports setting out the findings of subsequent reviews at intervals of not more than 5 years.

(3) In carrying out a review under this regulation, the Secretary of State must consider whether the provisions of these Regulations remain appropriate, having regard to, among other things—

(a) the objectives they are intended to achieve, and

(b) the matters in section 4(5) of the Data (Use and Access) Act 2025 to which the Secretary of State was required to have regard in deciding whether to make the Regulations.

(4) The Secretary of State may omit material from a report under paragraph (1)(b) before publication if the Secretary of State thinks that the publication of that material might harm the commercial interests of any person.

Name
Minister of State
Department for Energy Security and Net Zero

(**a**) 2002 c. 40.

SCHEDULES

SCHEDULE 1

Regulation 2(1)

Registration information in relation to a petrol filling station

1. Trading name.

2. Brand name, if any, and if different to the trading name.

3. Postal address.

4. Latitude and longitude.

5. Usual trading hours.

6. Telephone number, where that number is made available to the public.

7. Amenities and facilities available at the petrol filling station.

8. Grades of motor fuel usually offered for sale.

9. Selling price of each grade of motor fuel.

10. Whether the petrol filling station is temporarily closed to the public.

11. Identity of the motor fuel trader and the following details of the individual at the motor fuel trader who will act as a general point of contact for the purposes of these Regulations—

(a) name;

(b) telephone number;

(c) position;

(d) email address.

12. Identity of the person who will be responsible for fulfilling the obligations of the motor fuel trader in Part 4 in relation to the petrol filling station ("reporter").

13. Trading name of any other petrol filling station for which the reporter is also the reporter.

14. The following details of the individual at the reporter who will act as the first point of contact for the purposes of the requirements in Part 4 in relation to the petrol filling station—

(a) name;

(b) telephone number;

(c) position;

(d) email address.

15. The details in paragraph 14(a) to (d) in relation to an individual at the reporter who will act as an alternative contact for the purposes of the requirements in Part 4 in relation to the petrol filling station.

16. Description of the nature of the ownership and operation of the petrol filling station, in particular whether the petrol filling station is—

(a) owned and operated as an independent business,

(b) operated under a franchise arrangement, or

(c) owned or operated by a motor fuel trader which is a subsidiary or a holding company, within the meaning of section 1159 of the Companies Act 2006(**a**).

SCHEDULE 2

Regulation 20(7)(c)

Turnover of an undertaking

Interpretation

1.—(1) In this Schedule "product" means—

(a) goods;

(b) services;

(c) digital content.

(2) The provisions of this Schedule are to be interpreted in accordance with generally accepted accounting principles and practices.

Turnover of an undertaking

2.—(1) The turnover of an undertaking is the sum of all amounts derived by the undertaking from the supply of products, after the deduction of sales rebates, value added tax and any other taxes directly attributable to turnover.

(2) Paragraphs 3 and 4 also apply to determine the turnover of an undertaking.

Subsidies

3.—(1) The turnover of an undertaking includes any subsidy given to the undertaking, determined in accordance with this paragraph.

(2) For the purposes of sub-paragraph (1), "subsidy" means financial assistance which—

(a) is given, directly or indirectly, from public resources by a public authority,

(b) confers an economic advantage on one or more businesses, and

(c) is specific such that it benefits one or more businesses over one or more other businesses with respect to the production or supply of products.

(3) For the purposes of sub-paragraph (2), the means by which financial assistance may be given include—

(a) a direct transfer of funds, such as grants or loans;

(b) a contingent transfer of funds, such as a guarantee;

(c) the forgoing of revenue that is otherwise due;

(d) the supply of products;

(e) the purchase of products.

(4) Financial assistance given by a person who is not a public authority is to be treated for the purposes of sub-paragraph (2)(a) as financial assistance given from public resources by a public authority if the involvement of a public authority in the decision to give financial assistance is such that the decision is, in substance, the decision of the public authority.

(**a**) 2006 c. 46.

(5) For the purposes of sub-paragraph (4), the factors which may be taken into account when considering the involvement of a public authority in the decision of a person to give financial assistance include, in particular, factors relating to—

(a) the control exercised over the person by that public authority, or

(b) the relationship between that person and that public authority.

(6) For the purposes of this paragraph, financial assistance is to be treated as given to an undertaking if the undertaking has an enforceable right to the financial assistance.

Further provisions about determining turnover

4.—(1) Where an undertaking consists of two or more undertakings that each prepare accounts, the turnover is to be calculated by adding together the respective turnover of each, save that no account is to be taken of any turnover resulting from the supply of products between them.

(2) Where in the accounts or other information used by the CMA to determine turnover of an undertaking any figure is expressed in a currency other than sterling, the CMA may determine the equivalent in sterling applying whatever rate or rates of exchange the CMA considers appropriate and rounding the resulting figure up or down as the CMA considers appropriate.

(3) Where an acquisition, divestment or other transaction or event has occurred since the end of the period by reference to which the turnover of an undertaking is determined in accordance with regulation 20 which the CMA considers may have a significant impact on the turnover of the undertaking, the CMA may take account of that acquisition, divestment or transaction or event if the CMA considers it appropriate to do so and accordingly increase or, as the case may be, reduce by such amount as the CMA considers appropriate the amount which would otherwise constitute the turnover of the undertaking.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations establish an open data scheme under Part 1 of the Data (Use and Access) Act 2025 (c. 18) in relation to the price of motor fuel. The scheme will be administered by a person appointed by the Secretary of State, known as the aggregator (Part 2).

A person who offers petrol or diesel for retail sale in the United Kingdom ("motor fuel trader") is under a duty to register with the aggregator by providing the information in Schedule 1, which includes the price at which a litre of each different grade of motor fuel is offered for sale at the person's petrol filling stations (Part 3). Motor fuel traders must then notify the aggregator of any changes to that selling price within 30 minutes of the change (Part 4).

The aggregator must process the information provided and make the "price information" (that is, the unique registration number of a petrol filling station and the information in paragraphs 1 to 10 of Schedule 1 relating to it) available to a person who registers with the aggregator for that purpose. The price information is to be made available at all times by means of an application programming interface, and twice a day in an electronic document. The price information can be withheld if recipients do not comply with standards set by the aggregator in relation to the accessing and use of the information (Part 5).

Part 6 confers monitoring powers on the aggregator and investigatory powers on the Competition and Markets Authority ("CMA"), which is the body responsible for enforcing compliance with the scheme.

Part 7 enables the CMA to impose financial penalties on a motor fuel trader which provides false or misleading information in response to a request, or fails to comply with requirements imposed by or under the Regulations. Maximum penalties are determined by reference to the worldwide turnover of the undertaking (within the meaning of Part 1 of the Competition Act 1998 (c. 41)) which the motor fuel trader constitutes or of which it forms part. Part 7 also provides for a criminal offence where a person provides false or misleading information in response to a request or does, or omits to do, a thing, including falsification, which prevents the CMA or the aggregator from accessing information, documents, equipment or other material. Part 8 provides for appeals against financial penalties and Part 9 includes a duty on the Secretary of State to review the Regulations.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Department for Energy Security and Net Zero, 3 - 8 Whitehall Place, London SW1A 2HH, and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

© Crown Copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-827530-8

£8.90

http://www.legislation.gov.uk/id/ukdsi/2025/9780348275308

9 780348 275308