STATUTORY INSTRUMENTS

1976 No. 1866

PUBLIC HEALTH, ENGLAND AND WALES

PUBLIC HEALTH, SCOTLAND

PUBLIC HEALTH, NORTHERN IRELAND

The Motor Fuel (Lead Content of Petrol) Regulations 1976

Made - - - -	8*th November* 1976
Laid before Parliament	9*th November* 1976
Coming into Operation	30*th November* 1976

The Secretary of State for Transport in exercise of the powers conferred upon him by sections 75 and 77(1) of the Control of Pollution Act 1974(a), and of all other enabling powers, and after consultation with persons appearing to him to represent manufacturers and users of motor vehicles, persons appearing to him to represent the producers and users of fuel for motor vehicles and persons appearing to him to be conversant with problems of air pollution, in accordance with the provisions of section 75(2) of that Act, hereby makes the following Regulations:—

Commencement and citation

1. These Regulations shall come into operation on 30th November 1976 and may be cited as the Motor Fuel (Lead Content of Petrol) Regulations 1976.

Interpretation

2.—(1) In these Regulations—

"hovercraft" has the same meaning as in section 4(1) of the Hovercraft Act 1968(b),

"motor fuel" means fuel of any kind used in motor vehicles;

"petrol" means petroleum spirit as defined in section 23 of the Petroleum (Consolidation) Act 1928(c) of a kind used as fuel in motor vehicles; and

"petrol filling station" means any premises used or intended to be used by way of trade or for purposes of gain for fuelling motor vehicles with petrol.

(2) A reference in these Regulations to a numbered Regulation is a reference to the Regulation so numbered in these Regulations.

(3) The Interpretation Act 1889(d) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

(a) 1974 c. 40. (b) 1968 c. 59. (c) 1928 c. 32.
(d) 1889 c. 63.

Application of Regulations

3. These Regulations apply to petrol for use in the United Kingdom.

Lead content of petrol

4—(1) For each of the periods specified in column (1) of the Schedule to these Regulations the maximum permitted amount of lead per litre of petrol, when tested by the appropriate method, shall be the number of grammes specified in relation to that period in column (2) of that Schedule.

(2) For the purpose of this Regulation petrol is tested by the appropriate method when—

(*a*) it is tested by the method prescribed in the British Standard which is entitled "Determination of lead in gasoline (Gravimetric method)" and was published on 23 September 1968 under the number BS 2878: 1968, and

(*b*) the results of any such test are interpreted in accordance with the rules given in the British Standard which is entitled "Recommendations for the application of Precision Data to Specifications for Petroleum Products" and was published on 28 March 1968 under the number BS 4306: 1968.

Prohibition with respect to petrol having excess lead content

5. Subject to Regulations 6 and 8, no person shall during a period specified in column (1) of the Schedule to these Regulations—

(*a*) produce, treat, distribute, import, sell, offer for sale, or have in his possession for sale any petrol the lead content of which exceeds the maximum permitted amount for that period under Regulation 4, or

(*b*) use, or cause or permit to be used, any petrol the lead content of which exceeds the maximum permitted amount for that period as aforesaid if he knows or has reason to believe that it does so exceed.

Exemptions in certain cases

6.—(1) Nothing in Regulation 5 shall apply to the production, treatment, distribution, import, sale, offer for sale, possession for sale, or use of petrol—

(*a*) for the purpose of tests or experiments in connection with the composition of motor fuel, or

(*b*) for the purpose of tests or experiments in connection with 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) Nothing in Regulation 5 shall apply to the production, treatment, distribution, import, sale, offer for sale, or possession for sale of petrol with a view to its use in any aircraft (other than hovercraft) or to the use of petrol in any such aircraft.

(3) Nothing in Regulation 5 shall apply to the production, treatment, distribution, import, sale, offer for sale, or possession for sale of petrol which is in the course of being manufactured or blended.

(4) Nothing in Regulation 5 shall apply so as to render it unlawful to import and use petrol contained in the tank of a vehicle entering the United Kingdom in a case where the petrol in the tank is to be used for the propulsion of the

vehicle or for the driving of any ancillary engine or equipment forming part of the vehicle and the petrol is present in the tank when the vehicle enters the United Kingdom.

Information as to the composition of petrol

7. Subject to Regulation 8 every petrol pump in a petrol filling station which is used or is intended to be used to deliver petrol shall be marked by the occupier of that petrol filling station, during each of the periods specified in column (1) of the Schedule to these Regulations, in accordance with the British Standard which is entitled "Specification for Petrol (Gasoline) for Motor Vehicles" and was published on 31 March 1971 under the number BS 4040: 1971 as amended by the Amendment Slips specified in respect of each of those periods in column (3) of the said Schedule.

Power for the Secretary of State to grant exemptions

8. The Secretary of State may by instrument in writing confer exemption from any provision of Regulations 5 or 7 upon such person or classes of person for such period and in such circumstances as may be specified in the instrument conferring the exemption.

Offences and Penalties

9. No person shall be liable to conviction on indictment, or on summary conviction to a fine exceeding £50, for any contravention of, or failure to comply with, Regulation 5(*b*).

Evidence by certificate in Scotland

10. In any proceedings in Scotland against any person for contravention of, or failure to comply with, any provision of these Regulations a certificate issued by any person possessing the qualifications prescribed by regulations made under section 27 of the Food and Drugs (Scotland) Act 1956**(a)** as qualifying persons for appointment as public analysts under that Act and stating the results of any test carried out in accordance with Regulation 4 of these Regulations shall be received in evidence, and be sufficient evidence of the matters stated in the certificate, and the provisions of sub-sections (2) to (4) of section 31 of the Trade Descriptions Act 1968**(b)** (Evidence by certificate) shall apply to any such certificate as they apply to such a certificate as is mentioned in that section.

8th November 1976.

William Rodgers,
Secretary of State for Transport.

(a) 1956 c. 30.

(b) 1968 c. 29.

SCHEDULE

Regulation 4

MAXIMUM PERMITTED AMOUNT OF LEAD PER LITRE OF PETROL

Column (1)	Column (2)	Column (3)
30th November 1976 to 31st December 1977	0.50 grammes	Amendment Slip No. 3 published on 5th November 1976 under the number AMD 2145
On and after 1st January 1978	0.45 grammes	Amendment Slip No. 4 published on 5th November 1976 under the number AMD 2146

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations apply to England, Wales, Scotland and Northern Ireland.

They provide that, subject to certain specified exemptions and to such exemptions as the Secretary of State may confer in particular cases, no person shall produce, treat, distribute, import, sell, offer for sale, possess for sale, use or cause or permit to be used, any petrol which is for use in the United Kingdom and which contains in respect of the period 30th November 1976 to 31st December 1977 more than .5 grammes, and in respect of the period 1st January 1978 onwards more than .45 grammes, of lead per litre when tested by the method prescribed in the British Standard BS 2878: 1968. They also require petrol pumps at petrol filling stations by means of which petrol is delivered to be marked by the occupiers of those petrol filling stations in accordance with the British Standard BS 4040: 1971 (Star Marking).

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