regulation, byelaw or other document passed or made before the date of the coming into operation of this Order any reference to, or which is to be construed as a reference to, the Minister of Health shall, so far only as may be necessary for the purpose or in consequence of the transfer of functions effected by this Order, be construed as a reference to the Secretary of State.

(2) This Order shall not prejudice the operation of any confirmation, consent or approval given or other thing done by the Minister of Health before the date of the coming into operation of this Order in relation to functions thereby transferred, but any such matter shall, if then in force, continue in force to the like extent and subject to the like provisions as if it had been duly given or done by the Secretary of State.

E. C. E. Leadbitter.

MOTOR SPIRIT

[*See* also Index to Vol. II for Instruments made under the Defence Regulations.]

The Motor Spirit Regulations, 1948

1948 No. 1127

Made - - - -	*28th May*, 1948
Laid before Parliament	*28th May*, 1948
Coming into Operation	*1st June*, 1948

The Minister of Fuel and Power, in exercise of the powers conferred upon him by section twelve of the Motor Spirit (Regulation) Act, 1948, and of all other powers him enabling, hereby makes the following Regulations:— 11 & 12 Geo. 6 c. 34.

1. The class of motor vehicles referred to in the Act as "private motor vehicles" shall comprise every motor vehicle constructed solely for the carriage of passengers and their effects to carry not more than seven passengers exclusive of the driver, not being a public service vehicle within the meaning of the Road Traffic Acts, 1930 to 1947. Private motor vehicles.

2.—(1) For the purposes of the Act, the expression "motor spirit" means hydrocarbon oil of which the volume distilling, when tested by the method specified in relation thereto in the next following paragraph, at a temperature not exceeding one hundred and eighty-five degrees Centigrade, is not less that fifty per centum, or, at a temperature not exceeding two hundred and forty degrees Centigrade, is not less than ninety-five per centum, or which has a closed flashpoint, when tested as aforesaid, of less than seventy-three degrees Fahrenheit. Definition of "motor spirit".

(2) The methods of test specified in the foregoing paragraph shall be the methods specified in " Standard Methods of testing Petroleum and its Products " (Edition 1948), published by the Institute of Petroleum, being:—

(*a*) for the volume distilling, the method I.P.-28/42;

(*b*) for the flashpoint, the method I.P.-33/44.

Commercial petrol (ingredient).

3. The prescribed ingredient (which when added to any motor spirit shall for the purposes of the Act make that motor spirit commercial petrol) shall be diphenylamine.

Colouring matter.

4. Any red dye consisting mainly of diazotised amino-azo-toluene coupled with β naphthol shall be a red colouring matter of the prescribed description (which may not be added to any motor spirit or removed from any commercial petrol); so however that no person shall be guilty of an offence under paragraph (*f*) of subsection (1) of section three of the Act by reason only that that person lawfully adds to the motor spirit contained in the tank of any motor vehicle:—

(*a*) any upper cylinder lubricant; or

(*b*) any other motor spirit containing any red dye as aforesaid, not being commercial petrol.

Marking of pumps.

5.—(1) Every pump used for the purpose of the supply of motor spirit by retail shall, subject to the provisions of the next following paragraph, be marked in the manner following, that is to say, there shall be affixed:—

(*a*) to the casing of the pump, and, if necessary, to any moveable arm thereof supporting the delivery nozzle, at such point or points as to be clearly visible to any person to whom motor spirit is being supplied, one or more new transfers supplied for the purpose by the Petroleum Board, or by some other person approved by the Minister, being of the type known as " waterslide ", and bearing the word " Commercial ", or the word " Private ", as the case may be;

(*b*) to the intake pipe of each tank of any pump on which a transfer affixed as aforesaid bears the word " Commercial ", a red label supplied as aforesaid.

(2) Every pump used as aforesaid, being a pump constructed or adapted for the supply of more than one type of motor spirit, shall be marked in the manner following, that is to say, there shall be affixed:—

(*a*) to the moveable indicator or roller of the pump, adhesive labels, supplied as aforesaid, so placed that on any part of the said indicator or roller visible in any direction there is shown, when commercial petrol is being supplied from the pump, the word " Commercial ", and, when other motor spirit is being so supplied, the word " Private ";

(*b*) to the intake pipe of each tank in relation to which there is shown, as provided in the foregoing sub-paragraph, the word " Commercial ", when the contents of the tank are being supplied from the pump, a red label supplied as aforesaid.

(3) Any label affixed in pursuance of either of the foregoing paragraphs which becomes detached shall forthwith be replaced; and where any label or transfer so affixed becomes defaced, or otherwise ceases to be clearly visible, a new label or transfer shall forthwith be affixed as provided in the relevant paragraph.

Service of notice relating to a sample.

6. Where any notice relating to a sample is for the purposes of the Act to be served on the owner or person in charge of a motor vehicle, that notice may if it is in the form of an adhesive label be served by affixing it securely to the windscreen of the vehicle; but otherwise shall be served:—

(*a*) on a corporation, by addressing it to the corporation and leaving it at, or sending it by registered post to, the registered office of the corporation, or, if there be no such office, its principal office or place at which it conducts its business;

(*b*) in any other case, by delivering it personally to the person to be served, or by addressing it to that person and leaving it at, or sending it by registered post to, his last or usual place of abode or place of business.

Reception in evidence of analyst's certificate.

7.—(1) Where a copy of any certificate is for the purposes of the Act to be served on a person charged, that copy shall be served in the manner provided in paragraph (*a*) or (*b*) of the foregoing Regulation, as the case may require.

(2) Any notice requiring the attendance at a hearing or trial of the person by whom any analysis was made shall be in the form set out in the Schedule to these Regulations; and shall be served in the manner provided in the foregoing paragraph.

Interpretation.

8.—(1) In these Regulations the following expressions have the meanings hereby assigned to them respectively, that is to say:—

" the Act " means the Motor Spirit (Regulation) Act, 1948;

" hydrocarbon oil " means petroleum oil, coal tar, oil produced from coal, shale, peat or any other bituminous substance, and any liquid hydrocarbon;

" the Minister " means the Minister of Fuel and Power.

52 & 53 Vict. c. 63.

(2) The Interpretation Act, 1889, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Application to Northern Ireland.

9. In the application of these Regulations to Northern Ireland there shall in Regulation one be substituted for the words " not being a public service vehicle within the meaning of the Road Traffic Acts, 1930 to 1947 " the words " whether or not a public service vehicle within the meaning of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926, as amended by any subsequent enactment ".

16 & 17 Geo. 5. c. 31 (N.I.).

10. These Regulations shall come into operation on the first day of June, nineteen hundred and forty-eight; and may be cited as the Motor Spirit Regulations, 1948.

Dated this twenty-eighth day of May, 1948.

Hugh Gaitskell,
Minister of Fuel and Power.

SCHEDULE

Regulation 7 (2). NOTICE UNDER REGULATION 7 (2) OF THE MOTOR SPIRIT REGULATIONS, 1948

To .....

of .....

WHEREAS I, ..., of .....

....., have been served under section eleven of the Motor Spirit (Regulation) Act, 1948, and paragraph (1) of Regulation seven of the Motor Spirit Regulations, 1948, with a copy of a certificate purporting to be signed by .....

of .....

I HEREBY GIVE NOTICE under the said section eleven and under paragraph (2) of the said Regulation seven that I require the attendance at the hearing or trial of the charge against me of the person who signed the said certificate.

Dated this day of , 194 .

.....

(Signature of person charged or of solicitors stating themselves to be acting on behalf of the person charged.)

Note.—This Notice must be served on the prosecutor in the manner prescribed by Regulation 7 (2) of the above mentioned Regulations.

EXPLANATORY NOTE

(*This Note is not part of these Regulations, but is intended to indicate their general purport.*)

These Regulations deal with the matters to be prescribed by the Minister of Fuel and Power under the Motor Spirit (Regulation) Act, 1948; in particular, they define "private motor vehicle," name the prescribed ingredient of commercial petrol and specify the prescribed manner of marking pumps.

The Motor Spirit (Amendment) Regulations, 1948

1948 No. 2442

Made - - - - 11*th November*, 1948
Laid before Parliament 11*th November*, 1948
Coming into Operation 1*st December*, 1948

11 & 12 Geo. 6. c. 34.

The Minister of Fuel and Power, in exercise of the powers conferred upon him by section twelve of the Motor Spirit (Regulation) Act, 1948, and of all other powers him enabling, hereby makes the following Regulations:—

Amendment.

1. The Motor Spirit Regulations, 1948(a), shall have effect subject to the modifications specified in these Regulations.

(a) S.I. 1948 No. 1127, p. 1973 above.