
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 258

**The Sulphur Content of Liquid
Fuels (Scotland) Regulations 2014**

Interpretation

2.—(1) In these Regulations—

“the 2007 Regulations” means the Sulphur Content of Liquid Fuels (Scotland) Regulations 2007(1);

“combustion plant” means any technical apparatus in which fuels are oxidised in order to use the heat generated;

“[Directive 2001/80/EC](#)” means [Directive 2001/80/EC](#) of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from large combustion plants(2);

“[Directive 2010/75/EU](#)” means [Directive 2010/75/EU](#) of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control)(Recast)(3);

“existing plant” has the meaning given in Article 2(10) of [Directive 2001/80/EC](#);

“gas oil” means any petroleum-derived liquid fuel, other than marine fuels, diesel fuels (as defined in Article 2(2) of Council [Directive 98/70/EC](#) of the European Parliament and of the Council relating to the quality of petrol and diesel fuels and amending Council [Directive 93/12/EEC](#))(4) and fuels used by non-road mobile machinery and agriculture tractors—

(a) which falls within CN codes 2710 19 25, 2710 19 29, 2710 19 47, 2710 19 48, 2710 20 17 or 2710 20 19; or

(b) where less than 65 per cent by volume (including losses) distils at 250°C and at least 85 per cent by volume (including losses) distils at 350°C by the ASTM D86 method;

“heavy fuel oil” means any petroleum-derived liquid fuel, other than marine fuel and gas oil, which—

(a) falls within CN code 2710 19 51 to 2710 19 68, 2710 20 31, 2710 20 35 or 2710 20 39;

(b) by reason of its distillation limits, falls within the category of heavy oils intended for use as fuel and of which less than 65 per cent by volume (including losses) distils at 250°C by the ASTM D86 method; or

(c) where the distillation cannot be determined by the ASTM D86 method, is as categorised as heavy fuel oil;

“marine fuel” means any petroleum-derived liquid fuel intended for use or in use on board a vessel, including those fuels defined in ISO 8217(5);

(1) [S.S.I. 2007/27](#).

(2) OJ L 309, 27.11.2001, p.1 as last amended by Council [Directive 2009/31/EC](#) (OJ L 140, 5.6.2009, p.114).

(3) OJ L 334, 17.12.2010, p.17.

(4) OJ L 350, 28.12.1998, p.58.

(5) ISO 8217:1996 is described in the British Standard entitled “Specification for Petroleum Fuels for marine oil engines and boilers”, published under the numbers BSMA 100:1996 and ISO 8217:2012.

“new plant” has the meaning given in Article 2(9) of [Directive 2001/80/EC](#);

“SEPA” means the Scottish Environment Protection Agency”; and

“sulphur content of liquid fuels permit” means a permit granted in accordance with the Schedule to these Regulations or treated as so granted under regulation 8(3).

(2) In paragraph (1)—

(a) “ASTM D86 method” means that method as set out in the American Society for Testing and Materials 1976 edition of standard definitions and specifications for petroleum and lubricating products⁽⁶⁾; and

(b) the reference to a numbered CN code is a reference to the code set out in Annex I to Council Regulation 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽⁷⁾.

(3) Other expressions used in these Regulations and in Council [Directive 1999/32/EC](#) relating to a reduction in the sulphur content of certain liquid fuels and amending [Directive 93/12/EEC](#)⁽⁸⁾ have the same meaning as they do in that Directive.

⁽⁶⁾ The ASTM method is described in the 2014 Annual Book of the ASTM Standards.

⁽⁷⁾ OJ L 256, 7.9.1987, p.1, last amended by Council Regulation (EU) 1326/2013, (OJ L 334, 13.12.2013, p.4).

⁽⁸⁾ OJ L 121, 11.5.1999, p.13, last amended by Directive 2012/33/EU (OJ L 327, 27.11.2012, p.1).