



Clean Air Act 1993

1993 CHAPTER 11

PART IV

CONTROL OF CERTAIN FORMS OF AIR POLLUTION

30 Regulations about motor fuel

- (1) For the purpose of limiting or reducing air pollution, the Secretary of State may by regulations—
 - (a) impose requirements as to the composition and contents of any fuel of a kind used in motor vehicles; and
 - (b) where such requirements are in force, prevent or restrict the production, treatment, distribution, import, sale or use of any fuel which in any respect fails to comply with the requirements, and which is for use in the United Kingdom.
- (2) It shall be the duty of the Secretary of State, before he makes any regulations under this section, to consult—
 - (a) such persons appearing to him to represent manufacturers and users of motor vehicles;
 - (b) such persons appearing to him to represent the producers and users of fuel for motor vehicles; and
 - (c) such persons appearing to him to be conversant with problems of air pollution, as he considers appropriate.
- (3) Regulations under this section—
 - (a) in imposing requirements as to the composition and contents of any fuel, may apply standards, specifications, descriptions or tests laid down in documents not forming part of the regulations; and
 - (b) where fuel is subject to such requirements, may, in order that persons to whom the fuel is supplied are afforded information as to its composition or contents, impose requirements for securing that the information is displayed at such places and in such manner as may be prescribed by the regulations.

Status: This is the original version (as it was originally enacted).

- (4) It shall be duty of every local weights and measures authority to enforce the provisions of regulations under this section within its area; and subsections (2) and (3) of section 26 of the Trade Descriptions Act 1968 (reports and inquiries) shall apply as respects those authorities' functions under this subsection as they apply to their functions under that Act.
- (5) The following provisions of the Trade Descriptions Act 1968 shall apply in relation to the enforcement of regulations under this section as they apply to the enforcement of that Act, that is to say—
- section 27 (power to make test purchases);
 - section 28 (power to enter premises and inspect and seize goods and documents);
 - section 29 (obstruction of authorised officers);
 - section 30 (notice of test);
- and section 33 of that Act shall apply to the exercise of powers under section 28 as applied by this subsection.
- References to an offence under that Act in those provisions as applied by this subsection, except the reference in section 30(2) to an offence under section 28(5) or 29 of that Act, shall be construed as references to an offence under section 32 of this Act (provisions supplementary to this section) relating to regulations under this section.
- (6) In relation to Scotland—
- (a) nothing in subsection (4) authorises a local weights and measures authority to institute proceedings for an offence; and
 - (b) regulations under this section may provide that certificates issued by such persons as may be specified by the regulations in relation to such matters as may be so specified shall, subject to the provisions of the regulations, be received in evidence, and be sufficient evidence, of those matters in any proceedings for an offence under regulations made under this section;
- and such regulations may apply any of the provisions of subsections (2) to (4) of section 31 of the Trade Descriptions Act 1968 (evidence by certificate).
- (7) In Northern Ireland it shall be the duty of the Department of Economic Development to enforce the provisions of regulations under this section; and accordingly this section shall have effect in relation to Northern Ireland with the omission of subsection (4).
- (8) It is hereby declared that in relation to Northern Ireland the references in subsection (5) to provisions of the Trade Descriptions Act 1968 are references to those provisions as modified by section 40(1)(b) and (c) of that Act.
- (9) The Secretary of State shall for each financial year pay into the Consolidated Fund of Northern Ireland such sum as the Secretary of State and the Department of Economic Development for Northern Ireland may agree to be appropriate as representing the expenses incurred by that Department in enforcing the provisions of any regulations made under this section.