

STATUTORY INSTRUMENTS

**2001 No. 3523**

**The Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001**

**Citation and commencement**

1. These Regulations may be cited as the Passenger Car (Fuel Consumption and CO<sub>2</sub> Emissions Information) Regulations 2001 and shall come into force on 21st November 2001.

**Disapplication of the Passenger Car Fuel Consumption Order**

2. Article 4 of the Passenger Car Fuel Consumption Order 1983 <sup>M1</sup> shall have effect with the addition of the following sub-paragraph at the end of paragraph (1)—

“(d) cars to which the Passenger Car (Fuel Consumption and CO<sub>2</sub> Emissions Information) Regulations 2001 apply”.

**Marginal Citations**

**M1** S.I. 1983/1486; the relevant amending instrument is S.I. 1996/1132.

**Interpretation**

3.—(1) In these Regulations—

<sup>F1</sup> .....

“dealer” means a retailer or other person who displays or offers for sale or lease new passenger cars to end users;

[<sup>F2</sup>“EU certificate of conformity” has the same meaning as “certificate of conformity” in Article 3(5) of the Type Approval Regulation;]

[<sup>F3</sup>“EU type approval certificate” means a type approval certificate issued pursuant to Article 28 or 41 of the Type Approval Regulation;]

“enforcement authority” means—

(a) in England and Wales and Scotland, the Secretary of State or a local weights and measures authority within the meaning of section 69 of the Weights and Measures Act 1985 <sup>M2</sup>; and

(b) in Northern Ireland, the Department of Enterprise, Trade and Investment;

<sup>F4</sup> .....

“fuel economy guide” means the publication containing official fuel consumption and official specific emissions of CO<sub>2</sub> figures, which is published by the Department for Transport, Local Government and the Regions for the purposes of Article 4 of Council Directive 1999/94/EC of 13th December 1999 <sup>M3</sup> and which meets the requirements specified in Schedule 1;

“fuel economy label” means a label which contains the official fuel consumption and official specific emissions of CO<sub>2</sub> figures for a model of new passenger car and which meets the requirements specified in Schedule 2;

“make”, in relation to a passenger car, means the trade name of the manufacturer appearing on the [F<sup>5</sup>EU] certificate of conformity and the [F<sup>5</sup>EU] type approval certificate relating to that car;

“model”, in relation to a passenger car, means the commercial description of its make and type, and any variant or version covered by that description;

“new passenger car” means a passenger car which has not previously been sold to a person who bought it for a purpose other than that of selling or supplying it;

“official fuel consumption” means, in relation to a model of passenger car, the fuel consumption figures for that model measured in accordance with the provisions of [F<sup>6</sup>Commission Regulation (EU) No. 2017/1151] and contained in the relevant [F<sup>7</sup>EU] type approval certificate or [F<sup>7</sup>EU] certificate of conformity, except that where a model comprises more than one variant or version it means the highest such figures for any of those variants or versions;

“official specific emissions of CO<sub>2</sub>” means, in relation to a model of passenger car, the specific emissions of CO<sub>2</sub> figures for that model measured in accordance with the provisions of [F<sup>8</sup>Commission Regulation (EU) No. 2017/1151] and contained in the relevant [F<sup>9</sup>EU] type approval certificate or the [F<sup>9</sup>EU] certificate of conformity, except that where a model comprises more than one variant or version it means the highest such figures for any of those variants or versions;

“passenger car” means a motor vehicle to which these Regulations apply by virtue of regulation 4;

“point of sale” means a location where new passenger cars are displayed or offered for sale or lease and includes a car showroom or forecourt and a trade fair where new cars are presented to the public;

“promotional literature” means all printed matter used in the marketing, advertising and promotion of a new passenger car for sale or lease to the general public;

“supplier” means the manufacturer of a passenger car or any person authorised to act on that person’s behalf within the Community;

[F<sup>10</sup>“the Type Approval Regulation” means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;]

“type”, “variant” and “version” have the same meaning as in [F<sup>11</sup>Part B of Annex I to the Type Approval Regulation].

#### Textual Amendments

- F1** Words in reg. 3(1) omitted (1.9.2020) by virtue of [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), [Sch. 6 para. 15\(2\)\(a\)](#) (with Sch. 4 paras. 16, 17)
- F2** Words in reg. 3(1) substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), [Sch. 6 para. 15\(2\)\(b\)](#) (with Sch. 4 paras. 16, 17)
- F3** Words in reg. 3(1) substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), [Sch. 6 para. 15\(2\)\(c\)](#) (with Sch. 4 paras. 16, 17)
- F4** Words in reg. 3(1) omitted (1.9.2020) by virtue of [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), [Sch. 6 para. 15\(2\)\(d\)](#) (with Sch. 4 paras. 16, 17)

- F5** Word in reg. 3(1) substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), **Sch. 6 para. 15(2)(e)** (with Sch. 4 paras. 16, 17)
- F6** Words in reg. 3(1) substituted (1.1.2019) by [The Road Vehicles \(Defeat Devices, Fuel Economy and Type-Approval\) \(Amendment\) Regulations 2018 \(S.I. 2018/673\)](#), regs. 1(a), **4(a)**
- F7** Word in reg. 3(1) substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), **Sch. 6 para. 15(2)(f)** (with Sch. 4 paras. 16, 17)
- F8** Words in reg. 3(1) substituted (1.4.2020) by [The Road Vehicles \(Defeat Devices, Fuel Economy and Type-Approval\) \(Amendment\) Regulations 2018 \(S.I. 2018/673\)](#), regs. 1(b), **4(b)** (as amended by S.I. 2020/229, regs. 1, **2(2)**)
- F9** Word in reg. 3(1) substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), **Sch. 6 para. 15(2)(g)** (with Sch. 4 paras. 16, 17)
- F10** Words in reg. 3(1) inserted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), **Sch. 6 para. 15(2)(i)** (with Sch. 4 paras. 16, 17)
- F11** Words in reg. 3(1) substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), **Sch. 6 para. 15(2)(h)** (with Sch. 4 paras. 16, 17)

**Marginal Citations**

- M2** 1985 c. 72, as amended by paragraph 75 of Schedule 16 to the [Local Government \(Wales\) Act 1994 \(c. 19\)](#) and paragraph 144 of Schedule 13 to the [Local Government etc. \(Scotland\) Act 1994](#).
- M3** O.J. No. L12, 18.1.2000, p.16.

**Application**

4. These Regulations apply to motor vehicles with at least four wheels (excluding quadricycles as defined in <sup>F12</sup>Article 3 of Regulation (EU) No 168/2013 of the European Parliament and of the Council on the approval and market surveillance of two- or three-wheel vehicles and quadricycles as it may be amended from time to time) which are within category M1 [<sup>F13</sup>in Article 4(1)(a) of the Type Approval Regulation] and which—

- (a) have been manufactured to conform with a vehicle type approval granted pursuant to [<sup>F14</sup>the Type Approval Regulation]; [<sup>F15</sup>and]
- <sup>F16</sup>(b) .....
- (c) are not special purpose vehicles as specified in [<sup>F17</sup>point 5 of Part A of Annex I to the Type Approval Regulation].

**Textual Amendments**

- F12** Words in reg. 4 substituted (20.5.2018) by [The Motorcycles \(Type-Approval\) Regulations 2018 \(S.I. 2018/235\)](#), reg. 1(b), **Sch. 2 para. 3** (with reg. 1(c), Sch. 1 paras. 16, 17)
- F13** Words in reg. 4 substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), **Sch. 6 para. 15(3)(a)** (with Sch. 4 paras. 16, 17)
- F14** Words in reg. 4(a) substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), **Sch. 6 para. 15(3)(b)** (with Sch. 4 paras. 16, 17)
- F15** Word in reg. 4(a) added (11.2.2013) by [The Passenger Car \(Fuel Consumption and CO2 Emissions Information\) \(Amendment\) Regulations 2013 \(S.I. 2013/65\)](#), regs. 1, **4(a)**
- F16** Reg. 4(b) omitted (11.2.2013) by virtue of [The Passenger Car \(Fuel Consumption and CO2 Emissions Information\) \(Amendment\) Regulations 2013 \(S.I. 2013/65\)](#), regs. 1, **4(b)**
- F17** Words in reg. 4(c) substituted (1.9.2020) by [The Road Vehicles \(Approval\) Regulations 2020 \(S.I. 2020/818\)](#), reg. 1(b), **Sch. 6 para. 15(3)(c)** (with Sch. 4 paras. 16, 17)

### **Suppliers' duty in respect of the provision of official fuel consumption and official specific emissions of CO<sub>2</sub> figures**

5.—(1) A supplier of a new passenger car shall, on request by a dealer, provide free of charge to the dealer the official fuel consumption and official specific emissions of CO<sub>2</sub> figures for any model of passenger car manufactured by that supplier.

(2) Where a dealer makes a request for the purposes of paragraph (1), the supplier shall ensure that the information requested is provided promptly to the dealer.

### **Dealers' duty in respect of the fuel economy label**

6. A dealer shall ensure that there is displayed in a clearly visible manner on or near each new passenger car displayed or offered for sale or lease by that dealer at a point of sale, a fuel economy label for the model to which that car belongs.

### **Dealers' duty in respect of the fuel economy guide**

7. Upon request by any prospective end user of any new passenger car displayed or offered for sale or lease by any dealer, a copy of the current edition of the fuel economy guide shall be provided at the point of sale by that dealer free of charge to that prospective end user.

### **Dealers' duty in respect of a poster or display**

8.—(1) A dealer shall ensure that, in relation to each make of new passenger car displayed or offered for sale or lease to prospective end users by him at or through a point of sale, there is exhibited in a prominent position at that point of sale, a poster or display, which contains the official fuel consumption and official specific emissions of CO<sub>2</sub> figures for every model of that make.

[<sup>F18</sup>(2) A poster or display for the purposes of paragraph (1) shall comply with the requirements specified in Schedule 3.]

#### **Textual Amendments**

**F18** Reg. 8(2) substituted (24.7.2004) by [The Passenger Car \(Fuel Consumption and CO<sub>2</sub> Emissions Information\) \(Amendment\) Regulations 2004 \(S.I. 2004/1661\)](#), regs. 1, 4

### **Dealers' and Suppliers' duties in respect of promotional literature**

9.—(1) The supplier of a model of passenger car shall ensure that all promotional literature for that model which is published or made available by him complies with the requirements specified in Schedule 4.

(2) A dealer shall ensure that all promotional literature which is published or made available by him in respect of any model of new passenger car displayed or offered for sale or lease by him complies with the requirements specified in Schedule 4.

### **Dealers' and Suppliers' duties in respect of confusing marks, symbols etc.**

10.—(1) The requirements of paragraph (2) shall be complied with by—

- (a) a dealer in respect of any fuel economy label, fuel economy guide, poster or display provided or exhibited by him in accordance with regulations 6, 7 or 8; and
- (b) a dealer and a supplier in respect of any promotional literature published or made available by him in accordance with regulation 9.

(2) No mark, symbol or inscription relating to official fuel consumption or official specific emissions of CO<sub>2</sub> figures which does not comply with these Regulations, shall be included in any fuel economy label, poster or display, or promotional literature if it could mislead or confuse potential end users.

### **Enforcement and offences**

**11.**—(1) Subject to paragraph (3) it shall be the duty of every enforcement authority to enforce these Regulations within its area.

(2) Nothing in these Regulations shall authorise an enforcement authority in Scotland to bring proceedings in Scotland for an offence.

(3) Schedule 5 shall have effect with regard to offences, enforcement and other matters.

### **[<sup>F19</sup>Duty to Review Regulations**

**12.**—(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how Council Directive [1999/94/EC](#) of 13th December 1999 relating to the availability of consumer information on fuel economy and CO<sub>2</sub> emissions in respect of the marketing of new passenger cars (which is implemented by means of these Regulations) is implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;
- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published before 11th February 2018.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.]

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#### **Textual Amendments**

**F19** [Reg. 12](#) inserted (11.2.2013) by [The Passenger Car \(Fuel Consumption and CO<sub>2</sub> Emissions Information\) \(Amendment\) Regulations 2013 \(S.I. 2013/65\)](#), regs. 1, 5

Signed by authority of the Secretary of State for Transport, Local Government and the Regions.

*David Jamieson*  
Parliamentary Under-Secretary of State,  
Department for Transport, Local Government  
and the Regions

**Changes to legislation:**

There are currently no known outstanding effects for the The Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001.