



Fuel and Electricity (Control) Act 1973

1973 CHAPTER 67

An Act to make temporary provision for controlling the production, supply, acquisition and use of certain substances and of electricity; and for purposes connected with those matters. [6th December 1973]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Application of Act

- (1) This Act applies to the following substances—
 - (a) petroleum and any substance derived from petroleum; and
 - (b) any substance, whether solid, liquid or gaseous, not falling within paragraph (a) above but used as fuel, whether for the propulsion of vehicles or for industrial, domestic or any other purposes.
- (2) The following provisions of this Act apply in relation to electricity as they apply in relation to the substances mentioned in subsection (1) above.

2 Powers of control

- (1) The Secretary of State may by order provide—
 - (a) for regulating or prohibiting the production, supply, acquisition or use of any substance to which this Act applies;
 - (b) for regulating the price at which petroleum or any substance derived from petroleum may be supplied.
- (2) The Secretary of State may give directions—
 - (a) to any person carrying on business as a producer of a substance to which this Act applies, as to the production and use of that substance ;
 - (b) to any person carrying on business as a supplier of such a substance, as to the supply by him of that substance ; and

- (c) to any person carrying on a business involving the use of such a substance, as to the use by him of that substance for the purposes of that business.
- (3) Without prejudice to the generality of subsection (2) above—
- (a) a direction under subsection (2)(a) above may prohibit or restrict the use of any material for the production of a substance to which this Act applies and may extend to the disposal of stocks of such a substance or of any such material;
 - (b) a direction under subsection (2)(b) above may prohibit or restrict the supply of any substance to which this Act applies to persons specified in the direction or to persons other than those so specified and may require the supply of any such substance to such persons as may be so specified in accordance with such requirements as may be so specified and, if the substance is petroleum or a substance derived from petroleum, at such prices as may be so specified; and
 - (c) a direction under subsection (2)(c) above may prohibit or restrict the use of any substance to which this Act applies for such purposes or during such periods as may be specified in the direction or for purposes or during periods other than those so specified.

3 Documents and information

The Secretary of State may, by directions given with respect to any undertaking, or order made with respect to any class of undertaking, require the person carrying on the undertaking or persons carrying on undertakings of that class—

- (a) to keep such books, accounts and records relating to a substance to which this Act applies as may be prescribed by the directions or order or by a notice served under the order;
- (b) to furnish, at such times, in such manner and in such form as may be so prescribed, such estimates, returns or information relating to a substance to which this Act applies as may be so prescribed.

4 Power to relax statutory and contractual obligations, etc.

- (1) Any person supplying or using a substance to which this Act applies may, if authorised to do so by the Secretary of State by any general or special authority granted for the purpose, and while acting in accordance with that authority, disregard or fall short in discharging any obligation imposed by or under any enactment, or any contractual obligation, relating to or involving the supply or use of that substance.
- (2) At any time while an order under section 2(1) of this Act is in force the Secretary of State may grant, or enable any person to grant on his behalf, a general or special authority for the doing, during the whole or any part of the period for which the order is in force, of all or any of the things mentioned in the following paragraphs; and a person acting under and in accordance with such an authority may then—
 - (a) use, or cause or permit the use of, any vehicle on a road as a stage carriage, an express carriage or a contract carriage without any licence, permit, agreement or consent otherwise required, and notwithstanding that the vehicle does not comply with regulations made under section 160 of the Road Traffic Act 1960 or with such of the regulations made under section 40 of the Road Traffic Act 1972 as would not apply to the vehicle if it were not so used ;
 - (b) drive or act as conductor of a public service vehicle without being licensed to do so under section 144 of the Road Traffic Act 1960 or employ a person not so licensed to drive or act as conductor of any such vehicle;

- (c) act, or cause or permit a person to act, as the driver of a passenger vehicle without complying with the requirements of subsections (1) to (6) of section 96 of the Transport Act 1968.
- (3) Her Majesty may by Order in Council make provision for modifying or excluding any obligation or restriction imposed, or extending any power conferred, by or under any enactment which directly or indirectly affects the supply or use of a substance to which this Act applies.
- (4) Without prejudice to the generality of subsection (3) above, an Order in Council under that subsection may make such provision for modifying an order under section 2 of the Counter-Inflation Act 1973 as appears to Her Majesty to be necessary or expedient for the purpose of such orders made or directions given or to be given under section 2 of this Act as regulate or specify the price at which a substance may be or is to be supplied by any person.
- (5) In the application of this Act to Northern Ireland the preceding provisions of this section shall apply with such modifications and adaptations as Her Majesty may by Order in Council specify.
- (6) Any Order in Council made under this section may be varied or revoked by a subsequent Order in Council and any statutory instrument by which such an Order is made shall be subject to annulment in pursuance of a resolution of either House of Parliament.

5 Application of provisions of Emergency Laws (Re-enactments and Repeals) Act 1964

- (1) The following provisions of the Emergency Laws (Re-enactments and Repeals) Act 1964, that is to say, sections 7 (orders and directions), 8 (notices, authorisations and proof of documents), 9 (territorial extent of Part I), 10 (false documents and false statements), 11 (restrictions on disclosing information) and 12 (offences by corporations) shall have effect for the purposes of this Act as if in those provisions any reference to Part I of that Act were a reference to this Act.
- (2) Schedule 1 to that Act (production of documents) shall have effect for the purposes of this Act as if—
 - (a) in paragraphs 1(3) and 2(4) the words from " and liable " to " both " were omitted;
 - (b) in paragraph 2(3) the reference to that Act were a reference to this Act;
 - (c) paragraph 3 were omitted ;
 - (d) any reference to the relevant section of that Act were a reference to this Act; and
 - (e) any reference to a competent authority were a reference to a Government department (including a Northern Ireland department).
- (3) In the following provisions of this Act any reference to an offence under this Act shall be construed as including an offence under the provisions applied by subsections (1) and (2) above.

6 Offences and penalties

- (1) Any person who—

- (a) contravenes, or fails to comply with, this Act or any order made, direction given or requirement imposed under it; or
- (b) wilfully obstructs any person exercising a power, or performing a duty, conferred or imposed on him under this Act;

shall be guilty of an offence under this Act; subject, however, in the case of a requirement imposed by virtue of paragraph 1 of Schedule 1 to the Emergency Laws (Re-enactments and Repeals) Act 1964 as applied by section 5 of this Act, to the proviso to sub-paragraph (3) of that paragraph.

- (2) Without prejudice to the operation of any other enactment, any person who attempts to commit, conspires with any other person to commit, or does any act or makes any statement preparatory to the commission of, an offence under this Act shall be guilty of an offence under this Act.
- (3) Proceedings against any person for an offence under this Act may be taken before the appropriate court in the United Kingdom having jurisdiction in the place where that person is for the time being.
- (4) Any person guilty of an offence under this Act shall be liable on summary conviction to imprisonment for a term not exceeding three months, or to a fine not exceeding £400, or to both.

7 Expenses

Any expenses incurred by a Government department in consequence of this Act shall be paid out of moneys provided by Parliament.

8 Interpretation

In this Act "enactment" includes an enactment of the Parliament of Northern Ireland and "petroleum" has the same meaning as in the Petroleum (Production) Act 1934.

9 Isle of Man and Channel Islands

- (1) Her Majesty may by Order in Council direct that this Act shall extend to the Isle of Man or any of the Channel Islands with such exceptions, adaptations and modifications as may be specified in the Order.
- (2) An Order in Council under this section may be varied or revoked by a subsequent Order in Council.

10 Duration of Act

- (1) Sections 1 to 8 of this Act shall continue in force until 30th November 1974 and shall then expire unless continued in force under the following provisions of this section.
- (2) Her Majesty may, at any time while those sections are no longer in force, by Order in Council provide that they shall come into force again on such date as may be specified in the Order and for such period not exceeding one year as may be so specified.
- (3) Her Majesty may, at any time while those sections are in force, by Order in Council provide that they shall continue in force, for such period not exceeding one year as may be specified in the Order, beyond the date on which they would otherwise expire.

(4) An Order in Council under this section may be varied or revoked by a subsequent Order in Council.

(5) An Order in Council under this section shall be laid before Parliament; and unless it is approved by each House before the expiration of a period of 28 days beginning with the date on which it is made, it shall cease to have effect on the expiration of that period, but without prejudice to the making of a new Order in Council.

In reckoning any such period no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the House of Commons is adjourned for more than four days.

(6) Upon the expiry of sections 1 to 8 of this Act section 38(2) of the Interpretation Act 1889 (effect of repeals) shall apply as if those sections had been repealed by another Act.

11 Short title and extent

(1) This Act may be cited as the Fuel and Electricity (Control) Act 1973.

(2) This Act extends to Northern Ireland.