

1976 No. 1204

CONTROL OF FUEL AND ELECTRICITY

The Paraffin (Maximum Retail Prices) Order 1976

<i>Made - - - -</i>	<i>29th July 1976</i>
<i>Laid before Parliament</i>	<i>30th July 1976</i>
<i>Coming into Operation</i>	<i>1st August 1976</i>

The Secretary of State, in exercise of his powers under section 2(1)(b) of the Fuel and Electricity (Control) Act 1973(a) (as continued in force by the Fuel and Electricity (Control) Act 1973 (Continuation) Order 1975(b)) and section 7 of the Emergency Laws (Re-enactments and Repeals) Act 1964(c), as having effect by virtue of section 5(1) of the Fuel and Electricity (Control) Act 1973, hereby orders as follows:—

Citation and commencement

1. This Order may be cited as the Paraffin (Maximum Retail Prices) Order 1976 and shall come into operation on 1st August 1976.

Interpretation

2.—(1) In this Order—

“by retail” means, in relation to the supply of any controlled paraffin, supply to any person acquiring that paraffin otherwise than for the purpose of resale;

“controlled paraffin” means paraffin of Class C1 or Class C2;

“paraffin” means oil, being heavy oil within the meaning of section 1 of the Hydrocarbon Oil (Customs & Excise) Act 1971(d) derived from petroleum, of a kind intended for use as fuel for portable domestic burners.

(2) In this Order any reference to paraffin of Class C1 or paraffin of Class C2 shall be construed as a reference to paraffin which complies with the requirements of British Standard Specification for Petroleum Fuels for Oil Engines and Burners (BS 2869: 1970) published by the British Standards Institution on 30th September 1970 (as amended by Amendment Slip No 1 published on 9th June 1972 and Amendment Slip No 2 published on 19th August 1974) for Class C1 burner fuel and Class C2 burner fuel respectively and, in the case of references to paraffin of Class C2, which has a maximum sulphur content not exceeding that required by the specification for Class C1 burner fuel.

Maximum retail prices

3. No person shall supply by retail, otherwise than in a container having a capacity exceeding 35 gallons, controlled paraffin dealt in, offered or exposed for sale by him at—

(a) premises situated in a zone or place specified in column 1 of Schedule 1 to this Order, or

(b) a vehicle loaded with the paraffin at premises situated in a zone or place so specified,

(a) 1973 c. 67.
(d) 1971 c. 12.

(b) S.I. 1975/1705 (1975 III, p.5812).

(c) 1964 c. 60.

at a price (excluding any charge for delivery of the paraffin from the premises to the customer) exceeding a price at the rate per gallon specified (as regards paraffin of Class C1) in column 2 of that Schedule or (as regards paraffin of Class C2) in column 3 of that Schedule with respect to the zone or place.

Zones

4. For the purposes of this Order—

- (a) premises shall be deemed to be situated in a zone named in column 1 of Schedule 1 to this Order if those premises have, before the date of the making of this Order, been treated in the ordinary course of business by—
- (i) the only person supplying or providing controlled paraffin to those premises for supply by retail as being situated in the zone so named; or
 - (ii) every person supplying or providing controlled paraffin to those premises for supply by retail as being situated in the same zone so named; and
- (b) premises not situated in a place mentioned in column 1 of Schedule 1 to this Order and to which paragraph (a) of this Article does not apply shall be deemed to be situated in the same zone as that in which the nearest premises to which that paragraph applies are deemed to be situated by virtue of that paragraph.

Notices

5. Every person who supplies by retail controlled paraffin at or from any premises or vehicle shall keep displayed on those premises or that vehicle in a conspicuous position so as to be clearly legible by all customers throughout the whole time during which he deals in, offers or exposes for sale controlled paraffin there a notice stating—

- (a) the zone or place specified in column 1 of Schedule 1 to this Order in which those premises or (as the case may be) the premises at which that vehicle is loaded with controlled paraffin is situated;
- (b) the class of controlled paraffin so dealt in, offered or exposed for sale; and
- (c) the maximum price (exclusive of any delivery charge) for any class of controlled paraffin so dealt in, offered or exposed for sale imposed by this Order.

Artificial transaction and unreasonable charges

6. No person shall enter or offer to enter into any artificial transaction or make or demand any unreasonable charge in connection with any supply of controlled paraffin to which this Order applies.

Licences

7.—(1) Nothing in this Order shall prevent the supply by retail of controlled paraffin under the authority of a licence granted by the Secretary of State under this Order.

(2) Any licence granted under this Order may be subject to conditions and may be revoked without prior notice.

Revocations

8. The Orders specified in Schedule 2 to this Order are hereby revoked.

Tony Benn,

Secretary of State for Energy.

29th July 1976.

Articles 3, 4 and 5

SCHEDULE 1

MAXIMUM RETAIL PRICES OF CONTROLLED PARAFFIN

<i>Zone or Place</i>	<i>Paraffin of Class C1— rate per gallon in pence</i>	<i>Paraffin of Class C2— rate per gallon in pence</i>
<i>Zones</i>		
Inner zone	39½	38½
Outer zone	40	39
General zone	40	39
North Scotland (mainland only) zone	40½	39½
<i>Places</i>		
Northern Ireland	40	39
Orkney and Shetland Islands, West Cowal, Islay and Mull	40½	39
Lewis and Harris	44½	43½

Article 8

SCHEDULE 2

REVOCATIONS

<i>Orders revoked</i>	<i>References</i>
The Paraffin (Maximum Retail Prices) Order 1973 ...	S.I. 1973/2188 (1973 III, p.7737).
The Paraffin (Maximum Retail Prices) Order 1973 (Amendment) Order 1974	S.I. 1974/198 (1974 I, p.708).
The Paraffin (Maximum Retail Prices) (Second Amend- ment) Order 1974	S.I. 1974/2150 (1974 III, p.8431).
The Paraffin (Maximum Retail Prices) (Third Amend- ment) Order 1975	S.I. 1975/2017 (1975 III, p.7430).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which extends to Northern Ireland and supersedes the Paraffin (Maximum Retail Prices) Order 1973 as amended, imposes maximum retail prices (exclusive of delivery charges) on the supply of paraffin intended for use in portable domestic oil burners. The Order requires notices stating the maximum retail prices to be displayed on premises or vehicles at which the paraffin is dealt in and prohibits artificial transactions and unreasonable charges.

The principal changes are to remove any differentiation of maximum retail prices depending on whether the paraffin is dealt in at premises or a vehicle and to increase the maximum retail prices generally.

Copies of the British Standard Specification and Amendments referred to in this Order may be obtained from British Standards Institution, British Standards House, 2 Park Street, London W1A 2BS.

SI 1976/1204
ISBN 0-11-061204-3

