
STATUTORY INSTRUMENTS

2002 No. 1773

The Hydrocarbon Oil (Marking) Regulations 2002

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Hydrocarbon Oil (Marking) Regulations 2002 and come into force on 1st August 2002.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Hydrocarbon Oil Duties Act 1979;

“ASTM” means American Society for Testing and Materials;

[^{F1}“biodiesel excise duty point” means the excise duty point which applies for biodiesel by virtue of regulation 17 (excise duty points) of the Biofuels and Other Fuel Substitutes (Payment of Excise Duties etc) Regulations 2004;]

^{F2}
...

^{F3}
...

[^{F4}“the common United Kingdom fiscal marker” means ((3-(sec-butyl)-4-(decyloxy)phenyl)methanetriyl)tribenzene];

[^{F5}“coumarin” means 1,2-benzopyrone];

“dark oil” means heavy oil that is darker than ASTM colour 3.0 in the Table of Glass Colour Standards included in “Standard method of Test for ASTM Colour of Petroleum Products” adopted as a joint ASTM-IP standard with ASTM designation D 1500-98 and IP designation IP 196/97, which appears in “IP Standard Methods”, when the heavy oil and ASTM Colour 3.0 are compared in the manner described in that publication for that method of test;

“duty” means the excise duty charged on hydrocarbon oil by section 6(1) of the Act^{M1}[^{F6}or, as the case may be, on bioblend under section 6AB of the Act];

^{F7}
...

[^{F8}“the general marker” means N-Ethyl-N-[2-(1-isobutoxyethoxy)ethyl]-4-(phenylazo)aniline;]

“IP” means Institute of Petroleum;

“IP Standard Methods” means “IP Standard Methods for Analysis and Testing of Petroleum and Related Products and British Standard 2000 Parts 2002”, 61st edition, May 2002, published by the Institute of Petroleum, ISBN 0 85293 348 7;

“kerosene” means heavy oil of which more than 50% by volume distils at a temperature not exceeding 240°C;

“marker” means, except where the context requires otherwise, a marker or colouring substance prescribed by these Regulations and includes, in regulation 10, a composite solution of the type referred to in regulation 9;

“oil” means hydrocarbon oil;

“quinizarin” means 1,4-dihydroxyanthraquinone;

^{F8}“solvent orange” means 1-[(2-methylphenyl)azo]-2-naphthol;]

^{F9}“solvent red” means a dye that consists of at least 50% 1-(2-methyl-4-(2-methylphenylazo)phenylazo)-2-naphthol, with any remainder consisting of one or more of—

- (a) 1-(4-(phenylazo)phenylazo)-2-naphthol;
- (b) 1-[[3-methyl-4-[(3-methylphenyl)azo]phenyl]azo]-2-naphthol;
- (c) 1-[[2,5-dimethyl-4-[(2-methylphenyl)azo]phenyl]azo]-2-naphthol;
- (d) 1-[[4-[(dimethylphenyl)azo]dimethylphenyl]azo]-2-naphthol.]

(2) Any reference in these Regulations to marked oil [^{F10}or bioblend means oil or bioblend] to which a marker has been added and related expressions must be construed accordingly.

Textual Amendments

- F1** Words in reg. 2(1) inserted (1.4.2022) by The Hydrocarbon Oil Duties (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/238), regs. 1, **4(2)**
- F2** Words in reg. 2(1) omitted (18.1.2024) by virtue of The Hydrocarbon Oil (Marking and Designated Markers) (Amendment) Regulations 2023 (S.I. 2023/1187), regs. 2(2), **5(2)**
- F3** Words in reg. 2(1) omitted (18.1.2024) by virtue of The Hydrocarbon Oil (Marking and Designated Markers) (Amendment) Regulations 2023 (S.I. 2023/1187), regs. 2(2), **5(3)**
- F4** Words in reg. 2(1) inserted (1.4.2015) by The Hydrocarbon Oil (Marking and Designated Markers) (Amendment) Regulations 2015 (S.I. 2015/36), regs. 1, **3(1)**
- F5** Words in reg. 2(1) substituted (18.1.2024) by The Hydrocarbon Oil (Marking and Designated Markers) (Amendment) Regulations 2023 (S.I. 2023/1187), regs. 2(2), **5(4)**
- F6** Words in reg. 2(1) inserted (1.4.2008) by The Hydrocarbon Oil, Biofuels and Other Fuel Substitutes (Determination of Composition of a Substance and Miscellaneous Amendments) Regulations 2008 (S.I. 2008/753), regs. 1(2), **6(2)(a)**
- F7** Words in reg. 2(1) omitted (1.4.2022) by virtue of The Hydrocarbon Oil Duties (Consequential Amendments and Transitional Provisions) Regulations 2022 (S.I. 2022/234), regs. 1(1), **6(2)** (with regs. 9, 10)
- F8** Words in reg. 2(1) inserted (18.1.2024) by The Hydrocarbon Oil (Marking and Designated Markers) (Amendment) Regulations 2023 (S.I. 2023/1187), regs. 2(2), **5(5)**
- F9** Words in reg. 2(1) substituted (18.1.2024) by The Hydrocarbon Oil (Marking and Designated Markers) (Amendment) Regulations 2023 (S.I. 2023/1187), regs. 2(2), **5(6)**
- F10** Words in reg. 2(2) substituted (1.4.2008) by The Hydrocarbon Oil, Biofuels and Other Fuel Substitutes (Determination of Composition of a Substance and Miscellaneous Amendments) Regulations 2008 (S.I. 2008/753), regs. 1(2), **6(2)(b)**

Marginal Citations

- M1** Section 6(1) was amended by the Finance Act 1981 (c. 35), **section 4**, the Finance Act 1982 (c. 39), **section 4**, the Finance Act 1989 (c. 26), **section 1**, the Finance Act 1990 (c. 29), **Schedule 19**, Part I, the Finance Act 1997 (c. 16), **section 7** and the Finance Act 1998 (c. 36), **section 6**.

Changes to legislation:

There are currently no known outstanding effects for the The Hydrocarbon Oil (Marking) Regulations 2002, PART I.