

## STATUTORY INSTRUMENTS

# 2002 No. 1773

## The Hydrocarbon Oil (Marking) Regulations 2002

### PART V

#### STORAGE, LABELLING ETC

##### Storage of markers

- 10.**—(1) The occupier of any premises where marking occurs must keep any marker—
- (a) separately from all other substances; and
  - (b) except when removed for immediate use, in containers bearing a description of their contents.
- (2) At the end of each month, the occupier of any premises where marking occurs must—
- (a) take stock of the markers that he stores for use or that are in use at those premises;
  - (b) make a written record of that stocktake;
  - (c) preserve that written record for not less than 6 years.

##### Storage of marked oil [<sup>F1</sup>or bioblend]

**11.** Marked oil [<sup>F2</sup>, biodiesel or][<sup>F1</sup>or bioblend] must be stored separately from unmarked oil [<sup>F1</sup>or bioblend].

##### Textual Amendments

- F1** Words in reg. 11 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(6)**
- F2** Words in reg. 11 inserted (1.4.2022) by [The Hydrocarbon Oil Duties \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/238\)](#), regs. 1, **4(8)**

##### Labelling of delivery points for marked oil

**12.** Any drum, storage tank or other container or any delivery pump or pipe must bear an indelible notice to the effect that—

- (a) where it contains, or is an outlet for, any gas oil [<sup>F3</sup>, biodiesel] or kerosene marked under regulation 4 (marking required for rebate), such oil [<sup>F3</sup>, biodiesel] is not to be used as [<sup>F4</sup>fuel other than for an excepted machine];
- [<sup>F5</sup>(aa) where it contains, or is an outlet for, any bioblend marked under regulation 4A (marking required for rebate on bioblend), such bioblend is not to be used as [<sup>F6</sup>fuel other than for an excepted machine];]

- (b) where it contains, or is an outlet for, any light oil marked under regulation 4 (marking required for rebate), such oil is to be used only as furnace fuel;
- (c) where it contains, or is an outlet for, any oil marked under regulation 5 (marking required for delivery without payment of duty), such oil is not to be used as fuel for any engine, motor or other machinery or as heating fuel.

#### Textual Amendments

- F3** Word in reg. 12(a) inserted (1.4.2022) by [The Hydrocarbon Oil Duties \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/238\)](#), regs. 1, **4(9)**
- F4** Words in reg. 12(a) substituted (1.4.2022) by [The Hydrocarbon Oil Duties \(Consequential Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/234\)](#), regs. 1(1), **6(3)** (with regs. 9, 10)
- F5** Reg. 12(aa) 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(8)**
- F6** Words in reg. 12(aa) substituted (1.4.2022) by [The Hydrocarbon Oil Duties \(Consequential Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/234\)](#), regs. 1(1), **6(3)** (with regs. 9, 10)

#### Particulars to be recorded on delivery notes

13.—(1) Any person who supplies—

- (a) gas oil [<sup>F7</sup>or biodiesel] marked under regulation 4 (marking required for rebate); <sup>F8</sup> ...
- (b) a quantity <sup>F9</sup>... exceeding two hundred and fifty litres of kerosene, marked under regulation 4 (marking required for rebate); [<sup>F10</sup>or
- (c) bioblend marked under regulation 4A;]

must provide to the recipient a delivery note bearing a statement to the effect that such oil [<sup>F11</sup>or, as the case may be, [<sup>F12</sup>biodiesel or] bioblend] is not to be used as [<sup>F13</sup>fuel other than for an excepted machine].

(2) Any person who supplies light oil marked under regulation 4 (marking required for rebate) must provide to the recipient a delivery note bearing a statement to the effect that such oil is only to be used as furnace fuel.

(3) Any person who supplies oil marked under regulation 5 (marking required for delivery for home use without payment of duty) must supply to the recipient a delivery note bearing a statement to the effect that such oil is not to be used as fuel for any engine, motor or other machinery or as heating fuel.

#### Textual Amendments

- F7** Words in reg. 13(1)(a) inserted (1.4.2022) by [The Hydrocarbon Oil Duties \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/238\)](#), regs. 1, **4(10)(a)**
- F8** Word in reg. 13(1)(a) omitted (1.4.2008) by virtue of [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(9)(a)**
- F9** Word in reg. 13(1)(b) omitted (1.6.2007) by virtue of [The Hydrocarbon Oil \(Marking\) \(Amendment\) Regulations 2007 \(S.I. 2007/1416\)](#), regs. 1, **5**

- F10** Reg. 13(1)(c) and preceding word 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(9)(b)**
- F11** Words in reg. 13(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(9)(c)**
- F12** Words in reg. 13(1) inserted (1.4.2022) by The Hydrocarbon Oil Duties (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/238), regs. 1, **4(10)(b)**
- F13** Words in reg. 13(1) substituted (1.4.2022) by The Hydrocarbon Oil Duties (Consequential Amendments and Transitional Provisions) Regulations 2022 (S.I. 2022/234), regs. 1(1), **6(4)** (with regs. 9, 10)

**Changes to legislation:**

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