
STATUTORY INSTRUMENTS

2008 No. 753

The Hydrocarbon Oil, Biofuels and Other Fuel Substitutes
(Determination of Composition of a Substance and
Miscellaneous Amendments) Regulations 2008

PART 3

AMENDMENTS TO OTHER REGULATIONS

The Hydrocarbon Oil (Marking) Regulations 2002

- 6.—(1) Amend the Hydrocarbon Oil (Marking) Regulations 2002^{M1} as follows.
- (2) In regulation 2 (interpretation)—
- (a) in paragraph (1), at the end of the definition of “duty”, insert “ or, as the case may be, on bioblend under section 6AB of the Act ”; and
- (b) in paragraph (2), for “means oil” substitute “ or bioblend means oil or bioblend ”.
- (3) In regulation 3 (prescribed markers and colouring substance)—
- (a) in paragraph (1)—
- (i) replace the full stop at the end of sub-paragraph (b) with a semi-colon; and
- (ii) after sub-paragraph (b) insert—
- “(c) for bioblend that is a mixture of biodiesel and gas oil, the markers described in paragraph (2)(a) and (b) and the colouring substance described in paragraph (3);
- (d) for bioblend that is a mixture of biodiesel and kerosene, the markers described in paragraph (2)(a) and (c).”.
- (b) after paragraph (3) insert—
- “(4) For the purposes of paragraph 1(c), the proportions described in regulation 3(2) (a), (b) and (3) apply as if the bioblend consisted entirely of gas oil.
- (5) For the purposes of paragraph 1(d), the proportions described in regulation 3(2)(a) and (c) apply as if the bioblend consisted entirely of kerosene.”.
- (4) After regulation 4 insert—
- “**4A.** Subject to Part III (exceptions to marking requirements), no rebate of duty shall be allowed on bioblend under section 14B^{M2} of the Act unless there is added to the bioblend the markers and, in the case of bioblend that is a mixture of biodiesel and gas oil, the colouring substance prescribed by regulation 3.”.
- (5) In regulation 6 (Commissioners' power to waive marking), for “regulation 4” substitute “ regulations 4 and 4A ”.

Changes to legislation: *There are currently no known outstanding effects for the The Hydrocarbon Oil, Biofuels and Other Fuel Substitutes (Determination of Composition of a Substance and Miscellaneous Amendments) Regulations 2008, Section 6. (See end of Document for details)*

- (6) In regulations 7 (application), 9 (use of composite solution), 11 (storage of marked oil), 14 (prohibitions relating to prescribed markers) and 16 (prohibition on importation of certain oil) after “oil” (in all places) insert “ or bioblend ”.
- (7) In regulation 8 (time of marking) after “oil” (in both places) insert “ and bioblend ”.
- (8) In regulation 12, after sub-paragraph (a) insert—
- “(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 road fuel;”.
- (9) In paragraph (1) of regulation 13 (particulars to be recorded on delivery notes)—
- (a) at the end of sub-paragraph (a) omit “or”;
- (b) after sub-paragraph (b) insert—
- “or
- (c) bioblend marked under regulation 4A;”;
- (c) in the full-out words, after “oil” insert “ or, as the case may be, bioblend ”.
- (10) In regulation 15 (prohibition relating to other markers)—
- (a) in paragraph (1) for “or kerosene” (in both places) substitute “ , kerosene or bioblend ”;
- (b) in paragraph (2) after “oil” insert “ or, as the case may be, bioblend ”.

Marginal Citations

M1 [S.I.2002/1773](#); amended by [S.I. 2007/1416](#).

M2 [Section 14B](#) was inserted, with effect from 1st April 2008, by a resolution passed by the House of Commons on 18th March 2008 under the Provisional Collection of Taxes Act 1968, section 1(2).

Changes to legislation:

There are currently no known outstanding effects for the The Hydrocarbon Oil, Biofuels and Other Fuel Substitutes (Determination of Composition of a Substance and Miscellaneous Amendments) Regulations 2008, Section 6.