

STATUTORY INSTRUMENTS

S.I. No. 202 of 2004

AIR POLLUTION ACT 1987

**(ENVIRONMENTAL SPECIFICATIONS FOR PETROL
AND DIESEL FUELS) (AMENDMENT) REGULATIONS 2004**

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AIR POLLUTION ACT 1987
(ENVIRONMENTAL SPECIFICATIONS FOR PETROL AND DIESEL FUELS)
(AMENDMENT) REGULATIONS 2004

The Minister for the Environment, Heritage and Local Government in exercise of the powers conferred on him by sections 10, 13 and 53 of the Air Pollution Act 1987 (No. 6 of 1987) and for the purpose of giving effect to Council Directive 98/70/EC ⁽¹⁾ relating to the quality of petrol and diesel fuels and Council Directive 2003/17/EEC ⁽²⁾ amending Directive 98/70/EC, hereby makes the following Regulations:-

Citation

- 1 (1) These Regulations may be cited as the Air Pollution Act 1987 (Environmental Specifications for Petrol and Diesel Fuels)(Amendment) Regulations 2004.
- (2) These Regulations, the Air Pollution Act 1987 (Environmental Specifications for Petrol and Diesel Fuels) Regulations 1999 (S.I. No. 407 of 1999), the Air Pollution Act 1987 (Environmental Specifications for Petrol and Diesel Fuels) Regulations 2000 (S.I. No. 72 of 2000) and the Air Pollution Act 1987 (Environmental Specifications for Petrol and Diesel Fuels) Regulations 2003 (S.I. No. 541 of 2003) shall be construed together as one and may be collectively cited as the Air Pollution Act 1987 (Environmental Specifications for Petrol and Diesel Fuels) Regulations 1999 to 2004.

Entry into Force

- 2 These Regulations shall come into effect on the 10th day of May 2004.

Definitions

- 3 In these Regulations –

“the 1999 Regulations” means the Air Pollution Act 1987 (Environmental Specifications for Petrol and Diesel Fuels) Regulations 1999 (S.I. No. 407 of 1999);

¹ O.J. No. L 350/58 of 28 December 1998

² O.J. No. L 76/10 of 22 March 2003

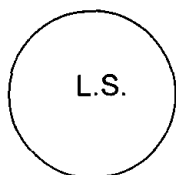
“the 2000 Regulations” means the Air Pollution Act 1987 (Environmental Specifications for Petrol and Diesel Fuels) Regulations 2000 (S.I. No. 72 of 2000);

“the 2003 Regulations” means the Air Pollution Act 1987 (Environmental Specifications for Petrol and Diesel Fuels) Regulations 2003 (S.I. No. 541 of 2003).

Prosecutions

4 The following article is hereby substituted for article 12 of the 2003 Regulations:-

“12 An offence in relation to article 5(1) of the 1999 Regulations as amended by article 4 of the 2000 Regulations, articles 5(2), 8(1), 8(2) and 10 of the 1999 Regulations, and articles 4 to 9 of the 2003 Regulations may be prosecuted summarily by an officer of the Revenue Commissioners”.



Given under the Official Seal of the Minister for
the Environment, Heritage and Local Government
this 5th day of May 2004

MARTIN CULLEN

Minister for the Environment, Heritage
and Local Government

EXPLANATORY NOTE

(This is not part of the instrument and does not purport to be a legal interpretation).

These Regulations amend the Air Pollution Act 1987 (Environmental Specifications for Petrol and Diesel Fuels) Regulations 2003 which, in turn, transpose Directive 2003/17/EC of the European Parliament and of the Council of 3 March 2003 amending Directive 98/79/EC relating to the quality of petrol and diesel fuels.

The amendment extends the powers of prosecution of breaches of the environmental specifications of petrol and diesel fuels by officers of the Revenue Commissioners in time not alone from 1 January 2005 when new standards will apply with regard to the sulphur content of such fuels but to breaches of the existing specifications from the entry into force of these Regulations on 10th May 2004.