



STATUTORY INSTRUMENTS.

**S.I. No. 136 of 2025**

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EUROPEAN UNION (SPECIFICATIONS FOR PETROL, DIESEL FUELS  
AND GAS OILS INTENDED FOR USE BY NON-ROAD MOBILE  
MACHINERY INCLUDING INLAND WATERWAY VESSELS,  
AGRICULTURAL AND FORESTRY TRACTORS, AND RECREATIONAL  
CRAFT REGULATIONS 2025

EUROPEAN UNION (SPECIFICATIONS FOR PETROL, DIESEL FUELS  
AND GAS OILS INTENDED FOR USE BY NON-ROAD MOBILE  
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CRAFT REGULATIONS 2025

I, DARRAGH O'BRIEN, Minister for the Environment, Climate and Energy in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972) and for the purpose of giving effect to Directive 2023/2413/EC<sup>1</sup> of the European Parliament and of the Council of 18 October 2023 amending Directive 98/70/EC<sup>2</sup> relating to the quality of petrol and diesel fuels, hereby make the following regulations:

***Citation***

1. These Regulations may be cited as the European Union (Specifications for Petrol, Diesel Fuels and Gas Oils intended for use by non-road mobile machinery including inland waterway vessels, agricultural and forestry tractors, and recreational craft) Regulations 2025.

***Entry into Force***

2. These Regulations shall come into effect on 21 May 2025.

***Interpretation***

3. (1) In these Regulations—

“authorised person” means a person or class of persons appointed in writing by a local authority or the Minister to be an authorised person for the purposes of these Regulations or an officer of the Revenue Commissioners;

“Annex I to Directive 98/70/EC<sup>2</sup> as amended” means Annex I of Directive 98/70/EC<sup>2</sup> of the European Parliament and of the Council of 13 October 1998 as amended by Commission Directive 2000/71/EC<sup>3</sup> of 7 November 2000; Directive 2003/17/EC<sup>4</sup> of the European Parliament and of the Council of 3 March 2003; Regulation (EC) No. 1882/2003<sup>5</sup> of the European Parliament and of the Council of 29 September 2003; Directive 2009/30/EC<sup>6</sup> of the European Parliament and of the Council of 23 April 2009, Commission Directive 2011/63/EU<sup>7</sup> of 1 June, 2011; Commission Directive 2014/77/EU<sup>8</sup> of 10 June 2014; Directive

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<sup>1</sup> OJ L2413 31.10.2023, p1

<sup>2</sup> OJ L350, 28.12.1998, p58-68

<sup>3</sup> OJ L287, 14.11.2000, p46-50

<sup>4</sup> OJ L076, 22.03.2003, p10-19

<sup>5</sup> OJ L284, 31.10.2003, p1-53

<sup>6</sup> OJ L140, 5.6.2009, p88-113

<sup>7</sup> OJ L147, 2.6.2011, p15-16

<sup>8</sup> OJ L170, 11.6.2014, p62-63

2015/1513<sup>9</sup> of the European Parliament and of the Council of the 9 September 2015; Regulation (EU) 2018/1999<sup>10</sup> of the European Parliament and of the Council of the 11 December 2018 and Directive (EU) 2023/2413<sup>1</sup> of the European Parliament and of the Council of 18 October 2023.

“Annex II to Directive 98/70/EC<sup>2</sup> as amended” means Annex II of Directive 98/70/EC<sup>2</sup> of the European Parliament and of the Council of 13 October 1998 as amended by Commission Directive 2000/71/EC<sup>3</sup> of 7 November 2000; Directive 2003/17/EC<sup>4</sup> of the European Parliament and of the Council of 3 March 2003; Regulation (EC) No. 1882/2003<sup>5</sup> of the European Parliament and of the Council of 29 September 2003; Directive 2009/30/EC<sup>6</sup> of the European Parliament and of the Council of 23 April 2009, Commission Directive 2011/63/EU<sup>7</sup> of 1 June, 2011, Commission Directive 2014/77EU<sup>8</sup> of 10 June 2014; Directive 2015/1513<sup>9</sup> of the European Parliament and of the Council of the 9 September 2015; Regulation (EU) 2018/1999<sup>10</sup> of the European Parliament and of the Council of the 11 December 2018 and Directive (EU) 2023/2413<sup>1</sup> of the European Parliament and of the Council of 18 October 2023.

“Directive 98/70/EC as amended” means Directive 98/70/EC<sup>2</sup> of the European Parliament and of the Council of 13 October 1998 as amended by Commission Directive 2000/71/EC<sup>3</sup> of 7 November 2000; Directive 2003/17/EC<sup>4</sup> of the European Parliament and of the Council of 3 March 2003; Regulation (EC) No. 1882/2003<sup>5</sup> of the European Parliament and of the Council of 29 September 2003; Directive 2009/30/EC<sup>6</sup> of the European Parliament and of the Council of 23 April 2009, Commission Directive 2011/63/EU<sup>7</sup> of 1 June, 2011; Commission Directive 2014/77EU<sup>8</sup> of 10 June 2014 and Directive 2015/1513<sup>9</sup> of the European Parliament and of the Council of the 9 September 2015; Regulation (EU) 2018/1999<sup>10</sup> of the European Parliament and of the Council of the 11 December 2018 and Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023.

“Directive 2009/30/EC<sup>6</sup>” means Directive 2009/30/EC<sup>6</sup> of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC<sup>2</sup> as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions and amending Council Directive 1999/32/EC<sup>11</sup> as regards the specification of fuel used by inland waterway vessels and repealing Directive 93/12/EEC;

“distributing” means the distribution of petrol or diesel fuels for consumption in road transport or the distribution of gas oils intended for use by non-road mobile machinery (including inland waterway vessels when not at sea), agricultural and forestry tractors, and recreational craft (when not at sea) from the point of first production in the State or first importation into the State;

“market” means to distribute to or sell by wholesale or retail at a service station petrol or diesel fuels or to distribute to or sell by wholesale or retail at any premises gas oils for use by non-road mobile machinery, (including inland waterway vessels), agricultural and forestry tractors, and recreational craft;

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<sup>9</sup> OJ L239, 15.9.2015, p1

<sup>10</sup> OJ L328, 21.12.2018, p1

<sup>11</sup> OJ L121, 11.5.1999, p13-18

“service station” means any premises used, or intended to be used, for the sale of petrol or diesel fuel to the public;

(2) In these Regulations—

- (a) any reference to an Annex which is not otherwise identified is a reference to an Annex to Directive 98/70/EC<sup>2</sup> as amended, including any footnotes or other requirements specified therein, and, for the avoidance of doubt, includes amendments to the Annexes adopted in accordance with the procedures specified in Article 10 of Directive 98/70/EC<sup>2</sup> as amended; and
- (b) a letter, word, phrase or symbol which has been assigned a meaning by Directive 98/70/EC<sup>2</sup> as amended or is used in Directive 98/70/EC<sup>2</sup> as amended, has that meaning where the context requires except where otherwise indicated.

***Scope***

4. These regulations set, in respect of road vehicles, and non-road mobile machinery, including inland waterway vessels when not at sea, agricultural and forestry tractors, and recreational craft when not at sea, technical specifications on health and environmental grounds for fuels to be used with positive ignition and compression-ignition engines, taking account of the technical requirements of those engines.

***Environmental Specifications for Petrol***

5. (1) A person shall not market petrol in the State unless it complies with the environmental specifications set out in Article 3 and in Annex I to Directive 98/70/EC as amended.

(2) A person shall not sell or market leaded petrol within the state.

(3) Persons or companies distributing petrol in the State shall ensure the provision of appropriate information to consumers concerning the biofuel content of petrol and, in particular, on the appropriate use of different blends of petrol.

(4) Notwithstanding the generality of paragraph (2) suppliers of petrol may market small quantities of leaded petrol with a lead content not exceeding 0,15 g/l, to a maximum of 0.03% of total sales, to be used by old vehicles of a characteristic nature and to be distributed through special interest groups.

***Environmental Specifications for Diesel Fuels***

6. (1)(a) A person shall not market diesel fuel in the State unless it complies with the environmental specifications set out in Article 4 and in Annex II to Directive 98/70/EC<sup>2</sup> as amended

(b) Suppliers shall ensure the placing on the market of diesel with a fatty acid methyl ester (FAME) content of up to 7%.

(2) Persons or companies distributing diesel fuels in the State shall ensure the provision of appropriate information to consumers concerning the biofuel, in particular the fatty acid methyl ester, content of diesel fuels.

#### ***Environmental Specifications for Gas Oils***

7. (1) A person shall not market in the State gas oils intended for use by non-road mobile machinery (including inland waterway vessels), agricultural and forestry tractors, and recreational craft, the sulphur content of which exceeds 10 mg/kg.

(2) Notwithstanding Regulation 7(1), gas oils intended for use by non-road mobile machinery (including inland waterway vessels), agricultural and forestry tractors, and recreational craft are permitted to have a sulphur content of up to a maximum of 20 mg/kg at the final point of distribution to end users to accommodate minor contamination in the supply chain.

(3) Liquid fuels other than those gas oils referred to in paragraph (1) may be used in inland waterway vessels and recreational craft only if the sulphur content of those liquid fuels does not exceed the maximum permissible content of those gas oils.

(4) This Regulation does not apply to inland waterway vessels when at sea or recreational craft when at sea.

#### ***Free Circulation of Fuels***

8. A person shall not be prohibited, restricted or prevented from placing on the market in the State petrol, diesel fuels or gas oils which comply with the requirements of these Regulations.

#### ***Change in Supply of Crude Oils***

9. Any application by the Minister pursuant to Article 7 of the Directive and the decision of the Commission in respect of said application shall be published online on the Department's webpage as soon as is reasonably practicable after the making of said decision.

#### ***Monitoring Compliance and Reporting –***

10. (1) Compliance with the requirements of Regulation 5 and 6 in respect of petrol and diesel fuels, shall be on the basis of the analytical methods referred to in Annex I and II to the Directive respectively.

(2) The fuel quality monitoring system in place shall be in accordance with requirements of the relevant European standard.

(3) Each year by 31 August the Minister shall submit a report on national fuel quality data for the preceding calendar year in accordance with the common format for the submission established by the Commission by means of an implementing act adopted in accordance with the examination procedure referred to in Article 11(3) of the Directive.

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- (4) The report prepared in accordance with paragraph (3) shall report on
- (a) the total volumes of petrol and diesel fuels marketed with a maximum sulphur content of 10 mg/kg; and
  - (b) on the availability of, on an appropriately balanced geographical basis, of the petrol and diesel fuels with a maximum sulphur content of 10mg/kg that are marketed within the State.
- (5) An authorised person may take, at any place in the State, a sample of petrol, diesel fuels or gas oils for the purposes of these Regulations.
- (6) The authorised person taking a sample shall—
- (a) notify forthwith an appropriate person that a sample is so taken; and
  - (b) if so required by the appropriate person at the time of the giving of the notification, divide the sample into two parts, seal and mark each part and leave one part with the appropriate person.
- (7) In this Regulation “appropriate person” means the owner of, or any person who appears for the time being in charge of, the premises at which the sample is taken.

***Metallic Additives in Fuel***

11. (1) A person shall not market fuel with a methylcyclopentadienyl manganese tricarbonyl (MMT) content that exceeds 2 mg of manganese per litre.
- (2) A label which designates the metallic content of fuel shall be displayed at any point where fuel containing metallic additives is made available to consumers.
- (a) The label shall—
    - (i) contain the following text “Contains metallic additives”;
    - (ii) be attached to the place where information indicating the type of fuel is displayed, in a clearly visible position;
    - (iii) be of a size and font that is clearly visible and easily legible.

***Offences***

12. Any person who contravenes any provision of these Regulations shall be guilty of an offence.

***Offences by bodies corporate***

13. (1) Where an offence under these Regulations has been committed by a body corporate and is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of a person being a director, manager, secretary or other similar officer of the body corporate, or a person who was purporting to act in any such capacity, that person as well as the

body corporate shall be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(2) Where the affairs of a body corporate are managed by its members, paragraph (1) shall apply in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director of the body corporate.

### ***Prosecutions***

14. A prosecution for a summary offence under these Regulations may be taken by an authorised person.

### ***Penalties***

15. A person guilty of an offence under these Regulations is liable on summary conviction to a Class A fine or imprisonment for a term not exceeding 3 months or both.

### **Revocation**

16. The following are hereby revoked-

- (i) European Communities Act 1972 (Environmental Specifications for Petrol, Diesel Fuels, and Gas Oils for use by Non-Road Mobile Machinery, including Inland Waterway Vessels, Agricultural and Forestry Tractors and Recreational Craft) Regulations 2011 (S.I. No 155 of 2011).
- (ii) European Communities Act 1972 (Environmental Specifications for Petrol, Diesel Fuels, and Gas Oils for use by Non-Road Mobile Machinery, including Inland Waterway Vessels, Agricultural and Forestry Tractors and Recreational Craft) (Amendment) Regulations 2012 (S.I. No 176 of 2012).
- (iii) European Communities Act 1972 (Environmental Specifications for Petrol, Diesel Fuels, and Gas Oils for use by Non-Road Mobile Machinery, including Inland Waterway Vessels, Agricultural and Forestry Tractors and Recreational Craft) (Amendment) Regulations 2015 (S.I. No 236 of 2015).



L.S.

GIVEN under the Official Seal of the Minister for the Environment, Climate and Communications,  
8 April, 2025.

DARRAGH O'BRIEN,  
Minister for the Environment, Climate and  
Communications.

#### EXPLANATORY NOTE

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

These Regulations transpose Directive EU 2023/2413<sup>1</sup> of the European Parliament and of the Council of 18 October 2023 amending Directive 98/70/EC<sup>2</sup> as regards the specification of petrol, diesel and gas-oil.

This Regulation repeals and replaces the European Communities Act, 1972 (Environmental Specifications for Petrol, Diesel Fuels and Gas Oils for use by non-road mobile machinery, including inland waterway vessels, agricultural and forestry tractors and recreational craft) Regulations 2011 (as amended).

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
BÓTHAR BHAILE UÍ BHEOLÁIN,  
CILL MHAIGHNEANN,  
BAILE ÁTHA CLIATH 8,  
D08 XAO6

Tel: 046 942 3100  
r-phost: publications@opw.ie

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DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
MOUNTSHANNON ROAD,  
KILMAINHAM, DUBLIN 8,  
D08 XAO6

Tel: 046 942 3100  
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ISBN 978-1-3993-3760-1



€ 3.00

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