L.N. 68 of 2011

MALTA RESOURCES AUTHORITY ACT (CAP. 423)

Petroleum for the Inland (Wholesale) Fuel Market (Amendment) Regulations, 2011

IN exercise of the powers conferred by sub-article (1) of article 28 of the Malta Resources Authority Act, the Minister for Resources and Rural Affairs, after consultation with the Malta Resources Authority has made the following regulations:

Title.

1. (1) The title of these regulations is the Petroleum for the Inland (Wholesale) Fuel Market (Amendment) Regulations, 2011 and they shall be read and construed as one with the Petroleum for the Inland (Wholesale) Fuel Market Regulations, 2007, hereinafter referred to as "the principal regulations".

L.N. 278 of 2007.

(2) Regulations 2, 4 and 6 of these regulations have been notified in terms of Directive 98/34/EC, as amended by Directive 98/48/EC, as transposed by the Notification Procedure Regulations, 2003.

L.N. 373 of 2003.

Amends regulation 2 of the principal regulations.

2. Regulation 2 of the principal regulations shall be amended as follows:

(a) immediately after the definition "competent person" there shall be added the following new definition:

" "diesel fuels" means gas oils falling within CN code 2710 19 41 as defined in Regulation (EEC) 2658/87 and used for self-propelling vehicles;";

(b) immediately after the definition "motor spirit" there shall be added the following new definitions:

" "MSA EN 228" means the requirements and test methods specified by the European Committee for Standardization in relation to the quality of unleaded petrol fuel for automotive use;

"MSA EN 590" means the requirements and test methods specified by the European Committee for Standardization in relation to the quality of diesel fuel for automotive use;"; and

(c) immediately after the definition "person" there shall be added the following new definition:

" "petrol" means any volatile mineral oil intended for the operation of internal combustion positive-ignition engines for the propulsion of vehicles and falling within CN codes 2710 11 41, 2710 11 45, 2710 11 49, 2710 11 51 and 2710 11 59 as defined in Regulation (EEC) 2658/87;".

Amends regulation 12 of the principal regulations.

3. In sub-regulation (1) of regulation 12 of the principal regulations, for the words "aforesaid communication" there shall be substituted the words "communication as aforesaid in sub-regulation (4) of regulation 11".

Substitutes regulation 33 of the principal regulations.

4. For regulation 33 of the principal regulations, there shall be substituted the following:

"Substitution obligation.

33. An authorised provider who is authorised by the Authority to carry out the activity of an importer and, or wholesaler of petroleum shall place on the market as a minimum biofuel amounts as a percentage of the total energy content of MSA EN 228 petrol and MSA EN 590 diesel imported or wholesaled, as provided for in the Sixth Schedule to these regulations. The total amount of biofuel placed on the market shall be calculated using the energy content as listed in the Seventh Schedule to these regulations:

Provided that for the purposes of MSA EN 590 diesel, the fatty acid methyl-ester content of the biofuel amount shall be in compliance with MSA EN 14214:

Provided further that for the purpose of MSA EN 228 petrol, the bioethanol content of the biofuel amount shall be in compliance with MSA EN 15376:

Provided also that the energy content made by biofuels produced from wastes, residues, non-food cellulosic material and ligno-cellulosic material shall be considered to be twice that made by other biofuels.".

Amends the Second Schedule to the principal regulations.

5. In the Second Schedule to the principal regulations the words "0.02c per litre" shall be substituted by the words "€0.001750 per litre".

Adds new Sixth and Seventh Schedules to the principal regulations.

6. Immediately after the Fifth Schedule to the principal regulations, there shall be added the following new Schedules:

VERŻJONI ELETTRONIKA

"SIXTH SCHEDULE

Regulation 33 (1)

Year	Minimum biofuel content as a percentage (%) of the total energy content petroleum placed on the market by an authorised provider who is authorised to carry out the activity of an importer and, or wholesaler of petroleum
2011	1.5 %
2012	2.5 %
2013	3.5 %
2014	4.5 %
2015	5.5 %
2016	6.5 %
2017	7.5 %
2018	8.5 %
2019	9.5 %
2020	10.0 %

SEVENTH SCHEDULE

Regulation 33 (1)

Energy Content of Transport Fuels

Fuel	Energy content by weight (lower calorific value, MJ/kg)	Energy content by volume (lower calorific value, MJ/l)
Bioethanol (ethanol produced from biomass)	27	21
Bio-ETBE (ethyl-tertio-butyl-ether produced on the basis of bioethanol)	36 (of which 37 % from renewable sources)	27 (of which 37 % from renewable sources)
Biomethanol (methanol produced from biomass, to be used as biofuel)	20	16
Bio-MTBE (methyl-tertio-butyl-ether produced on the basis of bio-methanol)	35 (of which 22 % from renewable sources)	26 (of which 22 % from renewable sources)
Bio-DME (dimethylether produced from biomass, to be used as biofuel)	28	19
Bio-TAEE (tertiary-amyl-ethyl-ether produced on the basis of bioethanol)	38 (of which 29 % from renewable sources)	29 (of which 29 % from renewable sources)
Biobutanol (butanol produced from biomass, to be used as biofuel)	33	27
Biodiesel (methyl-ester produced from vegetable or animal oil, of diesel quality, to be used as biofuel)	37	33
Fischer-Tropsch diesel (a synthetic hydrocarbon or mixture of synthetic hydrocarbons produced from biomass)	44	34
Hydrotreated vegetable oil (vegetable oil thermochemically treated with hydrogen)	44	34

Pure vegetable oil (oil produced from oil plants through pressing, extraction or comparable procedures, crude or refined but chemically unmodified, when compatible with the type of engines involved and the corresponding emission requirements)	37	34
Biogas (a fuel gas produced from biomass and/or from the biodegradable fraction of waste, that can be purified to natural gas quality, to be used as biofuel, or wood gas)	50	–
Petrol	43	32
Diesel	43	36

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