

AUSTRALIAN CAPITAL TERRITORY

FLAMMABLE LIQUIDS (AMENDMENT) ORDINANCE 1980

No. 2 of 1980

EXPLANATORY STATEMENT

The Flammable Liquids (Amendment) Ordinance 1980 contains various safety precautions which will be required to be observed at all service stations in the ACT and other places where flammable liquid is dispensed.

The Ordinance, and subsequent proposed amendments to the Flammable Liquids Regulations, incorporates the recommendations made by the Coroner in his report on the deaths of three people in a fire at the Esso Carwash Braddon, ACT, on 12.8.77. The Ordinance goes further than the Coroner's recommendations and prohibits smoking within hazardous areas in which flammable liquid is dispensed.

Section 20A of the Ordinance defines 'dispensing zone' in relation to premises on which there is installed a dispensing pump, as that area within three metres, measured in any plane, of the pump, and, where flammable liquid is being transferred by means of the pump into the fuel tank of a vehicle or vessel or any other receptacle, that area within three metres, measured in any plane, of that vehicle, vessel or receptacle.

Section 20C(1) makes it an offence for a person, in a dispensing zone, to remove the cap of a fuel tank of a vehicle or vessel while the engine of that vehicle or vessel is running, or open or close an electrical switch on such a vehicle or vessel unless the cap of its fuel tank is properly attached. Section 20C(2) makes it an offence to transfer flammable liquid, in a dispensing zone, into the fuel tank of a vehicle or vessel while its engine is running.

Section 20C(3) creates an offence if a person in a dispensing zone transfers flammable liquid into the fuel tank of a vehicle or vessel or into any other receptacle while there is within the dispensing zone any of the following:

- . a naked fire or flame;
- . a lighted cigarette, cigar or pipe;
- . any burning or smouldering substance;
- . a heater in a condition in which it is capable of igniting flammable liquid or its vapour; or
- . any article or substance capable of igniting spontaneously.

Section 20C(4) makes it an offence for a person in a dispensing zone to strike a match or operate any device capable of producing a spark or flame, ignite any substance, or have in his possession a lighted cigarette, cigar or pipe.

Section 20C(5) creates an offence if a person takes into a dispensing zone a naked fire or flame, any burning or smouldering substance, a heater, or any article or substance capable of igniting spontaneously.

Section 20D provides that where the provisions of proposed section 20C are not complied with, both the occupier of the premises and the person contravening the section shall be guilty of an offence and liable to a fine not exceeding \$500.

Section 20E requires the occupier of premises on which there is installed a dispensing pump to ensure that at all times there is clearly visible to any person entering the premises a sign directing persons to refrain from smoking and to switch off their car engines. The penalty for failing to display such signs is a fine of \$500 as is the penalty for failure to obey it.

Section 20F requires the occupier of premises on which there is installed a dispensing pump to keep on the premises fire extinguishers in accordance with the requirements of Rule 9.4 of Australian Standard 1940 as published on 1.9.76. Failure to adhere to this requirement will attract a penalty of \$500.

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