

No. 8 of 1971

AN ORDINANCE

To amend the *Inflammable Liquids Ordinance 1940-1966*.

I THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1970*.

Dated this second day of March, 1971.

PAUL HASLUCK
Governor-General.

By His Excellency's Command,

RALPH J. HUNT
Minister of State for the Interior.

INFLAMMABLE LIQUIDS ORDINANCE 1971

1.—(1.) This Ordinance may be cited as the *Inflammable Liquids Ordinance 1971*.^{*} Short title and citation.

(2.) The *Inflammable Liquids Ordinance 1940-1966*† is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Inflammable Liquids Ordinance 1940-1971*.

2. This Ordinance shall come into operation on a date to be fixed by the Minister by notice in the *Gazette*. Commencement.

3. Section 3A of the Principal Ordinance is repealed and the following section inserted in its stead:—

“3A.—(1.) The regulations in force in the State of New South Wales under the *Inflammable Liquid Act, 1915-1965*, of that State on the date of commencement of the *Inflammable Liquids Ordinance 1971*, are, so far as they are applicable to the circumstances of the Territory and are not inconsistent with this Ordinance or with regulations made under this Ordinance, and subject to such modifications, amendments and exceptions as are prescribed, adopted as, and shall be deemed to be, regulations made under this Ordinance. Adoption of New South Wales regulations.

“(2.) The regulations adopted by the last preceding sub-section may, in their application in the Territory, be modified, amended or repealed by regulations made under this Ordinance.

^{*} Notified in the *Commonwealth Gazette* on 4 March 1971.

† Ordinance No. 19, 1940, as amended by No. 7, 1941; and No. 19, 1966.

“(3.) In the application in the Territory of the regulations adopted by sub-section (1.) of this section, a reference in those regulations to the Chief Inspector shall be read as a reference to the Secretary.”.

4. Section 4 of the Principal Ordinance is repealed and the following section inserted in its stead:—

Parts.

“4. This Ordinance is divided into Parts, as follows:—

Part I.—Preliminary (Sections 1-8).

Part II.—Administration (Sections 9-13).

Part III.—Keeping of Inflammable Liquid and Dangerous Goods (Sections 14-20A).

Part IIIA.—Procedures for Securing Compliance with Ordinance (Sections 20B-20E).

Part IV.—Marking of Packages (Section 21).

Part V.—Conveyance of Inflammable Liquid and Dangerous Goods (Sections 22-22A).

Part VA.—Oil Pipe-lines (Section 22B).

Part VI.—Testing (Sections 23-26).

Part VII.—Legal Proceedings (Sections 27-32).

Part VIII.—Miscellaneous (Sections 33-35).”.

Definitions.

5. Section 5 of the Principal Ordinance is amended—

(a) by omitting the definitions of “Chief Inspector” and “dangerous goods” and inserting in their stead the following definition:—

“‘dangerous goods’ means a substance declared by the Minister, by notice in the *Gazette*, to be dangerous goods for the purposes of this Ordinance;”

(b) by omitting from the definition of “depot” the words “Chief Inspector” and inserting in their stead the word “Secretary”;

(c) by omitting the definition of “highly combustible goods”;

(d) by adding at the end of the definition of “inflammable liquid” the words “, but does not include—

(a) ethyl alcohol which has been methylated by the addition of mineral spirit not exceeding five per centum in quantity of the resultant mixture; or

(b) a manufactured product which contains inflammable liquid but which the Minister, by notice in the *Gazette*, declares not to be inflammable liquid for the purposes of this Ordinance”;

(e) by omitting the definition of “Licensing Officer”;

- (f) by inserting after the definition of “ occupier ” the following definition:—

“ ‘ oil pipe-line ’ means a pipe-line used for transmitting inflammable liquid, dangerous goods or liquid derived from petroleum, shale or coal and includes the hoses, valves, fittings and appliances used in connexion with such a pipe-line;”;

- (g) by omitting the definition of “ protected work ” and inserting in its stead the following definition:—

“ ‘ protected work ’ means—

- (a) a building in which a person dwells;
- (b) a building in which persons are accustomed to assemble for the purpose of public concourse, public religious worship, public entertainment or amusement, education or discussion;
- (c) a public office;
- (d) a store, warehouse or building in which persons are employed for the purpose of trade or business, not being a store, warehouse or building situated on premises which are a licensed store;
- (e) a dock, wharf or timber yard and that part of a harbour or port where it is customary for ships to berth, moor or lie;
- (f) a depot in which inflammable liquid is, or dangerous goods are, kept; and
- (g) any other place declared by the Minister, by notice in the *Gazette*, to be a protected work for the purposes of this Ordinance;”;

- (h) by adding at the end of the definition of “ registered ” the words “ or dangerous goods ”;

- (i) by omitting the definition of “ screen wall ” and inserting in its stead the following definition:—

“ ‘ screen wall ’ means a wall of such material and so constructed and placed as to prevent the penetration of vapour through the wall and the spread of fire from any place on one side of the wall to any place on the other side of the wall and, in relation to an underground depot, means material that so covers and surrounds the depot as to prevent vapour penetrating through the material and a fire outside the depot from spreading into the depot and a fire inside the depot from spreading outside the depot;”;

- (j) by inserting after the definition of “ ship ” the following definitions:—

“ ‘ store ’ includes a bonded store, a free store and a bonded and free store;

“ ‘ the City Area ’ means the area that is for the time being the City Area for the purposes of the *City Area Leases Ordinance 1936-1969* ;” and

(k) by inserting after the definition of “ the Minister ” the following definition:—

“ ‘ the Secretary ’ means—

- (a) the Secretary to the Department of the Interior; or
- (b) a person authorized by the Secretary to the Department of the Interior, by instrument in writing, to perform the functions, and exercise the powers, vested in him by this Ordinance;”.

6. Section 6 of the Principal Ordinance is repealed and the following section inserted in its stead:—

Application of Ordinance.

“ 6. The Minister may, by notice in the *Gazette*, declare that this Ordinance shall not apply in a part of the Territory specified in the notice and, until the notice is revoked, this Ordinance shall not apply in that part of the Territory.”.

Flashing point of inflammable liquid or dangerous goods.

7. Section 8 of the Principal Ordinance is amended by inserting after the words “ inflammable liquid ” the words “ or dangerous goods ”.

Appointment of inspectors.

8. Section 9 of the Principal Ordinance is amended—

(a) by omitting sub-section (1.) and inserting in its stead the following sub-section:—

“ (1.) The Minister may appoint such Inspectors of Inflammable Liquids as he thinks fit.”; and

(b) by omitting sub-section (3.).

Powers of inspector.

9. Section 11 of the Principal Ordinance is amended—

(a) by inserting after the words “ inflammable liquid ” (wherever occurring) the words “ or dangerous goods ”;

(b) by omitting from paragraph (d) the words “ liquid is contained,” and inserting in their stead the words “ inflammable liquid is contained, or in which those dangerous goods are contained,”;

(c) by omitting from paragraph (d) the words “ that liquid ” (last occurring) and inserting in their stead the words “ that inflammable liquid or those dangerous goods ”; and

(d) by adding at the end thereof the following sub-sections:—

“ (2.) Where an inspector is satisfied that, by reason of—

(a) the manner in which a licensed store is, or registered premises are, constructed;

(b) the state of repair of the store or premises; or

- (c) the manner in which inflammable liquid is, or dangerous goods are, kept in the store or premises,

there is imminent danger of fire or explosion in respect of the store or premises, the inspector may take such measures as, in his opinion, are reasonable and necessary to avoid or reduce the danger.

“ (3.) Without limiting the generality of the last preceding sub-section, the powers of an inspector under that sub-section include—

- (a) the giving of directions to persons who are in or upon, or who are concerned in the conduct or management of, a licensed store or premises;
- (b) the closing of the store or premises;
- (c) the control of the operation of machinery or equipment in or upon the store or premises; and
- (d) the removal of inflammable liquid or dangerous goods from the premises or store or from a part of the premises or store.

“ (4.) A person who is in or upon, or is concerned in the conduct or management of, a licensed store or registered premises, shall comply with any direction given to him, under sub-section (2.) of this section, by an inspector.

Penalty: one hundred dollars.”.

10. Section 13 of the Principal Ordinance is amended by omitting all words after the word “ default ”. Protection to inspector.

11. Section 14 of the Principal Ordinance is amended— Licences to keep inflammable liquid and dangerous goods.

- (a) by omitting the words “ Licensing Officer ” and inserting in their stead the word “ Secretary ”;
- (b) by omitting all the words from and including the word “ prescribed ” and inserting in their stead the words “ prescribed, grant a licence in respect of a store, or register premises, for the keeping of—
- (a) inflammable liquid;
- (b) dangerous goods; or
- (c) inflammable liquid and dangerous goods ”; and
- (c) by adding at the end thereof the following sub-section:—

“ (2.) A licence in respect of a store shall not be granted, and premises shall not be registered, under the last preceding sub-section if, in the opinion of the Minister, the grant of the licence, or the registration of the premises, would, on account of the location of the site of the store or premises or for any other reason, be contrary to the interests or safety of the public.”.

12. Sections 15 to 20 (inclusive) of the Principal Ordinance are repealed and the following sections inserted in their stead:—

Keeping inflammable liquid without licence.

“ 15.—(1.) Subject to sub-section (3.) of this section, a person shall not keep inflammable liquid on any land, ship or boat except in a licensed store or in registered premises.

Penalty: Two hundred dollars.

“ (2.) Where inflammable liquid is kept on any land, ship or boat in contravention of the last preceding sub-section by a person not being the occupier of the land or the master of the ship or boat, as the case may be, that occupier or master is also guilty of an offence and is punishable, upon conviction, by a fine not exceeding Two hundred dollars.

“ (3.) The provisions of sub-section (1.) of this section do not apply—

(a) to the keeping of inflammable liquid in vessels or drums in accordance with the next succeeding sub-section in a quantity not exceeding—

- (i) two hundred and fifty gallons of mineral oil, if the mineral oil is kept separated by a screen wall from any mineral spirit that is kept within a distance of fifty feet from it;
- (ii) sixteen gallons of mineral spirit; and
- (iii) with the approval of the Secretary, five hundred gallons of inflammable liquid of any kind if it is kept at a place outside the City Area, for private use only and in underground tanks in accordance with the regulations or aboveground and separated by a distance of at least one hundred feet from every thoroughfare or building other than the building, if any, in which it is kept; or

(b) to the keeping of any quantity of inflammable liquid—

- (i) that is being conveyed on a ship, boat or carriage in accordance with this Ordinance; or
- (ii) that is in the fuel tank attached to or forming part of a ship, boat, carriage, aircraft or plant and is used only in connexion with the propulsion or driving of the ship, boat, carriage, aircraft or plant.

“ (4.) For the purposes of the last preceding sub-section the vessels or drums in which inflammable liquid may be kept are—

- (a) substantial vessels of metal, or other prescribed material, each vessel being so securely closed and stopped that neither liquid nor vapour can escape from the vessel; or
- (b) steel drums, or drums made of other prescribed material, each drum being fitted with a pressure relief valve, or a similar device, of a type approved by the Secretary.

“ 16.—(1.) A person shall not keep dangerous goods on any land, ship or boat except—

Keeping dangerous goods.

- (a) in a licensed store or in registered premises; or
- (b) in such quantities and subject to such conditions as are prescribed.

Penalty: Two hundred dollars.

“ (2.) Where dangerous goods are kept on any land, ship or boat in contravention of the last preceding sub-section by a person not being the occupier of the land or the master of the ship or boat, as the case may be, that occupier or master is also guilty of an offence and is punishable, upon conviction, by a fine not exceeding Two hundred dollars.

“ 17.—(1.) A person shall not keep in registered premises a quantity of inflammable liquid exceeding—

Registered premises.

- (a) where the liquid is mineral oil—
 - (i) eight hundred gallons, if the mineral oil is kept not less than fifty feet distant from any mineral spirit or is kept less than fifty feet distant from mineral spirit but the mineral spirit is separated from the mineral oil by a screen wall or either the mineral spirit or the mineral oil is kept in a prescribed underground tank depot; or
 - (ii) three hundred gallons in any other case; or
- (b) where the liquid is mineral spirit—
 - (i) five hundred gallons, if the mineral spirit is kept in a prescribed underground tank depot; or
 - (ii) one hundred gallons in any other case.

Penalty: Two hundred dollars.

“ (2.) Where inflammable liquid is kept in registered premises in contravention of this section by a person not being the occupier of the premises, the occupier is also guilty of an offence and is punishable, upon conviction, by a fine not exceeding Two hundred dollars.

“ 18.—(1.) A person keeping inflammable liquid in registered premises, and a person in or about registered premises in which inflammable liquid is kept, shall comply with, and cause to be complied with, the following requirements:—

General rules as to registered premises.

- (a) subject to the next succeeding sub-section, inflammable liquid which is kept in the premises, except so much inflammable liquid as is withdrawn for immediate use, shall be kept in a thoroughly ventilated depot;
- (b) a depot shall not be used for keeping goods or things except—
 - (i) inflammable liquid and the packages in which the inflammable liquid is contained;
 - (ii) such goods and things as are, by or under this Ordinance, permitted to be kept in a depot with inflammable liquid; and

- (iii) such other goods and things of the nature, and not exceeding the quantity, approved in writing by the Secretary;
- (c) a depot shall have an effective covering or roof constructed of metal, sand, slate or other unflammable material;
- (d) a depot shall not be situated within, or be attached to, a dwelling or a building in which persons assemble for the purpose of public concourse, public religious worship, public entertainment or amusement, education or discussion unless—
 - (i) the walls and roof of the depot are constructed of brick, concrete, masonry or other unflammable material approved by the Secretary or a screen wall separates the dwelling or building from the depot; and
 - (ii) the only entrance to the depot is an entrance from the open air separate and distinct from every entrance to the dwelling or building;
- (e) a depot shall not be situated within fifty feet of a fire, forge, furnace, explosive or other source of danger, unless the depot is separated from the fire, forge, furnace, explosive or other source of danger by a screen wall;
- (f) a depot shall, in other respects, be situated and constructed as prescribed;
- (g) an explosive, a thing liable to spontaneous ignition or combustion, a fire or a light (not being an artificial light of the construction and kind prescribed) shall not be placed, brought or allowed to remain within fifty feet of a depot or place where a vessel containing inflammable liquid is being kept or is in the course of conveyance in the premises, unless the inflammable liquid is separated from the explosive, thing, fire or light by a screen wall;
- (h) the inflammable liquid shall be kept in—
 - (i) steel drums, or closed vessels constructed of metal or other prescribed material, so constructed and maintained as to prevent the leakage of liquid or vapour from the drums or vessels; or
 - (ii) steel drums fitted with a pressure relief valve, or similar device, of a type approved by the Secretary;
- (i) a package containing inflammable liquid shall be marked or labelled in accordance with the provisions of Part IV. of this Ordinance;
- (j) inflammable liquid, not being inflammable liquid which is kept in premises elsewhere than in a prescribed underground tank depot in pursuance of the next succeeding subsection, shall—
 - (i) be taken to a depot immediately it is received upon the premises; and

- (ii) unless it is required for immediate use in the premises, be removed from the premises immediately it is taken from a depot;
- (k) inflammable liquid shall not be received upon, or delivered from, the premises between the hours of sunset and sunrise, unless an artificial light of the prescribed construction and kind is used;
- (l) a vessel containing inflammable liquid shall not be opened in the premises except at or immediately adjoining the depot in which it is kept and for the time necessary to draw off the inflammable liquid, and, during the drawing off, every reasonable precaution shall be taken to prevent the escape of inflammable liquid or vapour from the vessel;
- (m) inflammable liquid shall not be conveyed in or about the premises except in a closed vessel or by means of closed pipes so constructed and connected as to be entirely free from leakage;
- (n) a person under the age of fifteen years shall not be allowed inside a depot;
- (o) a person shall not smoke in, or bring matches into, a depot;
- (p) a sufficient number of boxes of sand, or other prescribed material, shall be kept so distributed in the premises as to be immediately available to throw on, and check the flow of, inflammable liquid that may be spilled or ignited;
- (q) if the Secretary so directs, chemical extinguishers of the foam type, or of such other type as the Secretary approves, and such other fire-fighting equipment as the Secretary considers necessary, shall be kept immediately available for use in the premises;
- (r) all due precautions (whether prescribed or not) shall be taken, and workmen and employees shall be adequately supervised, in order to prevent accidents, whether by fire, explosion or otherwise, and a person shall not do any act that tends to cause any such accident;
- (s) all due precautions (whether prescribed or not) shall be taken to prevent access by unauthorized persons to the inflammable liquid kept in the premises;
- (t) a statement of the maximum quantity of inflammable liquid permitted to be in a depot and a copy of such parts of this Ordinance and of the regulations in force under this Ordinance as the Secretary requires, shall be kept constantly affixed to, or adjacent to, the depot in such a manner as to be easily readable;
- (u) vessels which have been emptied of inflammable liquid shall immediately be closed so as to prevent the escape of vapour or removed to a safe place away from a depot; and

- (v) the area surrounding a depot which is detached from another building shall be kept clear of dry grass, undergrowth and other combustible material.

“(2.) Where inflammable liquid is kept in registered premises in a prescribed underground tank depot, quantities of inflammable liquid, not exceeding the quantities specified in paragraph (a) of sub-section (3.) of section fifteen of this Ordinance, may, with the approval of an inspector, also be kept elsewhere in the registered premises.

“(3.) Where, in respect of any inflammable liquid in registered premises, a requirement of sub-section (1.) of this section is not complied with—

- (a) the occupier of the premises;
- (b) a person who has contravened or failed to comply with the requirement; and
- (c) a person who, being liable to cause the requirement to be complied with, has not caused it to be complied with,

are each guilty of an offence and each is punishable, upon conviction, by a fine not exceeding Two hundred dollars.

Cancellation
of registration
on conviction.

“19. Where a person is convicted of an offence against either of the last two preceding sections, the court by which he is convicted may, in addition to imposing the penalty prescribed for that offence, cancel the registration of the premises in relation to which the offence was committed.

Conditions as
to licensing
stores.

“20.—(1.) Subject to the next succeeding sub-section, a licence shall not be granted in respect of a store unless—

- (a) the store includes at least one depot;
- (b) each depot in the store has an effective covering or roof of metal, sand, slate or other unflammable material;
- (c) each depot in the store is so situated as not to be within fifty feet of any fire, forge, furnace, explosive or other source of danger unless a screen wall intervenes between the fire, forge, furnace, explosive or other source of danger and every place where inflammable liquid is kept;
- (d) each depot in the store is separated, as prescribed, from every protected work; and
- (e) each depot in the store is, in other respects, situated and constructed as prescribed.

“(2.) The provisions of paragraph (b) of the last preceding sub-section do not apply in relation to a depot (not being an underground depot) exempted by the Secretary from the requirements of that paragraph, if the inflammable liquid in the depot is kept in prescribed receptacles under such conditions as the Secretary directs.

“(3.) Buildings and places which adjoin one another and are occupied together shall be deemed to be one store and shall be included in the one licence.

“20A.—(1.) A person keeping inflammable liquid in a licensed store, and a person in or about a licensed store, shall comply with, and cause to be complied with, the requirements specified in paragraphs (h) to (p) (inclusive), and (r) to (v) (inclusive), of sub-section (1.) of section eighteen of this Ordinance and with the following additional requirements:—

General rules
as to licensed
stores.

- (a) subject to the next succeeding sub-section, inflammable liquid which is kept in a licensed store, except so much as is withdrawn for immediate use, shall be kept in a depot;
- (b) a depot shall not be used for keeping goods or things except—
 - (i) inflammable liquid and the packages in which the inflammable liquid is contained;
 - (ii) such goods and things as are, by or under this Ordinance, permitted to be kept in a depot with inflammable liquid; and
 - (iii) such other goods and things of the nature, and not exceeding the quantity, approved in writing by the Secretary;
- (c) an explosive, a thing liable to spontaneous ignition or combustion, a fire or a light (not being an artificial light of the construction and kind prescribed) shall not be placed, brought or allowed to remain within fifty feet of a depot or of any inflammable liquid in the store unless the depot or inflammable liquid is separated from the explosive, thing, fire or light by a screen wall;
- (d) the prescribed number of chemical extinguishers of the foam type, or of such other type as the Secretary approves, and such other fire-fighting equipment as the Secretary requires, shall be kept immediately available for use in the store; and
- (e) a reliable adult person shall, if required by the Secretary, be employed as a watchman in the store during such hours as the Secretary specifies.

“(2.) Where inflammable liquid is kept in a licensed store in a prescribed underground tank depot, quantities of inflammable liquid, not exceeding the quantities specified in paragraph (a) of sub-section (3.) of section fifteen of this Ordinance, may, with the approval of an inspector, also be kept elsewhere in the licensed store.

“(3.) Where, in respect of any inflammable liquid in a licensed store, a requirement of sub-section (1.) of this section is not complied with—

- (a) the occupier of the store;
 - (b) a person who has contravened or failed to comply with the requirement; and
 - (c) a person who, being liable to cause the requirement to be complied with, has not caused it to be complied with,
- are each guilty of an offence and each is punishable, upon conviction, by a fine not exceeding Two hundred dollars.

“(4.) Where a person is convicted of an offence against this section, the court by which he is convicted may, in addition to imposing the penalty prescribed for that offence, cancel the licence granted in respect of the store in relation to which the offence was committed.”.

13. After Part III. of the Principal Ordinance the following Part is inserted:—

“PART IIIA.—PROCEDURES FOR SECURING COMPLIANCE WITH
ORDINANCE.

Inspector may
serve notice.

“20B.—(1.) Where an inspector is of opinion that—

- (a) a provision of this Ordinance or of the regulations in force under this Ordinance has not been complied with in relation to a licensed store or registered premises;
- (b) a licensed store has ceased to comply with any of the conditions specified in paragraphs (a) to (e) (inclusive) of sub-section (1.) of section twenty of this Ordinance; or
- (c) there is a danger of explosion or fire by reason of—
 - (i) the manner in which a licensed store is, or registered premises are, constructed;
 - (ii) the state of repair of a licensed store or registered premises; or
 - (iii) the manner of keeping inflammable liquid or dangerous goods in a licensed store or registered premises,

he may serve on the occupier of the store or premises a notice requiring the occupier, within such period (being a period of not less than seven days) as is specified in the notice, to cause the provision of this Ordinance or the regulations to be complied with, to cause the store to comply with the conditions, or to make such alterations or repairs to the store or premises, or to make such alteration in the manner of keeping inflammable liquid or dangerous goods in the store or premises, as are specified in the notice.

“(2.) A notice under this section may be served on the occupier of a store or premises—

- (a) personally; or
- (b) by leaving it at the store or premises with a person apparently not less than sixteen years of age and apparently employed by the occupier.

Court may
set aside or
vary notice.

“20C.—(1.) On an application by a person on whom a notice under sub-section (1.) of the last preceding section has been served, the Court, if it is satisfied that, in all the circumstances of the case, the requirements of the notice are unreasonable, may, by order—

- (a) set aside the notice; or

- (b) vary the notice in such a manner as will, in the opinion of the Court, make the requirements of the notice reasonable requirements.

“(2.) An application for an order under this section shall be made before the end of the period specified in the notice to which the application relates as the period within which the applicant is to comply with the requirements of the notice.

“20D.—(1.) A person served with a notice under sub-section (1.) of section twenty B of this Ordinance, not being a person who has made an application to the Court under the last preceding section, shall not, after the end of the period specified in the notice, keep inflammable liquid or dangerous goods in the store or premises to which the notice relates unless he has complied with the requirements of the notice.

Keeping inflammable liquid, &c., on premises after service of notice.

Penalty: One hundred dollars.

“(2.) Where—

- (a) a notice under sub-section (1.) of section twenty B of this Ordinance is served on a person; and
 (b) on an application made under the last preceding section, the Court varies the notice,

the person shall not, after the end of the period within which he is required to comply with the notice as so varied, keep inflammable liquid or dangerous goods in the store or premises to which the notice relates unless he has complied with the requirements of the notice as so varied.

Penalty: One hundred dollars.

“(3.) Where, on an application under the last preceding section, the Court refuses to make an order under that section in respect of a notice served on a person under sub-section (1.) of section twenty B of this Ordinance, the person shall not, after the end of the period within which he is required to comply with the notice, keep inflammable liquids or dangerous goods in the store or premises to which the notice relates unless he has complied with the requirements of the notice.

Penalty: One hundred dollars.

“(4.) For the purposes of either of the last two preceding sub-sections, the period within which the requirements in a notice are to be complied with shall, unless the Court has varied that period, be deemed by force of this sub-section to have been extended by a number of days equal to the number of days in the period commencing on the date on which the application to the Court was made and ending on the date on which the Court made the order varying the notice or refused to make an order varying the notice, as the case requires.

“20E.—(1.) Where—

- (a) a person, not being a person who has made an application under section twenty C of this Ordinance, has failed to comply with the requirements of a notice under sub-section (1.) of section twenty B of this Ordinance; or

The Secretary may suspend or cancel licence or registration.

- (b) a person who has made an application under section twenty c of this Ordinance in respect of such a notice has—
- (i) in a case where the Court has varied the notice under that section—failed to comply with the requirements of the notice as varied by the Court; or
 - (ii) in a case where the Court has refused to make an order under that section in respect of the notice—failed to comply with the requirements of the notice,

the Secretary may suspend the licence in respect of the store, or the registration of the premises, concerned until that person has complied with the requirements of the notice or may cancel the licence or registration.

“ (2.) If a licence or registration is suspended under the last preceding sub-section, the store ceases to be a licensed store or the premises cease to be registered premises, as the case may be, during the period of the suspension.

“ (3.) Upon the cancellation of a licence or registration under sub-section (1.) of this section, the store ceases to be a licensed store or the premises cease to be registered premises, as the case may be.”

General rules as to marking of packages.

14. Section 21 of the Principal Ordinance is amended by omitting the words “ ‘Mineral oil’ ” and inserting in their stead the words “ ‘Inflammable’ , together with the words ‘Mineral oil’ ”.

Heading to Part V.

15. The heading to Part V. of the Principal Ordinance is amended by adding at the end thereof the words “ AND DANGEROUS GOODS ”.

16. Section 22 of the Principal Ordinance is repealed and the following sections are inserted in its stead:—

General rules as to conveying, loading and unloading inflammable liquid or dangerous goods.

“ 22.—(1.) A person conveying, handling, loading or unloading inflammable liquid or dangerous goods or assisting in any such operation, and every employer of any person engaged in any such operation, shall comply with, and cause to be complied with, the following rules:—

- (a) the inflammable liquid or dangerous goods shall be contained in tanks, vessels or receptacles of metal or other prescribed material—
 - (i) which are constructed and closed as prescribed;
 - (ii) which are so substantially constructed that they are not, except through negligence or accident, liable to be broken or to become defective or insecure in the course of conveyance; and
 - (iii) from which neither inflammable liquid nor dangerous goods can escape either in the form of liquid or vapour or otherwise;
- (b) all due precautions (whether prescribed or not) shall be taken to prevent any of the inflammable liquid or dangerous

goods from escaping or being discharged into any part of a house or building, into the curtilage of a house or building, into a sewer, drain, lake, lagoon or stream of water or into the sea; and

- (c) all due precautions (whether prescribed or not) shall be taken to prevent—
- (i) accidents by fire or explosion;
 - (ii) unauthorized persons from having access to the inflammable liquid or dangerous goods;
 - (iii) any act which tends to cause fire or explosion and which is not reasonably necessary for the purpose of conveying, handling, loading or unloading the inflammable liquid or the dangerous goods or any other article carried with the inflammable liquid or dangerous goods; or
 - (iv) any person from committing an act specified in the last preceding sub-paragraph.

“(2.) Where, in relation to the conveying, handling, loading or unloading of any inflammable liquid or dangerous goods by a person, a requirement of the last preceding sub-section is not complied with—

- (a) the person;
- (b) another person assisting in the conveying, handling, loading or unloading of the inflammable liquid or dangerous goods; and
- (c) an employer of any person engaged in conveying, handling, loading or unloading the inflammable liquid or dangerous goods,

are each guilty of an offence and each is punishable, upon conviction, by a fine not exceeding Two hundred dollars.

“(3.) A person shall not do an act which tends to set fire to, or to cause the explosion of, inflammable liquid or dangerous goods in the course of being conveyed on, loaded on, or unloaded from, a vehicle.

Penalty: Two hundred dollars.

“22A.—(1.) Where the Secretary or a person authorized in writing by him is of opinion that it is in the interests of public safety to do so, he may, by notice in writing, prohibit a person from handling, loading or unloading inflammable liquid, dangerous goods or liquid derived from petroleum, shale or coal on, to or from a boat or ship between the hours of sunset and sunrise on any day during a period specified in the notice.

Handling of inflammable liquid or dangerous goods between sunset and sunrise.

“(2.) A person shall not contravene or fail to comply with, or permit or suffer a person to contravene or fail to comply with, the terms of a notice under this section.

Penalty: Two hundred dollars.”

17. After Part V. of the Principal Ordinance the following Part is inserted:—

“ PART VA.—OIL PIPE-LINES.

Construction,
&c., of oil
pipe-lines.

“ 22B.—(1.) An oil pipe-line shall not be constructed, installed, tested, operated or repaired except in accordance with the regulations.
Penalty: Two hundred dollars.

“ (2.) An inspector may, at any time, inspect an oil pipe-line.

“ (3.) A person who—

(a) owns an oil pipe-line;

(b) operates; or

(c) occupies, or is the agent of the person who occupies, land on which an oil pipeline is situated,

shall, at the request of an inspector, do everything within his power to facilitate inspection of the pipe-line by the inspector and shall answer all questions put to him by the inspector concerning the pipe-line.

Penalty: Two hundred dollars.”.

Standard
model
apparatus for
testing.

18. Section 23 of the Principal Ordinance is amended by inserting in sub-section (1.), after the words “ inflammable liquid ”, the words “ or dangerous goods ”.

Forfeiture on
conviction.

19. Section 27 of the Principal Ordinance is amended by inserting after the words “ inflammable liquid ” the words “ or dangerous goods ”.

Forfeiture
where owner
unknown.

20. Section 28 of the Principal Ordinance is amended—

(a) by inserting after the words “ inflammable liquid ” the words “ or dangerous goods ”; and

(b) by omitting the word “ liquid ” (second and third occurring) and inserting in its stead the words “ inflammable liquid or dangerous goods ”.

Forging stamp.

21. Section 33 of the Principal Ordinance is amended by inserting after the words “ inflammable liquid ” the words “ or dangerous goods ”.

22. After section 34 of the Principal Ordinance the following section is inserted:—

Fire or
explosion in
a licensed store
or registered
premises.

“ 34A. Where an explosion or fire occurs in a licensed store or in registered premises—

(a) the occupier of the store or premises shall forthwith give to the Secretary written notice of the explosion or fire; and

(b) a person shall not, except with the permission of an inspector or except in so far as it is necessary for the purposes of—

(i) extinguishing, or preventing the spread of, a fire;

(ii) rendering aid to a person who is in the licensed store or registered premises; or

(iii) preventing injury to persons or damage to property, move or interfere with anything in the licensed store or in the registered premises.”.

23. Section 35 of the Principal Ordinance is amended—

- (a) by inserting after paragraph (a) the following paragraph:— Regulations.
 “ (aa) the quantities of dangerous goods that may be kept, and the conditions under which dangerous goods may be kept or used, in a licensed store, in registered premises or in any other place;”;
- (b) by inserting in paragraph (b), after the words “ inflammable liquid ” (wherever occurring), the words “ or dangerous goods ”;
- (c) by inserting after paragraph (d) the following paragraph:—
 “ (da) regulating the keeping or storing of inflammable liquid or dangerous goods in, or the delivery or removal of inflammable liquid or dangerous goods from, registered premises, licensed stores or depots;”;
- (d) by inserting after paragraph (i) the following paragraph:—
 “ (ia) regulating the design, materials, situation, construction, installation, testing, maintenance and operation of oil pipe-lines;”;
- (e) by adding at the end thereof the following sub-section:—
 “ (2.) Regulations made under this section for regulating any of the matters specified in paragraph (da) of the last preceding sub-section may make different provision in respect of different classes of registered premises, licensed stores or depots.”.

24. The Schedule to the Principal Ordinance is amended by inserting in the part headed “ VII.—Interpretation ”, after the words “ inflammable liquid ”, the words “ or dangerous goods ”. The Schedule.