



Petroleum (Consolidation) Act (Northern Ireland) 1929

1929 CHAPTER 13

LICENCES FOR KEEPING PETROLEUM-SPIRIT

1 Petroleum-spirit not to be kept without a licence.

- (1) Subject to the provisions of this Act, petroleum-spirit shall not be kept unless a petroleum-spirit licence is in force under this Act authorising the keeping thereof and the petroleum-spirit is kept in accordance with such conditions, if any, as may be attached to the licence:

Provided that the foregoing provision shall not apply to any petroleum-spirit kept either for private use or for sale so long as—

- (a) it is kept in separate glass, earthenware, or metal vessels, securely stopped and containing not more than^[F1] 570 millilitres] each; and
 - (b) the aggregate amount kept would not, if the whole contents of the vessels were in bulk, exceed^[F1] 15 litres].
- (2) The occupier of any premises in which petroleum-spirit is kept in contravention of this section, shall be liable on summary conviction to a fine not exceeding^[F2] level 3 on the standard scale], and the court before whom any person is convicted under this sub-section may order that the petroleum-spirit, in respect of which the contravention occurs, and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as the court thinks fit.
- (3) If any person to whom a petroleum-spirit licence is granted contravenes any condition of the licence, he shall be liable on summary conviction to a fine not exceeding^[F2] level 3 on the standard scale].

F1 SR 1992/413

F2 1984 NI 3

*Status: Point in time view as at 01/01/2006.**Changes to legislation: There are currently no known outstanding effects for the Petroleum (Consolidation) Act (Northern Ireland) 1929, Licences for Keeping Petroleum-Spirit. (See end of Document for details)*

2 Provisions as to licences.

- (1) The local authority empowered under this Act to grant petroleum-spirit licences shall be, as respects any ...^{F3} district, the council thereof:

^{F4}*Para.(i) rep. by SRO (NI) 1973/341**Para.(ii) rep. by SR 2003/152**Subs.(2) and (3) rep. by SR 2003/152**Subs.(4) rep. by SR 1996/512***F3** SRO (NI) 1973/341**F4** SR 2003/152

3 Appeals from refusals by local authority to grant licences.

- (1) If on any application for a petroleum-spirit licence a local authority refuse to grant the licence, or grant the licence on conditions with which the applicant is dissatisfied, the local authority shall, if required by the applicant so to do, deliver to him a certificate in writing signed by the clerk of the local authority stating the grounds on which the authority has refused the licence or attached the conditions, as the case may be, and the applicant may appeal to^{F5} the Executive] within ten days after the receipt of the certificate or within such further time as^{F5} the Executive] may allow.
- (2) Every appeal to^{F5} the Executive] under this section shall be made in writing asking that the licence may be granted notwithstanding the refusal of the local authority, or that the conditions may not be attached or may be modified in such manner and to such extent as may be set forth in the appeal, and shall be accompanied by the certificate of the local authority given under the last foregoing sub-section, and on consideration of any such appeal^{F5} the Executive] may, if he thinks fit, grant the licence either without conditions or subject to such conditions as he thinks proper or may modify the conditions attached by the local authority, and any licence so granted or modified shall be in force for such time and be subject to such provisions as to renewal as may be specified in the licence, and shall, when certified under the hand of^{F5} the Executive], have effect as if granted by a local authority.
- (3) Before exercising his powers under the last foregoing sub-section with respect to any appeal,^{F5} the Executive] may, if he thinks it necessary or desirable, cause an inquiry and report upon the matter to be made to him by such person as he may appoint for the purpose.

F5 1998 NI 18

4 Fees payable for licences.

In respect of every petroleum-spirit licence granted by a local authority or by^{F6} the Executive] under this Act, fees shall be payable to the local authority or to^{F6} the Executive], as the case may be, by the person to whom the licence is granted, at the rates^{F7} fixed by or determined under regulations made in accordance with Article 40(2) of the Health and Safety at Work (Northern Ireland) Order 1978].

F6 1998 NI 18

Status: Point in time view as at 01/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Petroleum (Consolidation) Act (Northern Ireland) 1929, Licences for Keeping Petroleum-Spirit. (See end of Document for details)

F7 SR 1992/396

Modifications etc. (not altering text)

- C1** S. 4 excluded (2.4.2007) by Health and Safety (Fees) Regulations (Northern Ireland) 2007 (S.R. 2007/62), **reg. 3**
- C2** S. 4 excluded (10.3.2008) by Health and Safety (Fees) Regulations (Northern Ireland) 2008 (S.R. 2008/21), **reg. 3**
- C3** S. 4 excluded (27.4.2009) by Health and Safety (Fees) Regulations (Northern Ireland) 2009 (S.R. 2009/132), **reg. 3**
- C4** S. 4 excluded (1.4.2010) by Health and Safety (Fees) Regulations (Northern Ireland) 2010 (S.R. 2010/60), **reg. 3**

Status:

Point in time view as at 01/01/2006.

Changes to legislation:

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