



Petroleum (Consolidation) Act (Northern Ireland) 1929

1929 CHAPTER 13

SUPPLEMENTARY

S. 20 rep. by SR 1992/413

21 Laying of regulations before Parliament.

All regulations made by the Minister of Home Affairs under this Act shall^[F1] be subject to negative resolution].

F1 SI 1999/663

22 Publication of certain byelaws.

Any byelaws confirmed by the Ministry of Commerce under this Act shall be published by the authority by whom they were submitted in such manner as the said Ministry may direct.

23 Interpretation.

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them (that is to say):—

“Amenities” in relation to any place, includes any view of or from that place:

“Canal” and “canal company” have respectively the same meanings as in the Regulation of Railways Act, 1873:

“Clerk” includes secretary:

“Contravention” includes, in relation to any provision, a failure to comply with that provision, and the expression “contravene” shall be construed accordingly:

Status: Point in time view as at 01/12/2006.

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

[^{F2}“the Directive” means Commission Directive 92/69 EEC adapting to technical progress for the seventeenth time Council Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances;

“Dispensing” means manual or electrical pumping of petroleum-spirit from a storage tank into the fuel tank for an internal combustion engine, whether for the purposes of sale or not:]

“Dock” includes any pier, jetty or other place, in or at which ships can ship or unship goods or passengers:

[^{F3}“Executive” means the Health and Safety Executive for Northern Ireland established under Article 12 of the Health and Safety at Work (Northern Ireland) Order 1978;]

“Government inspector” means a government inspector under the [^{F4}Health and Safety at Work (Northern Ireland) Order 1978]:

“Harbour” means any harbour, whether natural or artificial, and any port, haven, estuary, tidal or other river, canal or inland navigation navigated by sea-going ships and, subject to the provisions of this Act, any dock:

“Harbour authority” means any person or body of persons in whom are vested by or under any Act of Parliament powers and duties of improving, maintaining or managing a harbour, so, however, that where, as respects any dock within a harbour, such powers and duties are separately vested by or under any Act of Parliament in any person or body of persons, that person or body shall, as respects that dock, be the harbour authority, and the dock shall be deemed to be a separate harbour:

Definition rep. by SR 1992/413

“Licensed premises” means any premises in respect of which a petroleum-spirit licence is in force under this Act:

“Minister of Home Affairs” means the Minister of Home Affairs for Northern Ireland^{F5}:

“Motor vehicles” includes all mechanically-propelled vehicles intended or adapted for use on roads:

“Petroleum” includes crude petroleum, oil made from petroleum, or from coal, shale, peat or other bituminous substances, and other products of petroleum:

“Petroleum filling station” means any premises or place used or intended to be used by way of trade or for purposes of gain for fuelling motor vehicles with petroleum, and includes any building, advertisement, pump or other apparatus in, or used in connection with, any such premises:

[^{F2}“Petroleum-spirit” means petroleum which, when tested in accordance with Part A.9. of the Annex to the Directive, has a flash point (as defined in that Part) of less than 21°C:]

“Petroleum-spirit licence” means a licence authorising the keeping of petroleum-spirit granted by a local authority empowered under this Act to grant such a licence or by the [^{F3} Executive]:

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“Ship”^{F6} includes every description of vessel used in navigation, whether propelled by oars or otherwise:

“Statutory period” means ...

definition in 1954 c.33 (NI) s.41(2) substituted by 1979 NI 12 art.10

Subs.(2) rep. by 1954 c.33 (NI)

F2	SR 2003/152
F3	1998 NI 18
F4	Words in s. 23 substituted (1.12.2006) by Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 (S.R. 2006/425) , reg. 27(1), Sch. 6 para. 5 (with reg. 26)
F5	SRO (NI) 1973/504
F6	1968 c.59

24 Savings.

- (1) The powers conferred by this Act shall be in addition to and not in derogation of any other powers conferred on any local authority, harbour authority, or canal company by any Act (not being an enactment repealed by this Act), or by law or custom.
- (2) Nothing in this Act shall be deemed to exempt any person from any penalty to which he would otherwise be subject in respect of a nuisance.

[^{F7}24A

] The provisions of this Act shall not apply in respect of—

- ^{F8}(1) (a) any establishment to which the Control of Major Accident Hazards Regulations (Northern Ireland) 2000 [S.R. 200 No. 93] apply by virtue of regulation 3 of those Regulations;^{F8} . . .
- (b) any site in respect of which notification of an activity is required pursuant to regulation 3 of the Notification of Installations Handling Hazardous Substances Regulations (Northern Ireland) 1984 [S.R. 1984 No. 177]^{F8} or
- (c) any workplace within the meaning of the Dangerous Substances and Explosive Atmospheres Regulations (Northern Ireland) 2002, apart from a workplace used, or intended for use, for dispensing petroleum-spirit.

- (2) For the purposes of subsection (1)(c), any part of a workplace where petroleum-spirit is kept other than for dispensing is not to be regarded as used, or intended for use, for dispensing petroleum-spirit.]]

F7	SR 2000/93
F8	SR 2003/152

25 Short title and repeal.

- (1) This Act may be cited as the Petroleum (Consolidation) Act (Northern Ireland), 1929.
- (2) The enactments set out in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule:

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Provided that—

- (a) any appointment, byelaw, regulation, order, licence, certificate or warrant, made, granted, given or issued, and any proceedings taken, under any enactment hereby repealed, shall have effect as if made, granted, given, issued, or taken under the corresponding provision of this Act, and references in this Act to any appointment, byelaw, regulation, order, licence, certificate, warrant or proceedings shall have effect accordingly;
 - (b) any byelaws made by a harbour authority as defined by this Act with respect to the landing of petroleum-spirit, being byelaws which under sub-section (2) of section six of the Petroleum (Amendment) Act (Northern Ireland), 1929 , applied with the necessary modifications to the loading of ships with such spirit, shall, until revoked, continue so to apply;
 - (c) any regulations made under section five of the Locomotives on Highways Act, 1896 , and continued in force by sub-section (4) of section twenty of the Petroleum (Amendment) Act (Northern Ireland), 1929, shall have effect as if made under section ten of this Act, and in so far as any such regulations relate to any substance other than petroleum-spirit, section ten of this Act shall be deemed to have been applied to that substance under section nineteen of this Act;
 - (d) any Order in Council made under section fourteen of the Petroleum Act, 1871 , and continued in force by sub-section (4) of section sixteen of the Petroleum (Amendment) Act (Northern Ireland), 1929, shall have effect as if made under section nineteen of this Act;
 - (e) any licence granted under section eight of the Petroleum Act, 1871, by any justices in petty sessions or by the commissioners of a town not being an urban district, and continued in force by section seventeen of the Petroleum (Amendment) Act (Northern Ireland), 1929, shall have effect as if it had been granted by the local authority empowered under this Act to grant petroleum-spirit licences;
 - (f) any document referring to any enactment repealed by this Act shall be construed as referring to this Act and to the corresponding enactment, if any, therein.
- (3) The mention of particular matters in this section shall not be held to prejudice or affect the general application of section thirty-eight^{F9} of the Interpretation Act, 1889 , with regard to the effect of repeals.

Subs.(4) rep. by SLR (NI) 1952

F9 1954 c.33 (NI)

Status:

Point in time view as at 01/12/2006.

Changes to legislation:

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