



Petroleum (Consolidation) Act 1928

1928 CHAPTER 32

Powers of Inspection, &c

17 Powers of officers of local authorities as to testing petroleum-spirit

- (1) Any officer authorised by a local authority empowered under this Act to grant petroleum-spirit licences—
 - (a) may purchase samples of any petroleum from any dealer therein or from any person who keeps petroleum for the purposes of any trade or industry, or may on producing a copy of his appointment purporting to be signed by the clerk or secretary of the local authority require the dealer or other person to show him every place and any vessels in which petroleum in his possession is kept and to give him samples of such petroleum on payment of the value thereof; and
 - (b) may test or cause to be tested at any convenient place and at such reasonable time as he may appoint any samples so obtained by him.
- (2) Any such officer shall, before testing or causing to be tested any samples under the last foregoing subsection, give to the dealer or other person from whom they were obtained notice in writing of the place and time at which they are to be tested, and the dealer or other person or any person appointed by him may be present at the testing.
- (3) If it appears to the person testing any samples of petroleum obtained under this section that the petroleum is petroleum-spirit, he may give a certificate in writing to that effect, and a certificate so given shall be received in evidence in any proceedings under this Act against the person from whom the samples were obtained, so, however, that if, after hearing any evidence given by or on behalf of that person, the court before which the proceedings are taken is not satisfied as to the correctness of the certificate, the court may appoint some person skilled in testing petroleum to test the samples to which the certificate relates and to report whether the certificate is correct or not.
- (4) Any expenses incurred in testing any samples of petroleum under this section shall, if the person from whom the samples were obtained is convicted of keeping, sending, conveying, selling, or exposing or offering for sale petroleum-spirit in contravention of this Act, be paid by that person, and shall be recoverable as part of the costs of the proceedings against him, but in every other case shall be paid by the local authority.

Status: This is the original version (as it was originally enacted).

- (5) If any dealer in petroleum or person who keeps petroleum for the purposes of any trade or industry, by himself or by anyone in his employ or acting by his direction or with his consent, refuses to show to an officer authorised by the local authority any place or vessel in which petroleum in his possession is kept, or to give to such an officer such assistance as he may require for examining any such place or vessel, or to give him samples of such petroleum on payment of the value thereof, or wilfully obstructs the local authority or any officer thereof acting in the execution of this Act, that dealer or other person shall be liable on summary conviction to a fine not exceeding twenty pounds.