

SCHEDULE 6

Regulation 15

AMENDMENTS

PART 1

1. In section 2 of the Celluloid and Cinematograph Film Act 1922 ^{M1} (purposes to which Act applies), after paragraph (iii) of the proviso insert

“and

(iv) the provisions of this Act shall not apply to a workplace within the meaning of the Fire Precautions (Workplace) Regulations 1997 ^{M2}.”.

Marginal Citations

- M1** 1922 c. 35. Section 2 is amended by the [Cinemas Act 1985 \(c. 13\)](#), [section 24\(1\)](#) and Schedule 2, paragraph 1 and [S.I. 1992/1811](#).
- M2** [S.I. 1997/1840](#), amended by [S.I. 1999/1877](#) and [1999/3242](#).

F12.

- F1** [Sch. 6 para. 2](#) revoked (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014 \(S.I. 2014/1637\)](#), [reg. 1\(2\)](#), [Sch. 4 Pt. 1](#) (with [reg. 3\(1\)](#))

F23.

- F2** [Sch. 6 para. 3](#) revoked (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014 \(S.I. 2014/1637\)](#), [reg. 1\(2\)](#), [Sch. 4 Pt. 1](#) (with [reg. 3\(1\)](#))

F34.

- F3** [Sch. 6 para. 4](#) revoked (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014 \(S.I. 2014/1637\)](#), [reg. 1\(2\)](#), [Sch. 4 Pt. 1](#) (with [reg. 3\(1\)](#))

F45.

- F4** [Sch. 6 para. 5](#) revoked (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014 \(S.I. 2014/1637\)](#), [reg. 1\(2\)](#), [Sch. 4 Pt. 1](#) (with [reg. 3\(1\)](#))

F56.

- F5** [Sch. 6 para. 6](#) revoked (1.10.2014) by [The Petroleum \(Consolidation\) Regulations 2014 \(S.I. 2014/1637\)](#), [reg. 1\(2\)](#), [Sch. 4 Pt. 1](#) (with [reg. 3\(1\)](#))

7. The Dangerous Substances in Harbour Areas Regulations 1987 ^{M3} are amended by the omission of “the Petroleum (Carbide of Calcium) Order 1929” in regulation 29 (application of Part VIII—storage of dangerous substances).

Changes to legislation: There are currently no known outstanding effects for the The Dangerous Substances and Explosive Atmospheres Regulations 2002, SCHEDULE 6. (See end of Document for details)

Marginal Citations

M3 S.I. 1987/37, amended by S.I. 1993/1746, 1994/669, 1994/3247, 1996/2092, 1996/2095, 1997/2367, 1998/2885 and 1999/2029.

8. The Fire Precautions (Workplace) Regulations 1997^{M4} are amended by the insertion of “and regulations 1 to 6, 8, 9 and 11 of the Dangerous Substances and Explosive Atmospheres Regulations 2002,” after “the 1999 Management Regulations” in paragraph (2)(b) of regulation 9 (disapplication).

Marginal Citations

M4 S.I. 1997/1840, amended by S.I. 1999/1877 and 1999/3242.

PART 2

9.—(1) The Fire Certificates (Special Premises) Regulations 1976^{M5} are amended as follows.

(2) In paragraph 25 of Part III of Schedule 1 (premises for which a fire certificate is required), for the definition of “highly flammable liquid” substitute—

““highly flammable liquid” means any liquid, liquid solution, emulsion or suspension, other than aqueous ammonia, liquefied flammable gas, and liquefied petroleum gas, which—

- (a) 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 32°C except that, if the flash point determined by using one of the non-equilibrium methods referred to in that Part falls within the range 30°C to 34°C, that flash point shall be confirmed by the use of like apparatus using the appropriate equilibrium method referred to in that Part; and
- (b) when tested at 50°C (within an accuracy of –0 +5°C) using the procedure referred to in Appendix B to the “Approved Requirements and test methods for the classification and packaging of dangerous goods for carriage”^{M6} with a heating time of 60 seconds supports combustion,

and for these purposes—

- (i) “aqueous ammonia” means ammonia gas dissolved in water;
- (ii) “the Directive” means Commission Directive 92/69 EEC^{M7} adapting to technical progress for the seventeenth time Council Directive 67/548/EEC^{M8} on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances; and
- (iii) “liquefied flammable gas” means any substance which at a temperature of 20°C and a pressure of 760 millimetres of mercury would be a flammable gas, but which is in liquid form as a result of the application of pressure refrigeration or both.”.

Marginal Citations

M5 S.I. 1976/2003, amended by S.I. 1985/1333, 1987/37 and 1992/1811.

M6 ISBN 071761221X.

M7 OJ No. L383, 29.12.92, p. 113.

M8 OJ No. 196, 16.8.67, p. 1.

10. The Carriage of Dangerous Goods by Road Regulations 1996 ^{M9} are amended by the substitution for regulation 20 (unloading of petrol at petroleum filling stations and certain other premises licensed for the keeping of petrol) of—

“ Direct filling of fuel tanks with petrol from road tankers

20.—(1) Neither the fuel tank for an internal combustion engine nor a portable container shall be filled or replenished with petrol direct from a road tanker conveying petrol in such circumstances that these Regulations apply to that conveyance.

(2) Except in relation to Her Majesty’s Forces, the enforcing authority for these Regulations and for sections 2 to 4 and section 7 and 8 of the Health and Safety at Work etc. Act 1974 in respect of such filling or replenishing with petrol as is referred to in paragraph (1) at any premises for which a petroleum-spirit licence authorising the keeping of petrol is required under the 1928 Act, shall be the petroleum licensing authority, even if the relevant tanker is on a road at the time of that filling or replenishing.

(3) In this regulation—

- (a) “the 1928 Act” means the Petroleum (Consolidation) Act 1928 ^{M10};
- (b) “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;
- (c) “Her Majesty’s Forces” means any of the naval, military or air forces of the Crown, whether raised inside or outside the United Kingdom and whether any such force is a regular, auxiliary or reserve force, and includes any civilian employed by those forces;
- (d) “petrol” means petroleum-spirit intended for use as a fuel for an internal combustion engine;
- (e) “the petroleum licensing authority” means the local authority empowered to grant petroleum-spirit licences under the 1928 Act for the premises concerned;
- (f) “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; and
- (g) “petroleum-spirit licence” means a licence authorising the keeping of petroleum-spirit granted by a local authority empowered under the 1928 Act to grant such a licence or by the Secretary of State or by the Health and Safety Executive.”.

Marginal Citations

M9 [S.I. 1996/2095](#), amended by [S.I. 1998/2885](#), [1999/257](#), [1999/303](#) and [2001/1426](#).

M10 [1928 c. 32](#).

Changes to legislation:

There are currently no known outstanding effects for the The Dangerous Substances and Explosive Atmospheres Regulations 2002, SCHEDULE 6.