

PETROLEUM RULES

This version is out of date

**Subsidiary
1932.01.18**

Rules made under s. 7.

PETROLEUM RULES

(1932.01.18)

18.1.1932

| Amending enactments | Relevant current provisions | Commencement date |
|---------------------|-------------------------------|-------------------|
| rules of 22. 7.1940 | – | |
| 29.10.1953 | Sch. | |
| 13. 1.1955 | rr. 9, 32, 34, 36, Sch. | |
| 23.10.1968 | rr. 2, 5, 7-8, 11, 13, 20, 22 | |
| L.N. 1976/073 | r. 5 | |
| 1977/160 | rr. 34(3), 36(4) | |
| 1979/008 | r. 5(2) | |
| 1980/143 | rr 5(2), 34(3), 36(4) | |
| 1982/029 | r .5(2) | |
| 1984/004 | r. 5(2) | 2.4.1984 |
| 1984/098 | r. 5(2) | 29.11.1984 |
| 1985/130 | r. 5(2) | 28.11.1985 |
| 1987/013 | r. 5(2) | 15.1.1987 |

EU Legislation/International Agreements involved:

Directive 94/63/EC

Directive 2009/126/EC

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ARRANGEMENT OF RULES.

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Rules for Loading or Discharge of Petroleum Spirit applicable to Petroleum Ships, Lighter and Hulks.

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SCHEDULE

- FORM A. Licence for the Storage of Petroleum in a Hulk or Lighter.
FORM B. Licence to keep more than three motor cars in one garage.
FORM C. Licence to store Petroleum Spirit in bulk.
FORM D. Permit for a Perambulating Tank-Wagon or similar vehicle.

Title.

1. These rules may be cited as the Petroleum Rules.

Interpretation.

2. In these rules, unless the context otherwise requires,—

“dangerous gas” means gas which is inflammable or explosive and includes gas compressed, liquified or dissolved under pressure;

“garage” includes any room, building, coach-house, lean-to or other place in which any motor car is kept with petrol in the tank thereof;

“motor car” includes every description of vehicle propelled by mechanical power;

“owner” when used with reference to a petroleum ship or to petroleum means the owner or master of the petroleum ship or the owner of the petroleum, as the case may require;

“petrol” means that class of petroleum spirit used or which can be used for the propulsion of a motor car;

“petroleum ship” means any ship having on board or about to take on board a cargo the whole or any part of which consists of petroleum spirit or dangerous gas, or having discharged petroleum spirit or dangerous gas if the holds and tanks have not been rendered free from inflammable vapour to the satisfaction of the Captain of the Port;

“quay” means any quay, pier, jetty, wharf, landing stairs, shore or other landing or loading place within Gibraltar.

PART I.—GENERAL PROVISIONS RELATING TO PETROLEUM
SHIPS, HULKS AND LIGHTERS.

Person in charge of petroleum ship.

3. No petroleum ship shall be navigated or lie within Gibraltar except the same be constantly in charge of a competent person on board such ship and the master or person in charge shall at all times be responsible for the carrying out of and giving effect to the provisions of these rules.

Marks of petroleum ship.

4. The master or person in charge of every petroleum ship shall while in Gibraltar display at the masthead or where it can be best seen, but not less than twenty feet above the deck, by day a red flag not less than three feet square and by night a red light in addition to any navigation lights which may be required by any other law for the time being in force and in the case of a lighter she shall be fitted with a short pole mast capable of carrying a light or flag at a height of not less than five feet above the deck.

Berthing of petroleum ship.

5.(1) Such number of firemen and such equipment as the Chief Fire Officer considers necessary shall attend the berthing of every petroleum ship and shall remain at the quayside in the vicinity of the ship until it has unberthed.

(2) There shall be payable by the ship owners or agents the sum of £42 in respect of the first hour or part thereof during which a ship is attended under the provisions of sub-rule (1) and the sum of £14 in respect of every half hour or part thereof thereafter.

Inspection by Captain of the Port.

6. The owner, master or person in charge shall when so required by the Captain of the Port or other officer duly authorized by the Captain of the Port afford every reasonable facility to enable such officer to ascertain whether these rules are duly observed.

*Navigation, Berthing and Mooring.***Petroleum ships which may berth at Waterport.**

7. Petroleum ships which carry less than five tons of petroleum spirit may be berthed at Waterport provided the Captain of the Port considers there are special circumstances and his written permission is obtained beforehand.

Petroleum ships to lie afloat.

8. A petroleum ship carrying petroleum spirit in bulk must at all times lie afloat.

Licensing of hulks and lighters.

9. No hulk or lighter shall be used for the storage of petroleum in bulk or in barrels, drums or other receptacles unless it is licensed therefor and every

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hulk or lighter so licensed shall be moored in such position as the Captain of the Port may from time to time direct.

*Rules for Loading or Discharge of Petroleum Spirit
applicable to Petroleum Ships only.*

Rules as to loading or discharging.

10. The following provisions in respect of the loading or discharge of petroleum spirit shall in every case be complied with -

- (a) before any petroleum spirit is loaded on or discharged from a petroleum ship the owner, agent or master shall give notice to the Captain of the Port of the time of such loading or discharge and no petroleum spirit shall be loaded or discharged during any day unless such notice shall have been given beforehand;
- (b) the purpose of loading or discharging petroleum spirit until such time as the operation of loading or discharging has been completed and the holds or tanks have been securely fastened down and in the case of discharge rendered thoroughly free from inflammable vapour where required by paragraph (c) of this rule there shall be no fire or artificial light on board such ship at or near the place where the petroleum spirit is being loaded or discharged:

Provided that this rule shall not prevent the use of lamps, heaters, cookers or other similar type of safe apparatus, electrical or otherwise, so designed, constructed and maintained as to be incapable of igniting inflammable vapour:

Provided also that this rule shall not be deemed to prohibit the discharging or loading of a petroleum ship under conditions approved by the Captain of the Port by means of steam from her own boilers or power generated by electric motors or internal combustion engines placed in a position away from cargo holds and pump rooms or alternatively by means of electric motors so designed, constructed and maintained as to be incapable of igniting inflammable vapour and maintained in accordance with the requirements of Lloyd's Register of Shipping or such other classifications as the Captain of the Port may approve ;

- (c) before any petroleum spirit contained in barrels, drums or other receptacles is discharged from a petroleum ship the holds of

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such petroleum ship shall be thoroughly ventilated and after all petroleum spirit has been removed from any petroleum ship the holds and tanks shall be rendered free from inflammable vapour:

Provided that this rule shall not be deemed to require to be free from inflammable vapour the tanks of a petroleum ship which leaves Gibraltar without delay after the discharge of cargo or remains only for the purpose of taking on board bunkers, stores or ballast or for such other purposes as may be approved by the Captain of the Port and of which the tanks are securely fastened down immediately after the discharge of cargo;

- (d) iron or steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing the hatches or tank covers of a petroleum ship.

*Rules for Loading or Discharge of Petroleum Spirit
applicable to Petroleum Ships, Lighter and Hulks*

Yachts etc., may bunker at Waterport.

11. Only yachts and harbour craft may bunker with petroleum spirit at Waterport.

Restriction as to loading.

12. No petroleum spirit shall be brought to the place of loading until the petroleum ship into which it is to be loaded is in readiness to receive the same.

Petroleum spirit to be loaded or discharged speedily.

13. When the loading or discharge of petroleum spirit has been commenced such loading or discharge shall proceed with all due speed and diligence.

Pipes to be free from leakage

14. All pipes and other appliances used in the loading or discharge of petroleum spirit in bulk shall be reasonably free from leakage.

Removal of landed petroleum.

15. No petroleum spirit shall be landed at any quay until the petroleum ship or carriage by which the same is to be removed therefrom shall be at the

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quay in readiness to receive the same and all petroleum spirit discharged shall be forthwith removed to some duly licensed place of storage.

Leaky packages.

16. No petroleum spirit contained in casks, barrels, drums or other receptacles shall be loaded or discharged unless such receptacles are staunch and free from leakage and are of such strength and construction as not to be liable to be broken or to leak except in cases of gross carelessness or extraordinary accident.

Smoking.

17. The owner or person in charge shall take adequate steps to prevent smoking at or near the place where petroleum spirit is being loaded or discharged and to prevent any person engaged in such loading or discharge from carrying fuzes, matches or any appliance whatsoever for producing ignition. Where any petroleum spirit is carried on the deck of a petroleum ship conspicuous notices shall be posted up on board drawing attention to the danger arising from smoking or striking matches near such petroleum spirit.

Fires and lights not to be used on quay.

18. Fires and lights (other than electric filament lamps, self-contained electric lamps, heaters, cookers or other similar type of safe apparatus so designed, constructed and maintained as to be incapable of igniting inflammable vapour) shall not be used upon or in proximity to the quay upon which petroleum spirit is being loaded or discharged or upon which petroleum spirit is lying.

Precautions against fire.

19. The owner or person in charge shall take all due precautions for the prevention of accident by fire in the loading or discharge of petroleum spirit.

Saving.

20.(1). This Part shall not apply to any ship in Admiralty Waters other than Port Waters.

(2) The provisions of this Part relating to petroleum ships shall not apply to boats conveying not more than ten gallons of petroleum spirit, if such spirit is in receptacles staunch, free from leakage and of such strength and construction as not to be ordinarily liable to be broken or leak.

PART II. – PROVISIONS RELATING TO GARAGES ONLY.

Construction of garage.

21. No portion of a garage shall be used as a dwelling or as a place where persons assemble, and no room forming part of, or attached to, any room used as a dwelling, shall be used as a garage unless the floor, walls and ceiling of such garage be fire proofed to the following extent –

Floors – to be covered with a thickness of not less than four inches of concrete, brick or stone;

Walls – to be nowhere less than twelve inches thick; and

Ceiling – to be of concrete, brick-vaulting or other similar fireproof construction, or of asbestos sheets, or other fire-resisting covering, hung from the joists of floor above with at least six inches space between the fire- resisting covering and the under side of joists or other inflammable material forming the floor.

Entrance and ventilation.

22. Every garage shall have a separate entrance from the open air distinct from that of any dwelling or building in which persons assemble and every garage shall be thoroughly ventilated.

Not more than three motor cars to be kept in unlicensed garage.

23. Subject to the provisions of rule 33 not more than three motor cars shall be housed or stored in any one garage, unless such garage be duly licensed for such purpose.

Not more than twenty gallons of petrol to be kept in unlicensed garage.

24. The amount of petrol to be kept in any one garage, whether or not upon motor cars, shall not exceed twenty gallons at any one time, unless the garage be duly licensed either as a fit and proper place for the storage in bulk of petrol or as a garage for more than three cars.

Use of petrol.

25.(1) In a garage, or in any place where a motor car is kept or is present, petrol shall not be used for the purpose of cleaning or lighting, or as a solvent, or for any purpose other than as fuel for the engine of a motor car:

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Provided that where due precaution is taken to prevent petrol from escaping into a sewer or drain, and provision is made for disposing safely of any surplus petrol, and where no fire or naked light is present, quantities not exceeding one quarter of a pint may be used for the cleaning of a motor car at a safe distance from any building, place of storage (if inflammable goods or much frequented highway, or for the repair of tyres under suitable precautions.

(2) This rule shall apply to premises on which petrol is kept, whether such premises are licensed or not, unless the licensing authority sees fit, in the case of licensed premises, to grant an exemption by a special term of the licence.

PART III. – GENERAL PROVISIONS.**Petroleum spirit containers.**

26. Petroleum spirit shall not be kept, used or conveyed except in metal vessels so substantially constructed as not to be liable except under circumstances of gross negligence or extraordinary accident, to be broken or become defective or insecure. Every such vessel shall be so constructed and maintained that no leakage, whether of liquid or vapour, can take place therefrom.

Lights.

27. The filling or replenishing of a vessel with petroleum spirit shall not be carried on, nor shall the contents of any such vessel be exposed, in the presence of fire or artificial light, except a light of such construction, position or character as not to be liable to ignite any inflammable vapour arising from such petroleum spirit, and no fire or artificial light capable of igniting inflammable vapour shall be brought within dangerous proximity of the place where any vessel containing petroleum spirit is being kept.

Conveyance of petroleum spirit.

28. In the keeping and conveying of petroleum spirit all due precautions shall be taken for the prevention of accidents by fire or explosion, and for the prevention of unauthorized persons having access to any petroleum spirit kept or conveyed or to the vessels containing or intended to contain, or having actually contained, the same.

Prevention of fire.

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29. Every person in charge of, or employed on, or in connection with, any motor car shall abstain from every act whatever which tends to cause fire or explosion, and which is not reasonably necessary and shall prevent any other person from committing such act.

Petroleum spirit not to go into drain.

30. Petroleum spirit shall not be allowed to escape into any inlet or drain communicating with a sewer.

Storehouse for petroleum spirit in bulk.

31. Where a person desires to have petroleum spirit stored in bulk the storehouse shall be licensed and the licence shall contain the conditions upon which such petroleum spirit shall be kept or used.

Conditions for issue of licence for storage in bulk.

32. A licence shall not be granted for the storage in bulk of petroleum spirit unless the following conditions are observed:—

- (a) the storehouse is fireproofed to such an extent as the licensing authority may deem necessary having regard to the position of such storehouse, and, in the case of a tank for the supply of petroleum spirit at the roadside, the tank shall be constructed underground;
- (b) provision shall be made by excavation or by the erection of retaining walls to prevent outflow of the petroleum spirit in the event of fire, if such outflow would be likely to endanger life or cause damage to the property of others; and
- (c) the Chief Fire Officer, or other duly authorized person, shall be allowed to inspect the storehouse at any reasonable time.

Licence to keep more than three motor cars unnecessary in certain cases.

33. Where a person carries on the business of a garage proprietor or motor car repairer and the premises in which such business is carried on are licensed for the storage of petroleum spirit in bulk, it shall not be necessary for such person to take out a licence to keep more than three motor cars on the premises, but the petrol in the tanks of the motor cars shall be taken into account in calculating the amount of petroleum spirit which may be kept on the premises at any one time.

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Tank wagons etc.

34.(1) No tank-wagon or other vehicle so designed as to be capable of conveying a greater quantity of petroleum than 20 gallons at any one time, other than in separate containers, shall be used for the purpose of conveying petroleum without a permit issued by the licensing authority.

(2) Every permit issued under this rule shall contain such conditions as the licensing authority may deem expedient and shall, subject to such conditions, remain in force from the date of issue until the next following 31st day of March.

(3) A fee of £6.50 shall be paid for every permit issued under this rule:

Provided that where a permit is issued after any 30th day of April the fee shall be reduced by one-twelfth part for each complete calendar month that has elapsed between the 1st day of April and the date of issue of the permit but so that the fee shall never be less than £1.50.

Keeping of paraffin or kerosene.

35. The following provisions shall apply to the keeping in any shop, store or place of that class of petroleum commonly known as or called paraffin or kerosene :-

- (a) not more than thirteen gallons shall be kept unless the place has been approved of by the licensing authority;
- (b) not more than twenty gallons shall be kept unless the place is licensed for the purpose.

Licences.

36.(1) No licence shall be issued under these rules in respect of any premises or ship unless the licensing authority considers the premises or ship to be suitable for the purpose for which it is to be licensed.

(2) Every licence issued under these rules may contain any conditions which the licensing authority sees fit to impose and shall be subject to cancellation by the licensing authority upon the licensee committing any breach of such conditions.

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(3) Subject to the provisions of the Act and of subrule (2) every licence shall remain in force from the date of issue until the next following 31st day of March.

(4) A fee of £6.50 shall be paid for every licence:

Provided that where a licence is issued after any 30th day of April the licence fee shall be reduced by one-twelfth part for each complete calendar month which has elapsed between the 1st day of April and the date of issue of the licence and so that the fee shall never be less than £1.50.

(5) No refund of any licence fee shall be made in respect of any licence which has been surrendered, withdrawn or cancelled.

Forms in schedule.

37. The forms set out in the Schedule, or forms to the like effect, may be used in the cases to which they refer, with such variations as the licensing authority may consider necessary.

Penalty.

38. A person who contravenes any of the provisions of these rules or any condition contained in any licence is guilty of an offence and is liable on summary conviction to a fine of £50.

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SCHEDULE

Rule 37.

FORMS.

Rule 9.

FORM A.-LICENCE FOR THE STORAGE OF PETROLEUM
IN A HULK OR LIGHTER.

LICENCE is hereby granted to _____ of _____ to use the hulk (or lighter) _____, for the storage of petroleum in bulk (and/or barrels, drums or other receptacles as the case may be) subject to the following conditions:-

1. Not more than _____ tons (or gallons as the case may be) of petroleum shall be stored on the said hulk (or lighter).
2. The petroleum shall be stored in bulk (*or specify receptacles*).
3. _____ chemical fire extinguishers of a pattern approved of by the licensing authority and ready for immediate use shall be kept on or in the said hulk (or lighter) in such positions as may be indicated by the Chief Fire Officer.
4. Every artificial light used in or upon the said hulk (or lighter) shall be so constructed as not to be liable to ignite any inflammable vapour arising from the petroleum stored in the hulk (or lighter).
5. The licensee will at all times grant free access to the hulk (or lighter) to both the Captain of the Port and the Chief Fire Officer and comply with the provisions of the rules for the time being in force relating to the storage of petroleum in hulks (or lighters).
6. Any other conditions the licensing authority sees fit to impose.
7. The licensing authority may cancel this licence upon the licensee committing any breach of the conditions herein set forth or of the rules for the time being in force.

This licence shall, unless previously cancelled, remain in force until the 31st day of March next following the date of issue.

Dated this _____ day of _____, 20____ (Signed)

Licensing authority.

Rule 23.

FORM B.-LICENCE TO KEEP MORE THAN THREE MOTOR CARS
IN ONE GARAGE.

Whereas A B of , has applied for a licence to keep more than three motor cars in a garage situated at

And Whereas the said garage conforms with the requirements of the Petroleum Rules.

Now therefore licence is hereby granted unto the said to use the said garage for the purpose of keeping more than three motor cars subject to the following conditions:-

1. Not more than motor cars shall be stored in or be in the garage at any one time.
2. Not more than gallons of petrol, including the petrol in the tanks of the motor cars in the said garage shall be stored or kept upon the said garage.
3. All petrol shall be kept or stored either in metal vessels or in an underground tank.
4. chemical fire extinguishers of a pattern approved of by the licensing authority and ready for immediate use shall be kept on or in the said garage in such positions as may be indicated by the Chief Fire Officer.
5. No gas heater or open stove shall be kept in or upon the said garage.
6. Every artificial light used in the said garage shall be so constructed as not to be liable to ignite any inflammable vapour arising from the petrol in the said garage.
7. The licensee shall at all times comply with the provisions of the rules for the time being in force relating to keeping of petrol in garages.
8. Any other conditions the licensing authority sees fit to impose.

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9. The licensing authority may cancel this licence upon the licensee committing any breach of the conditions herein set forth or of the rules for the time being in force.

This licence shall, unless previously cancelled, remain in force until the 31st day of March next following the date of issue.

Dated this day of , 20

(Signed)
Licensing

authority.

(Signed)
Licensing authority.

Rule 34.

FORM D.-PERMIT FOR A PERAMBULATING TANK-WAGON OR
SIMILAR VEHICLE.

Permission is hereby granted to _____, of

to use a *(description of vehicle and the marks by which it can be identified)*
for the purposes of conveying petroleum spirit subject to the following
conditions:-

1. *(Inscribe herein the conditions.)*

2.

3.

4.

5. The licensing authority may cancel this permit upon the commission of
any breach of the conditions herein set forth or of the rules for the time
being in force relating to the vehicle to which this permit relates.

This permit shall, unless previously cancelled, remain in force until the 31st
day of March next following the date of issue.

Dated this _____ day of _____, 20

(Signed)
Licensing authority.