

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4830 GIBRALTAR Thursday 4th March 2021

LEGAL NOTICE NO. 164 OF 2021.

PETROLEUM ACT

PETROLEUM (AMENDMENT) RULES 2021

In exercise of the powers conferred upon him by section 7 of the Petroleum Act the Minister has made the following Rules-

Title.

1. These Rules may be cited as the Petroleum (Amendment) Rules 2021.

Commencement.

2. These Rules shall come into operation on the day of publication.

Amendment of the Petroleum Rules.

- 3.(1) The Petroleum Rules are amended in accordance with this rule.

(2) Rule 24 is amended, including the heading, by substituting “twenty gallons” with “100 litres”.

- (3) After rule 26 insert-

“Petrol kept, used or conveyed in a motor car.

26A.(1) No person may keep, use or convey more than a total amount of 20 litres of petrol in a motor car unless that person has-

- (a) a permit issued under rule 34; or
- (b) a permit issued under subrule (2),

and the petrol is kept, used or conveyed in accordance with the terms and conditions of that permit.

- (2) The licensing authority may grant a person a permit authorising the keeping, using or conveying of petrol in a motor car only if it is satisfied that it would not create an unacceptable risk to the health or safety of any person.

- (3) The licensing authority may attach such conditions to a permit issued under subrule (2) as it deems necessary which may include, but is not limited to, the following-
 - (a) the container in which the petrol may be kept, used or conveyed;
 - (b) the signage, if any, that is to be displayed on the vehicle;
 - (c) the systems, if any, of fire extinguishing;
 - (d) the mode of storage of the petrol;
 - (e) the safekeeping of the petrol generally.
- (4) A permit issued under this rule for conveying petrol shall be for one journey only unless otherwise specified in the permit.
- (5) The licensing authority may cancel a permit issued under this rule for breach of any of the conditions contained in the permit.
- (6) A fee of £25 shall be paid for every permit.
- (7) For the purposes of subrule (1) any petrol contained in the fuel tank of a motor car that is connected to an internal combustion engine in the way it would ordinarily be connected when the engine is running, is not to be counted towards the total amount of petrol that may be kept, used or conveyed in that motor car.
- (8) Nothing in this rule shall affect the restrictions or requirements contained in the Transport (Carriage of Dangerous Goods by Road) Regulations 2010.”.

(4) After rule 32 insert-

“Storage of petrol of a quantity of 100 litres or less.

- 32A.(1) No person may keep or store petrol of a total amount of more than 20 litres but no more than 100 litres on any premises unless the premises are licensed under rule 31 or that person has a permit issued under subrule (2).
- (2) The licensing authority may issue a permit under this rule only if it is satisfied that the keeping or storing of petrol in accordance with the permit, including any proposed conditions of the permit, would not create an unacceptable risk to the health or safety of any person.
 - (3) The licensing authority may attach such conditions to the permit as it deems necessary which may include, but is not limited to, the following matters-
 - (a) the nature and location of the premises in which the petrol is kept;

- (b) the mode of storage of petrol;
 - (c) the systems, if any, for fire extinguishing or detection;
 - (d) the safekeeping of the petrol generally.
- (4) A permit issued under this rule must specify the premises where the petrol is to be kept or stored and the name of the person to whom it is issued.
- (5) A permit issued under this rule may be granted for a maximum period of one year.
- (6) A fee of £100 shall be paid for every permit.
- (7) The licensing authority may cancel a permit issued under this rule for breach of any of the conditions contained in the permit.
- (8) For the purposes of subrule (1) any petrol contained in the fuel tank of a motor car that is connected to an internal combustion engine in the way it would ordinarily be connected when the engine is running, is not to be counted towards the total amount of petrol that may be kept or stored in any premises.”.
- (5) In rule 34(1) for “91 litres” substitute “100 litres”.
- (6) In rule 35-
- (a) for “thirteen gallons” substitute “60 litres”; and
 - (b) for “twenty gallons” substitute “100 litres”.
- (7) In rule 36(4) after “licence” insert “and for a permit under rule 34”.
- (8) In rule 38-
- (a) after “licence” insert “or permit”;
 - (b) for “on summary conviction to a fine not exceeding level 5 on the standard scale” substitute “in accordance with section 9 of the Act”.
- (9) In Schedule 1-
- (a) in forms B and C for “gallons” substitute “litres”; and
 - (b) after form F insert-

“FORM G

PERMIT FOR A MOTOR CAR

Rule 26A

Permission is hereby granted to [name] of [address] to keep, use or convey [] litres of petrol in the motor car with vehicle registration number [] subject to the following conditions–

[Inscribe herein the conditions]

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

This permit shall be granted for [journey/date].

Dated.....

[Signed by licensing authority].

FORM H

PERMIT FOR STORAGE OF 100 LITRES OF PETROL OR LESS

Rule 32A

Permission is hereby granted to [name] of [address] to store no more than [] litres of petrol at [description and address of premises] subject to the following conditions–

[Inscribe herein the conditions]

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

This permit shall, unless previously cancelled, remain in force until the [date of expiry].

Dated.....

[Signed by licensing authority].”.

Dated: 4th March 2021.

PROF. J. CORTES,
Minister with responsibility for the Environment.

EXPLANATORY MEMORANDUM

These Rules amend the Petroleum Rules so as to prohibit the keeping, storing or conveying of more than 20 litres of petrol in a vehicle without a permit from the licensing authority. It also prohibits the storing on any premises of more than 20 litres of petrol but less than 100 litres unless licensed or granted a permit under the Petroleum Rules. It also makes some consequential amendments.