STATUTORY INSTRUMENTS

1971 No. 1061

PETROLEUM

The Inflammable Liquids (Conveyance by Road) Regulations 1971

Made - - -	*28th June* 1971
Laid before Parliament	*8th July* 1971
Coming into Operation	*9th July* 1971

In exercise of the powers conferred by section 6 of the Petroleum (Consolidation) Act 1928(a), as applied by the Petroleum (Inflammable Liquids) Order 1971(b), I hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Inflammable Liquids (Conveyance by Road) Regulations 1971 and shall come into operation on 9th July 1971.

(2) The Inflammable Liquids (Conveyance by Road) Regulations 1968(c) are hereby revoked.

2.—(1) In these Regulations—

"conveyance" means conveyance by road, and "conveyed" and "conveying" shall be construed accordingly;

"inflammable liquid" means any substance, solution or mixture to which section 6 of the Petroleum (Consolidation) Act 1928 was applied by Article 2 of the Petroleum (Inflammable Liquids) Order 1971;

"owner", in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement;

"vehicle" includes a trailer which does not form part of an articulated vehicle.

(2) For the purposes of these Regulations an articulated vehicle shall be treated as one vehicle.

(3) The Interpretation Act 1889(d) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament, and as if these Regulations and the Regulations revoked by these Regulations were Acts of Parliament.

(a) 1928 c. 32.
(b) S.I. 1971/1040 (1971 II, p. 3125).
(c) S.I. 1968/927 (1968 II, p. 2421).
(d) 1889 c. 63.

3. Subject to Regulation 9 below, every person engaged in the conveyance, or the loading or unloading in connection with conveyance, of any inflammable liquid shall secure so far as is reasonably possible that none of the inflammable liquid is spilt.

4. Subject to Regulation 9 below, no person engaged in the conveyance, or the loading or unloading in connection with conveyance, of any inflammable liquid shall smoke or carry any naked flame.

5. Subject to Regulation 9 below, no portable light capable of igniting inflammable vapour, no explosive substance and no substance or article capable of causing fire or explosion by spontaneous decomposition shall be carried on any vehicle conveying any inflammable liquid.

6. Subject to Regulation 9 below, a suitable and efficient fire extinguisher shall be carried in an easily accessible position on any vehicle conveying any inflammable liquid.

7. Subject to Regulation 9 below, the owner of a vehicle used for the conveyance of any inflammable liquid who employs any person in connection with the conveyance shall furnish a copy of these Regulations to, or affix a copy thereof in some place where it can conveniently be read by, that person and shall take all other measures necessary to ensure that that person is acquainted with and carries out the provisions of these Regulations.

8.—(1) It shall be the duty of a local authority empowered under the Petroleum (Consolidation) Act 1928 to grant petroleum-spirit licences to enforce within their district the provisions of these Regulations, and the owner of a vehicle used for the conveyance of any inflammable liquid and any person employed in connection with the conveyance shall provide all reasonable facilities to a duly authorised officer of the local authority for the purpose of his ascertaining whether the provisions of these Regulations are being duly observed.

(2) Any such local authority as aforesaid in England or Wales may institute proceedings for any offence against these Regulations committed in the area of that authority.

9. Regulations 3 to 7 of these Regulations shall not apply in relation to the conveyance of any inflammable liquid (other than acetaldehyde) in a vehicle, if—

(*a*) all the inflammable liquid in the vehicle is contained in receptacles which comply with the provisions of the Schedule to these Regulations; or

(*b*) in the case of conveyance otherwise than in a tank wagon or tank trailer, the total quantity of inflammable liquid in the vehicle does not exceed 500 kilograms (1,102·5 pounds).

R. Maudling,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
28th June 1971.

SCHEDULE

Regulation 9

Conditions as to Receptacles

1. The receptacle must be made of metal, glass, porcelain, stoneware or suitable plastic material.

2. The receptacle must not contain more than 1 kilogram (2·2 pounds) of the liquid.

3. The receptacle must be so constructed and closed that none of the contents can, under normal conditions, escape from it.

4. The receptacle must be so constructed that no part of its interior surface can, under normal conditions, be so affected by contact with the contents as to make the use of that receptacle dangerous.

5.—(1) Subject to sub-paragraph (2) below, the receptacle must be enclosed in a protective package made of metal, wood or fibre-board and, where that package encloses several receptacles, it must not contain, in all, more than 30 kilograms (66·2 pounds) of inflammable liquid.

(2) This paragraph shall not apply in the case of a metal aerosol receptacle enclosed in polyethylene film by a process of shrinking and sealing by heat.

6. The receptacle, if made of glass, porcelain or stoneware, must be secured inside the protective package referred to in paragraph 5 above by suitable cushioning material.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations revoke and replace the Inflammable Liquids (Conveyance by Road) Regulations 1968 consequent on the Petroleum (Inflammable Liquids) Order 1971. The provisions of the 1968 Regulations are repeated with the following amendments :—

(*a*) the quantity of inflammable liquid (other than acetaldehyde) which may be conveyed in a vehicle (other than a tank wagon or tank trailer) without compliance with the Regulations is raised from 250 to 500 kilograms (Regulation 9) ;

(*b*) the requirements of the Regulations are relaxed in the case of certain aerosol containers (Schedule, paragraph 5).