1973. No. 470 [C]

PETROLEUM

Inflammable Liquids: Conveyance by Road

REGULATIONS, DATED THE 19TH DAY OF NOVEMBER 1973, MADE BY THE SECRETARY OF STATE UNDER SECTION 6 OF THE PETROLEUM (CONSOLIDATION) ACT (NORTHERN IRELAND) 1929.

WHEREAS, in pursuance of the provisions contained in section 6 of the Petroleum (Consolidation) Act (Northern Ireland) 1929(a) as applied by the Petroleum (Inflammable Liquids) Order (Northern Ireland) 1973(b), the Minister of Home Affairs is empowered to make regulations as to the conveyance of petroleum spirit, and such other substances as may be so defined by Order in Council under section 19 of the Petroleum (Consolidation) Act (Northern Ireland) 1929, by road and for protecting persons or property from danger in connection with such conveyance:—

NOW, THEREFORE, I, in exercise of the powers conferred on me by the said section 6, and section 1(1) of the Northern Ireland (Temporary Provisions) Act 1972(c) and all other powers enabling me it that behalf hereby make the following regulations:—

Citation and commencement

1. These Regulations may be cited as the Inflammable Liquids (Conveyance by Road) Regulations (Northern Ireland) 1973, and shall come into operation on 1st February 1974.

Interpretation

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 (Northern Ireland) 1929 was applied by Article 1 of the Petroleum (Inflammable Liquids) Order (Northern Ireland) 1973;

"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.

Application and general safety precautions

3. Subject to Regulation 10, 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.

(a) 20 Geo. 5 c. 13 (N.I.).
(b) S.R. & O. (N.I.) 1973, No. 468.
(c) 1972. c. 22.

4. Subject to Regulation 10, no person engaged in the conveyance, of any inflammable liquid shall smoke or carry any naked flame.

5. Subject to Regulation 10, 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 10, 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 10, 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) The driver of a vehicle conveying such substances as come within the scope of these Regulations shall be supplied with instructions in writing, specifying concisely—

(*a*) the nature of the cargo being conveyed in the vehicle; and the nature of any hazard involved;

(*b*) the telephone number of the supplier and his address or the name, address or telephone number of the person to be contacted in the case of an incident;

(*c*) the immediate action to be taken for the protection of operatives, other persons and property in the case of—

(i) damage or spillage,

(ii) fire (specifying any extinguishing medium which should not be used),

(iii) injury;

(*d*) instructions to call the police and fire service as soon as possible in the event of any incidents.

(2) These instructions shall be supplied by the manufacturer or consignor and shall be kept in a readily accessible position in the driver's cab.

Provided that paragraphs (1) and (2) above shall not apply to a vehicle conveying the regulated substance in containers or receptacles if every container or receptacle bears a warning label containing the information required under sub-paragraphs (*a*)-(*d*) of paragraph (1).

(3) All necessary steps shall be taken by the owner of the vehicle to ensure that the driver is aware of these instructions or warning labels and understands them.

Enforcement

9.—(1) It shall be the duty of a local authority empowered under the Petroleum (Consolidation) Act (Northern Ireland) 1929 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 may institute proceedings for any offence against these Regulations committed in the area of that authority.

Exemptions

10. Regulations 3 to 7 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).

Dated this 19th day of November, 1973.

W. S. I. Whitelaw,
One of Her Majesty's Principal Secretaries of State.

SCHEDULE

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, but is intended to indicate their general purport.)

These Regulations, made under section 6 of the Petroleum (Consolidation) Act (Northern Ireland) 1929, require certain precautions, directed principally to the prevention of fire or explosion, to be observed in the conveyance by road of the inflammable liquids to which that section was applied by the Petroleum (Inflammable Liquids) Order (Northern Ireland) 1973 and make provision for the enforcement of the Regulations.