## CHAPTER 32.

An Act to consolidate the enactments relating to petroleum and to petroleum-spirit.

[3rd August 1928.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

*Licences for Keeping Petroleum-Spirit.*

Petroleum-spirit not to be kept without a licence.

**1.**—(1) Subject to the provisions of this Act, petroleum-spirit shall not be kept unless a petroleum-spirit licence is in force under this Act authorising the keeping thereof and the petroleum-spirit is kept in accordance with such conditions, if any, as may be attached to the licence:

Provided that the foregoing provision shall not apply to any petroleum-spirit kept either for private use or for sale so long as—

(*a*) it is kept in separate glass, earthenware, or metal vessels, securely stopped and containing not more than one pint each; and

(*b*) the aggregate amount kept would not, if the whole contents of the vessels were in bulk, exceed three gallons.

(2) The occupier of any premises in which petroleum-spirit is kept in contravention of this section shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the contravention occurs or continues, and the court before whom any person is convicted under this subsection may order that the petroleum-spirit, in respect of which the contravention occurs, and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as the court thinks fit.

(3) If any person to whom a petroleum-spirit licence is granted contravenes any condition of the licence, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the contravention occurs or continues.

Provisions as to licences.

2.—(1) The local authority empowered under this Act to grant petroleum-spirit licences shall be—

(*a*) in the County of London, except the City of London, the county council:

(*b*) in the City of London, the common council of the City of London:

(*c*) elsewhere, the district council:

Provided that in any harbour within the jurisdiction of a harbour authority, whether situate or not within the jurisdiction of any local authority hereinbefore mentioned, the harbour authority shall be the local authority for granting petroleum-spirit licences to the exclusion of any other local authority.

(2) A petroleum-spirit licence may be granted by a local authority so as to be in force for such time, and subject to such provisions as to renewal, as the local authority think necessary.

(3) A local authority may attach to any petroleum-spirit licence such conditions as they think expedient, as to the mode of storage, the nature and situation of the premises in which, and the nature of the goods with which, petroleum-spirit is to be stored, the facilities for the testing of petroleum-spirit from time to time, and generally as to the safe-keeping of petroleum-spirit.

(4) Where conditions to be observed by persons employed are attached to any petroleum-spirit licence, the occupier of the premises to which the licence relates shall cause to be kept posted on the premises, in such form and in such position as to be easily read by the persons employed on the premises, a notice setting out those conditions, and

(*a*) if the occupier of any premises fails to comply with the foregoing requirements of this subsection, he shall be liable on summary conviction to a fine not exceeding five pounds for every day on which the failure occurs or continues; and

(*b*) if any person pulls down, injures, or defaces any notice posted in accordance with the requirements of this subsection, he shall be liable on summary conviction to a fine not exceeding five pounds; and

(*c*) if any person employed contravenes any condition of which notice has been given in accordance with the requirements of this subsection, he shall be liable on summary conviction to a fine not exceeding five pounds.

Appeals from refusals by local authorities to grant licences.

**3.**—(1) If on any application for a petroleum-spirit licence a local authority refuse to grant the licence, or grant the licence on conditions with which the applicant is dissatisfied, the local authority shall, if required by the applicant so to do, deliver to him a certificate in writing signed by the clerk or secretary of the local authority stating the grounds on which the authority has refused the licence or attached the conditions, as the case may be, and the applicant may appeal to the Secretary of State within ten days after the receipt of the certificate or within such further time as the Secretary of State may allow.

(2) Every appeal to the Secretary of State under this section shall be made in writing asking that the licence may be granted notwithstanding the refusal of the local authority, or that the conditions may not be attached or may be modified in such manner and to such extent as may be set forth in the appeal, and shall be accompanied by the certificate of the local authority given under the last foregoing subsection, and on consideration of any such appeal the Secretary of State may, if he thinks fit, grant the licence either without conditions or subject to such conditions as he thinks proper or may modify the conditions attached by the local authority, and any licence so granted or modified shall be in force for such time and be subject to such provisions as to renewal as may be specified in the licence, and shall, when certified under the hand of the Secretary of State, have effect as if granted by a local authority.

(3) Before exercising his powers under the last foregoing subsection with respect to any appeal, the Secretary of State may, if he thinks it necessary or desirable, cause an inquiry and report upon the matter to be made to him by such person as he may appoint for the purpose.

Fees payable for licences.

**4.** In respect of every petroleum-spirit licence granted by a local authority or by the Secretary of State under this Act, fees shall be payable to the local authority or

to the Secretary of State, as the case may be, by the person to whom the licence is granted, at the rates shown in the scale set out in the First Schedule to this Act or such lower scale as the Secretary of State may, with the consent of the Treasury, prescribe by regulations.

*Labelling of Vessels containing Petroleum-Spirit.*

Provisions as to the labelling of vessels containing petroleum-spirit.

**5.**—(1) Subject as hereinafter provided, where any petroleum-spirit—

(*a*) is kept at any place; or

(*b*) is sent or conveyed between any two places in Great Britain; or

(*c*) is sold or exposed or offered for sale;

there shall be attached to, or, where that is impracticable, displayed near, the vessel containing the petroleum-spirit, a label showing, in conspicuous characters, the words "Petroleum-Spirit" and the words "Highly Inflammable," and—

(i) in the case of petroleum-spirit kept, the name and address of the consignee or owner:

(ii) in the case of petroleum-spirit sent or conveyed, the name and address of the sender;

(iii) in the case of petroleum-spirit sold or exposed or offered for sale, the name and address of the vendor:

Provided that, for the purposes of the foregoing provisions—

(*a*) petroleum-spirit shall not be deemed to be kept during the seven days next after it has been imported; and

(*b*) petroleum-spirit carried on any motor vehicle, ship, or aircraft, but intended to be used only for the purposes thereof shall not be deemed to be conveyed.

(2) Any person who keeps, sends, conveys, sells, or exposes or offers for sale any petroleum-spirit in contravention of this section shall be liable on summary conviction to a fine not exceeding five pounds, and the court before whom any person is convicted in respect of any such contravention may order that the petroleum-spirit, in respect of which the contravention occurs, and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as the court thinks fit.

*Transport of Petroleum-Spirit.*

Regulations as to the conveyance of petroleum-spirit by road.

**6.**—(1) The Secretary of State may make regulations as to the conveyance of petroleum-spirit by road and for protecting persons or property from danger in connection with such conveyance, and in particular—

(*a*) for regulating the description and construction of vehicles to be used in the conveyance of petroleum-spirit by road:

(*b*) for prohibiting or subjecting to conditions and restrictions the conveyance by road of petroleum-spirit with any explosive, or with any articles or substances, or in passenger vehicles:

(*c*) for prescribing the quantity of petroleum-spirit which may be conveyed at one time or in one vehicle:

(*d*) for prescribing the precautions to be observed in the conveyance of petroleum-spirit by road, and in loading and unloading vehicles used in such conveyance, and the time during which the petroleum-spirit may be kept during such conveyance, loading, and unloading as aforesaid:

(*e*) for the publication and supply of copies of the regulations:

(*f*) adapting, on good cause being shown, the regulations in force under this section to the circumstances of any particular locality:

(*g*) the enforcement of the regulations in any district by the local authority empowered under this Act to grant petroleum-spirit licences in that district.

(2) If any person contravenes or attempts to contravene any regulation made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the offence occurs or continues, and the court before whom any person is convicted under this subsection may order that the petroleum-spirit in respect of which the offence was committed and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as the court thinks fit.

Byelaws as to ships loading and carrying petroleum-spirit in harbour.

**7.**—(1) It shall be the duty of every harbour authority to make for the harbour under their jurisdiction byelaws as to the loading of ships with petroleum-spirit and generally as to the precautions to be observed with respect to ships carrying petroleum-spirit whilst in the harbour, and such byelaws shall in particular provide—

(*a*) for regulating the places at which ships are to load or land petroleum-spirit and the time and mode of, and the precautions to be taken on, such loading and landing; and

(*b*) for regulating the places at which ships carrying petroleum-spirit are to be moored; and

(*c*) for the due enforcement of the byelaws.

(2) No byelaws made by a harbour authority under the last foregoing subsection shall come into force until confirmed by the Minister of Transport and before submitting any such byelaws to the Minister the harbour authority shall, in such manner as may be directed by the Minister, publish a draft thereof together with notice of their intention to apply for the confirmation of the byelaws.

(3) If it appears to the Minister of Transport that at any harbour there are for the time being no byelaws or insufficient byelaws in force under this section, the Minister may by notice require the harbour authority having jurisdiction in that harbour to make and submit to him byelaws for the purposes of this section, and if the harbour authority make default in complying with any such requirement within the time limited by the notice, the Minister may make byelaws which shall have effect as if they had been made by the harbour authority and confirmed by him.

(4) If it appears to the Admiralty that byelaws under this section ought to be made with respect to any place within the limits of a dockyard port as defined by the Dockyard Port Regulation Act, 1865, but that there is no harbour authority competent to make byelaws with respect to that place, the Admiralty may make byelaws with respect thereto, and any byelaws so made by the Admiralty shall come into force without confirmation, shall be published in such manner as the Admiralty think proper, and shall have effect as if they had been made by a harbour authority and confirmed by the Minister of Transport.

28 & 29 Vict. c. 125.

(5) If it appears to a harbour master or to any person acting under the orders of a harbour authority that any ship or any petroleum-spirit is in a place in which it ought not in accordance with any such byelaws as aforesaid to be, he may cause it to be removed so as to be in conformity with the byelaws, and any expenses incurred by the harbour authority in connection with any such removal may be recovered summarily as a civil debt from the owner of the ship or of the petroleum-spirit, as the case may be.

(6) In the event of any contravention of the requirements of any byelaw in force under this section, the owner and master of any ship in or in relation to which the contravention occurs, and, except in the case of a contravention in respect of the mooring of a ship, the owner of any petroleum-spirit in respect of which the contravention occurs, shall each be guilty of an offence and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds for every day on which the offence occurs or continues:

Provided that it shall be a good defence to proceedings for any such offence to prove—

(*a*) if the proceedings are against the owner or master of a ship for an offence in respect of the loading or landing of petroleum-spirit, that all reasonable means were taken by the master to prevent the commission of the offence, and that the offence was not caused or facilitated by any act or neglect on the part of the owner or of any person engaged or employed by the owner or master; and

(*b*) if the proceedings are against the owner of petroleum-spirit for an offence in respect of the loading or landing thereof, or in respect of any failure to observe precautions required to be observed with respect to ships carrrying petroleum-spirit whilst in harbour, that the offence was not caused or facilitated by any act or neglect on his part or on the part of any person engaged or employed by him.

Notice of ships carrying petroleum-

**8.** The owner or master of every ship carrying a cargo, any part of which consists of petroleum-spirit, shall, on entering any harbour within Great Britain, give notice of the nature of the cargo to the harbour

spirit to be given on entering harbour.

authority having jurisdiction over the harbour, and if such notice is not given, the owner and master of the ship shall each be guilty of an offence and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds, or on conviction thereof on indictment to a fine not exceeding five hundred pounds:

Provided that it shall be a good defence to proceedings for any such offence to prove that neither the owner nor the master knew the nature of the goods in respect of which the proceedings are taken, and that neither of them could, with reasonable diligence, have obtained such knowledge.

Byelaws as to loading, conveyance and landing of petroleum-spirit in and upon canals.

**9.**—(1) Every canal company shall have power to make byelaws regulating the loading, conveyance and landing of petroleum-spirit in and upon the canal under their jurisdiction, and as to the precautions to be observed with respect thereto, and as to the due enforcement of the byelaws.

(2) No byelaws made under this section shall come into force until confirmed by the Minister of Transport, and before submitting any such byelaws to the Minister, the canal company shall, in such manner as may be directed by the Minister, publish a draft thereof together with notice of their intention to apply for the confirmation of the byelaws.

(3) If any person contravenes or attempts to contravene any byelaw made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the offence occurs or continues.

51 & 52 Vict. c. 25.

(4) Section forty of the Railway and Canal Traffic Act, 1888 (which makes provision as to the byelaws of canal companies) shall not apply to byelaws made under this section.

*Special Provisions as to Keeping, Use and Supply of Petroleum-Spirit for Motor Vehicles.*

Regulations as to the keeping and use of petroleum-spirit for purpose of motor

**10.**—(1) The Secretary of State may make regulations as to the keeping and use of petroleum-spirit by persons intending to use it for the purpose of any class of motor vehicles, motor boats, aircraft, or engines specified in the regulations, and any such regulations may exempt from the operation of any of the foregoing provisions of

this Act the keeping and use of petroleum-spirit by persons intending to use it for the purpose of any such class as aforesaid to which the regulations apply. vehicles, motor boats, aircraft and engines.

(2) If any person contravenes or attempts to contravene any regulation made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the offence occurs or continues, and the court before whom any person is convicted under this subsection may order that the petroleum-spirit in respect of which the offence was committed, and any vessel in which it is contained, be forfeited or otherwise dealt with in such manner as the court thinks fit.

Byelaws as to petroleum filling stations.

**11.**—(1) For the purpose of preserving for the enjoyment of the public the amenities of any rural scenery or of any place of beauty or historic interest or of any public park or pleasure promenade or of any street or place which is of interest by reason of its picturesque character, the council of any county or borough may make byelaws—

(*a*) regulating the appearance of petroleum filling stations; or

(*b*) prohibiting the establishment of petroleum filling stations,

in any part of their area to which the byelaws apply; and, without prejudice to the generality of the foregoing provisions, any such byelaws regulating the appearance of petroleum filling stations may, in particular, require compliance with such provisions as may be contained in the byelaws as to the position, design, size, colour and screening of such stations or of any parts thereof:

Provided that—

(i) as respects the City of London, the powers and duties conferred and imposed by this section shall be exercised and performed by the Common Council of the City of London instead of the London County Council; and

(ii) no byelaws made under this section by the council of any county shall have effect in any borough within the county; and

(iii) nothing in any byelaws regulating the appearance of petroleum filling stations shall prevent the use in any place to which the

byelaws apply, of any pump or other apparatus approved for use in such places by the Secretary of State; and in making any such byelaws a council shall make provision for exempting any station established at the time of the making of the byelaws from any restrictions requiring structural alterations for such period, not being less than two years from that time, as they may think fit; and

(iv) in making any byelaws prohibiting the establishment of petroleum filling stations a council shall have regard to the need for reasonable facilities for the supply of petroleum in or near the part of their area to which the byelaws apply.

(2) Any part of the area of a council to which byelaws or a draft of any byelaws made under this section apply shall be distinctly marked and shown on plans to be signed by and deposited with the clerk of the council making the byelaws, and the said plans shall be at all reasonable times thereafter open for the inspection of the public without charge.

(3) No byelaws made under this section shall come into force until confirmed by the Secretary of State, and before submitting any such byelaws to the Secretary of State the council by whom the byelaws were made shall, in such manner as may be directed by the Secretary of State, publish a draft thereof, together with notice of the place where the plans marked in accordance with the provisions of this section may be inspected and of the intention of the council to apply for the confirmation of the byelaws.

(4) Where byelaws made under this section are in force prohibiting the establishment of petroleum filling stations in any part of the area of a council, the council may, with a view to securing the removal of all such stations from that part of their area, serve upon every occupier of a petroleum filling station established therein before the date on which the byelaws came into force a notice requiring him to remove it within such period, not being less than six months after the service of the notice, as may be specified in the notice, and any such notice may be addressed "the occupier" without

further name or description and may be served either by delivering it or leaving it at, or by sending it by post as a registered letter to, the usual or last known place of abode of the occupier, or if his place of abode is not known, by fixing it on some conspicuous part of the petroleum filling station :

Provided that any person upon whom such a notice is served shall be entitled to recover from the council by whom it was served any expenses reasonably incurred by him in carrying out the directions contained in the notice, and shall, if he makes a claim within twelve months after the service of the notice, be entitled to recover from the council compensation for any loss sustained by him in direct consequence of the requirements of the notice, and any question in dispute as to whether compensation is payable under this subsection or as to the amount of any compensation so payable shall be determined by a single arbitrator appointed by agreement between the parties or, in default of such agreement, appointed by the Secretary of State.

(5) The occupier of any premises used or intended to be used as a petroleum filling station shall have power, notwithstanding anything in any conveyance or in any lease or other agreement, to do all such things as may be necessary for complying with the requirements of any byelaw made or notice served under this section; and where a notice has been served upon any person under this section the council by whom the notice was served may, with his consent, do on his behalf anything necessary for complying with the requirements of the notice.

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(6) If any person contravenes any byelaw made or notice served under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the contravention occurs or continues, and if, after any person has been so convicted in respect of a contravention of any byelaw made under this section prohibiting the establishment of petroleum filling stations or in respect of a contravention of any notice served under this section requiring the removal of any such station, the petroleum filling station is not removed within such time as the court may allow, the council by whom the byelaw was made or the notice served shall have power to do all such acts as may be necessary for the removal thereof, and

any expenses incurred by a council in removing any petroleum filling station established in contravention of any such byelaw as aforesaid shall be recoverable from the person convicted summarily as a civil debt.

(7) Any expenses incurred by a county council under this section shall be defrayed as part of their expenses for general county purposes.

(8) The council of any urban district shall have power to enforce within their district any byelaws in force under this section, and any expenses incurred by a district council under this subsection shall be defrayed as part of their general expenses.

*Regulations as to special Classes of Petroleum-Spirit.*

Regulations as to classes of petroleum-spirit likely to be dangerous or injurious to health.

**12.**—(1) If the Secretary of State is satisfied that any class of petroleum-spirit is by reason of the nature thereof or of any substance mixed therewith likely to be dangerous or injurious to health either generally or in the case of any class of persons, he may make such regulations as appear to him to be reasonably practicable and to meet the necessity of the case, and in particular—

(*a*) for requiring the observance of such precautions as may be prescribed for the protection of persons employed or engaged in handling or using petroleum-spirit of that class in connection with any trade or business; and

(*b*) for requiring persons selling to the public petroleum-spirit of that class to give, in such manner as may be prescribed, warning to purchasers of petroleum-spirit of that class as to the dangers thereof and the precautions to be observed with respect thereto; and

(*c*) for prohibiting the sale or use of petroleum-spirit which he may by order declare to be so dangerous or injurious to health that precautions for the protection of persons employed or engaged in handling or using such petroleum-spirit are impracticable; and

(*d*) for the publication and supply of copies of the regulations; and

(*e*) for the enforcement of the regulations in any district by the local authority empowered under this Act to grant petroleum-spirit licences in that district:

Provided that any such regulations extending to England shall be made after consultation with the Minister of Health.

(2) If any person contravenes or attempts to contravene any regulation made under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds for every day on which the offence occurs or continues, and the court before whom any person is convicted under this subsection may order that the petroleum-spirit in respect of which the offence was committed, and any vessel in which it is contained, be forfeited or otherwise dealt with in such manner as the court thinks fit.

*Accidents in connection with Petroleum-Spirit.*

Notice to be given of accidents connected with petroleum-spirit.

**13.**—(1) Whenever any accident which occasions loss of life or personal injury occurs by explosion or by fire in or about or in connection with any licensed premises, the occupier of the premises shall, if the explosion or fire involved petroleum-spirit, forthwith send or cause to be sent to the Secretary of State notice of the accident and of the loss of life or personal injury. A notice of any accident of which notice is sent in pursuance of this section need not be sent to any inspector of factories.

(2) Where, in, about, or in connection with any ship or vehicle on which petroleum-spirit is being conveyed or loaded or from which petroleum-spirit is being unloaded, any accident which occasions loss of life or personal injury occurs by explosion or by fire, the owner or master of the ship or vehicle shall, if the explosion or fire involved petroleum-spirit, forthwith send or cause to be sent to the Secretary of State notice of the accident and of the loss of life or personal injury, but this provision shall not apply where the petroleum-spirit carried or loaded on, or unloaded from, the ship or vehicle is or was for use only on that ship or vehicle or in any case in which such notice as aforesaid is otherwise by law required to be sent to some government department.

(3) Every such occupier, owner, or master as aforesaid who fails to comply with any of the provisions of this section shall be liable on summary conviction to a fine not exceeding twenty pounds.

Inquiry into accidents connected with petroleum-spirit.

**14.** The Secretary of State may direct an inquiry to be made by a government inspector into the cause of any accident of which notice is required by this Act to be given to the Secretary of State, and where it appears to the Secretary of State either before or after the commencement of any such inquiry, that a more formal investigation of the accident, and of the causes and circumstances thereof, is expedient, he may by order direct a formal investigation to be held, and with respect to inquiries and investigations made or held under this Act the following provisions shall have effect:—

(*a*) the Secretary of State may, by the same or any subsequent order, appoint any person or persons possessing legal or special knowledge to assist the government inspector in holding a formal investigation, or may direct such county court judge, stipendiary magistrate, metropolitan police magistrate, or other person or persons as may be named in the order, to hold such an investigation with the assistance of a government inspector or any other assessor or assessors named in the order:

(*b*) the persons holding any formal investigation (in this section referred to as the court) shall hold it in open court in such manner and under such conditions as they think most effectual for ascertaining the causes and circumstances of the accident, and for enabling them to make the report in this section mentioned:

(*c*) the court shall have for the purpose of the investigation all the powers of a court of summary jurisdiction when acting as a court in hearing informations for offences against this Act, and shall have all the powers of a government inspector under this Act, and in addition the following powers, namely—

(i) they may enter and inspect any place or building the entry or inspection whereof appears to them requisite for the said purpose;

(ii) they may by summons under their hands require the attendance of all such persons as they think fit to call before them and examine for the said purpose, and may for the said purpose require to be furnished

to them answers or returns to such inquiries as they think fit to make;

(iii) they may require the production of all books, papers, and documents which they consider important for the said purpose;

(iv) they may administer an oath, and require any person examined to make and sign a declaration of the truth of the statements made by him in his examination:

(*d*) persons attending as witnesses before the court shall be allowed such expenses as would be allowed to witnesses attending before a court of record; and in case of dispute as to the amount to be allowed, the dispute shall be referred by the court to a master of the Supreme Court, who, on request under the hands of the members of the court, shall ascertain and certify the proper amount of the expenses:

(*e*) if any person without reasonable excuse (proof whereof shall lie on him) fails, after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of a court holding an investigation under this Act, or prevents or impedes the court in the execution of their duty, he shall be liable on summary conviction to a fine not exceeding ten pounds, or, in the case of a failure to comply with a requisition for furnishing any return or producing any document, not exceeding ten pounds for every day on which the failure occurs or continues:

(*f*) the government inspector making an inquiry into any accident and the court holding an investigation of any accident under this section shall make a report to the Secretary of State, stating the causes of the accident and all the circumstances attending it, and containing any observations thereon or on the evidence or on any matters arising out of the inquiry or investigation which he or they think right to include in the report, and the Secretary of State shall cause every report so made to him to be made public in such manner as he thinks expedient.

Coroners' inquests on deaths from accidents connected with petroleum-spirit.

**15.**—(1) Where a coroner holds an inquest upon the body of any person whose death may have been caused by any accident of which notice is required by this Act to be given to the Secretary of State, the coroner shall adjourn the inquest unless a government inspector, or some person on behalf of the Secretary of State, is present to watch the proceedings:

Provided that, if the accident has not occasioned the death of more than one person, and the coroner has sent to the Secretary of State notice of the time and place of holding the inquest not less than forty-eight hours before the time of the holding thereof, it shall not be imperative on him to adjourn the inquest in pursuance of this section if the majority of the jury think it unnecessary that he should do so.

(2) The coroner before the adjournment, may take evidence to identify the body, and may order the interment thereof.

(3) The coroner, at least four days before holding the adjourned inquest, shall send to the Secretary of State notice in writing of the time and place of holding the adjourned inquest.

(4) A government inspector or person employed on behalf of the Secretary of State shall be at liberty at any such inquest as aforesaid to examine any witness, subject nevertheless to the order of the coroner on points of law.

(5) Where at any inquest there is given evidence of any neglect having caused or contributed to an accident, or evidence of there having been, in or about or in connection with any licensed premises or any ship or vehicle carrying petroleum-spirit, any defect that appears to the coroner or jury to require a remedy, the coroner shall, if no government inspector or person employed on behalf of the Secretary of State is present at the inquest, send to the Secretary of State notice in writing of the neglect or defect.

*Powers of Inspection, &c.*

Powers of government inspectors.

**16.**—(1) A government inspector shall have power to make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act or of any

regulations made thereunder are complied with, and for that purpose he—

(*a*) may enter, inspect, and examine at all reasonable times by day any licensed premises, and every part thereof, and any premises in which any petroleum-spirit is kept, or is suspected by him to be kept, in contravention of the provisions of this Act or of any regulations made thereunder; and

(*b*) may require the occupier of any premises which he is so entitled to enter, or a person employed therein by the occupier, to give him samples of any petroleum on the premises.

(2) The occupier of any such premises as aforesaid, his agents and servants, shall furnish the means required by a government inspector as being necessary for every such entry, inspection and examination which he is entitled under this section to make.

(3) If any person fails to permit a government inspector to enter, inspect or examine as aforesaid, or to comply with any such requisition of a government inspector as aforesaid, or in any manner obstructs a government inspector in the execution of his duties, that person shall be liable on summary conviction to a fine not exceeding fifty pounds, or on conviction on indictment to a fine not exceeding one hundred pounds.

Powers of officers of local authorities as to testing petroleum-spirit.

**17.**—(1) Any officer authorised by a local authority empowered under this Act to grant petroleum-spirit licences—

(*a*) may purchase samples of any petroleum from any dealer therein or from any person who keeps petroleum for the purposes of any trade or industry, or may on producing a copy of his appointment purporting to be signed by the clerk or secretary of the local authority require the dealer or other person to show him every place and any vessels in which petroleum in his possession is kept and to give him samples of such petroleum on payment of the value thereof; and

(*b*) may test or cause to be tested at any convenient place and at such reasonable time as he may appoint any samples so obtained by him.

(2) Any such officer shall, before testing or causing to be tested any samples under the last foregoing subsection, give to the dealer or other person from whom they were obtained notice in writing of the place and time at which they are to be tested, and the dealer or other person or any person appointed by him may be present at the testing.

(3) If it appears to the person testing any samples of petroleum obtained under this section that the petroleum is petroleum-spirit, he may give a certificate in writing to that effect, and a certificate so given shall be received in evidence in any proceedings under this Act against the person from whom the samples were obtained, so, however, that if, after hearing any evidence given by or on behalf of that person, the court before which the proceedings are taken is not satisfied as to the correctness of the certificate, the court may appoint some person skilled in testing petroleum to test the samples to which the certificate relates and to report whether the certificate is correct or not.

(4) Any expenses incurred in testing any samples of petroleum under this section shall, if the person from whom the samples were obtained is convicted of keeping, sending, conveying, selling, or exposing or offering for sale petroleum-spirit in contravention of this Act, be paid by that person, and shall be recoverable as part of the costs of the proceedings against him, but in every other case shall be paid by the local authority.

(5) If any dealer in petroleum or person who keeps petroleum for the purposes of any trade or industry, by himself or by anyone in his employ or acting by his direction or with his consent, refuses to show to an officer authorised by the local authority any place or vessel in which petroleum in his possession is kept, or to give to such an officer such assistance as he may require for examining any such place or vessel, or to give him samples of such petroleum on payment of the value thereof, or wilfully obstructs the local authority or any officer thereof acting in the execution of this Act, that dealer or other person shall be liable on summary conviction to a fine not exceeding twenty pounds.

Warrants to search for and seize petroleum-spirit.

**18.**—(1) If a court of summary jurisdiction is satisfied by information on oath that there is reasonable ground for suspecting that any petroleum-spirit is being kept, sent, conveyed, or exposed or offered for sale within the jurisdiction of the court in contravention of this Act, the court shall grant a search warrant authorising any person named therein to enter and examine any place, ship or vehicle named in the warrant and to search for and take samples of petroleum therein and to seize and remove any petroleum-spirit that he may find therein kept, sent, conveyed, or exposed or offered for sale in contravention of this Act, and the vessel containing any such petroleum-spirit, and to detain such petroleum-spirit and vessel until a court of summary jurisdiction has determined whether or not they are to be forfeited.

(2) Where any petroleum-spirit or vessel is seized by virtue of a warrant granted under this section—

(*a*) proceedings shall be commenced forthwith for determining whether or not it is to be forfeited; and

(*b*) the person seizing it shall not be liable to any proceedings for detaining it or for any loss or damage incurred in respect thereof except where the loss or damage is due to any wilful act or neglect while the petroleum-spirit or vessel is so detained; and

(*c*) in the case of any petroleum-spirit or vessel seized in any ship or vehicle, the person seizing it may for the purposes of the removal thereof use, during twenty-four hours after the seizure, the ship or vehicle in which it was seized, with the tackle, beasts and accoutrements belonging thereto, but if he do so shall pay to the owner of the ship or vehicle reasonable compensation for the use thereof: the amount of such compensation shall, in default of agreement, be assessed by the court of summary jurisdiction before which proceedings are taken for determining whether or not the petroleum-spirit or vessel is to be forfeited, and may be recovered in like manner as fines under this Act may be recovered.

(3) If any person by himself or by anyone in his employ or acting by his direction or with his consent

refuses or fails to admit into any place, ship or vehicle occupied by him or under his control any person authorised by a warrant granted under this section to enter that place, ship or vehicle, or obstructs or prevents any person from making any search, examination or seizure or taking any samples which he is authorised by such a warrant to make or take, that person shall be liable on summary conviction to a fine not exceeding twenty pounds and may be ordered by the court to forfeit any petroleum-spirit that is found in his possession or under his control with or without any vessel in which it is contained.

*Power to apply Act to other Substances.*

Power to make Orders in Council applying Act to other substances.

**19.**—(1) His Majesty may by Order in Council apply to any substance any of the provisions of this Act specified in the Order, with such modifications, if any, as may seem to His Majesty to be desirable having regard to the nature of the substance to which the Order relates.

(2) While any Order in Council relating to any substance is in force under this section, the provisions of this Act thereby applied shall have effect as if the substance were included in the definition of petroleum-spirit, but subject to such modifications, if any, as may be provided by the Order.

(3) Any Order in Council made under this section may be varied or revoked by any subsequent Order.

*Supplementary.*

Provisions as to apparatus for and method of testing petroleum. 42 & 43 Vict. c. 47.

**20.**—(1) Models of the apparatus for testing petroleum, of which specifications are contained respectively in Part I of the Second Schedule to this Act and in the First Schedule to the Petroleum Act, 1879, shall remain deposited with the Board of Trade, and the Board shall, on payment of such fee, not exceeding twenty shillings, as the Board may from time to time prescribe, cause every apparatus constructed in accordance with either such specification which is submitted to them for the purpose to be compared with the appropriate model so deposited and to be verified, and shall stamp with a mark approved by the Board and notified in the

London Gazette every such apparatus that is found to be correct, so, however, that no apparatus constructed in accordance with the specification contained in the First Schedule to the Petroleum Act, 1879, shall after the commencement of this Act be so verified and stamped unless it has been previously verified and stamped on or before the third day of August, nineteen hundred and twenty-eight.

(2) No apparatus for testing petroleum stamped by the Board of Trade in accordance with the provisions of this section shall be deemed to have been verified by the Board unless—

(*a*) it has been stamped within ten years; and

(*b*) no part of the apparatus has been materially altered, repaired, or replaced since the apparatus was last stamped

but save as aforesaid all such apparatus purporting to be so stamped shall be deemed to have been verified by the Board until the contrary is proved.

(3) All fees payable under this section shall be paid into the Exchequer.

Regulations and bye-laws to be laid before Parliament.

**21.** All regulations made by the Secretary of State and all byelaws made by the Admiralty under this Act shall be laid before each House of Parliament as soon as may be after they are made, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent forty days on which that House has sat next after any such regulation or byelaw is laid before it, praying that the regulation or byelaw may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of any new regulation or byelaw.

Confirmation and publication of byelaws.

**22.** The Secretary of State or the Minister of Transport, as the case may be, may confirm any byelaws submitted to him under this Act with or without any modifications, and any byelaws so confirmed shall be published by the authority by whom they were submitted in such manner as the Secretary of State or the Minister of Transport, as the case may be, may direct.

Interpretation.

**23.** In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them (that is to say):—

"Amenities," in relation to any place, includes any view of or from that place:

"Canal" and "canal company" have respectively the same meanings as in the Regulation of Railways Act, 1873:

36 & 37 Vict. c. 48.

"Contravention" includes, in relation to any provision, a failure to comply with that provision, and the expression "contravene" shall be construed accordingly:

"Dock" includes any pier, jetty or other place, in or at which ships can ship or unship goods or passengers:

"Government inspector" means a Government inspector under the Explosives Act, 1875:

38 & 39 Vict. c. 17.

"Harbour" means any harbour, whether natural or artificial, and any port, haven, estuary, tidal or other river, canal or inland navigation navigated by sea-going ships and, subject to the provisions of this Act, any dock:

"Harbour authority" means any person or body of persons in whom are vested by or under any Act of Parliament powers and duties of improving, maintaining or managing a harbour, so, however, that where, as respects any dock within a harbour, such powers and duties are separately vested by or under any Act of Parliament in any person or body of persons, that person or body shall, as respects that dock, be the harbour authority, and the dock shall be deemed to be a separate harbour:

"I.W.G." means the denominations of standards approved by Order in Council made under the Weights and Measures Act, 1878, and dated the twenty-third day of August, eighteen hundred and eighty-three, known as the "Imperial Wire Gauge":

41 & 42 Vict. c. 49.

"Licensed premises" means any premises in respect of which a petroleum-spirit licence is in force under this Act:

"Motor vehicles" includes all mechanically-propelled vehicles intended or adapted for use on roads:

"Petroleum" includes crude petroleum, oil made from petroleum, or from coal, shale, peat or other bituminous substances, and other products of petroleum:

"Petroleum filling station" means any premises or place used or intended to be used by way of trade or for purposes of gain for fuelling motor vehicles with petroleum, and includes any building, advertisement, pump or other apparatus in, or used in connection with, any such premises:

"Petroleum-spirit" means such petroleum as when tested in the manner set forth in Part II of the Second Schedule to this Act gives off an inflammable vapour at a temperature of less than seventy-three degrees Fahrenheit:

"Petroleum-spirit licence" means a licence authorising the keeping of petroleum-spirit granted by a local authority empowered under this Act to grant such a licence or by the Secretary of State:

"Ship" includes every description of vessel used in navigation, whether propelled by oars or otherwise.

Application to Scotland.

**24.** This Act shall apply to Scotland subject to the following modifications:—

(1) the following paragraphs shall be substituted for paragraphs (*a*), (*b*) and (*c*) of subsection (1) of section two of this Act—

(*a*) in a burgh the town council;
(*b*) in a county the county council;

(2) the expression "borough" shall mean "burgh," and any expenses incurred by a county or town council under section eleven of this Act shall be defrayed out of such rate leviable by the council and payable by owners and occupiers in equal proportions as the council may determine;

(3) the expression "a Master of the Supreme Court" means the Auditor of the Court of Session; the expression "attending before a court of record" means attending on citation in the High Court of Justiciary; the expression "stipendiary

magistrate" means the sheriff; and the expression "information" means complaint;

(4) any offence may be prosecuted in a court of summary jurisdiction or on indictment and any penalty shall be recoverable on conviction by a court of summary jurisdiction or on indictment, provided that no court of summary jurisdiction shall, except in the case of an offence which involves a fine for every day on which the offence occurs or continues, have power to impose a penalty exceeding fifty pounds and no court of summary jurisdiction other than the sheriff court shall have power to impose a penalty exceeding twenty pounds;

(5) the expression "court of summary jurisdiction" in section fourteen of this Act means the sheriff, and elsewhere has the like meaning as in the Summary Jurisdiction (Scotland) Acts;

(6) any petroleum, petroleum-spirit, or other substance or thing ordered by a court to be forfeited may be sold or otherwise disposed of in such manner as the court shall direct;

(7) any penalty recovered and the proceeds of any forfeiture sold shall be paid to the King's and Lord Treasurer's Remembrancer where the court is the sheriff court, to the county clerk where the court is the justice of the peace court, and to the treasurer of the burgh where the court is the burgh or police court.

Savings.

**25.**—(1) The powers conferred by this Act shall be in addition to and not in derogation of any other powers conferred on any local authority, harbour authority, or canal company by any Act (not being an enactment repealed by this Act), or by law or custom.

(2) Nothing in this Act shall be deemed to exempt any person from any penalty to which he would otherwise be subject in respect of a nuisance.

Short title, extent, repeal and commencement.

**26.**—(1) This Act may be cited as the Petroleum (Consolidation) Act, 1928.

(2) This Act shall not extend to Northern Ireland.

(3) The enactments mentioned in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule:

Provided that—

(*a*) any appointment, byelaw, regulation, order, licence, certificate or warrant, made, granted, given or issued and any proceedings taken, under any enactment hereby repealed, shall have effect as if made, granted, given, issued, or taken under the corresponding provision of this Act, and any byelaws made by a harbour authority as defined by this Act with respect to the landing of petroleum-spirit, being byelaws which under the said repealed enactments applied with the necessary modifications to the loading of ships with such spirit, shall, until revoked, continue so to apply, and references in this Act to any appointment, byelaw, regulation, order, licence, certificate, warrant or proceedings shall have effect accordingly;

(*b*) any regulations made under section five of the Locomotives on Highways Act, 1896, and continued in force by subsection (4) of section ten of the Petroleum (Amendment) Act, 1928, shall have effect as if made under section ten of this Act, and in so far as any such regulations relate to any substance other than petroleum-spirit, section ten of this Act shall be deemed to have been applied to that substance under section nineteen of this Act; 59 & 60 Vict. c. 36. 18 & 19 Geo. 5. c. 20.

(*c*) any document referring to any enactment repealed by this Act shall be construed as referring to this Act and to the corresponding enactment, if any, therein.

(4) The mention of particular matters in this section shall not be held to prejudice or affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals. 52 & 53 Vict. c. 63.

(5) This Act shall come into operation on the fourth day of August, nineteen hundred and twenty-eight.

# SCHEDULES.

Section 4.

## FIRST SCHEDULE.

RATES OF FEES PAYABLE IN RESPECT OF LICENCES TO KEEP PETROLEUM-SPIRIT.

| In respect of a licence to keep a quantity— | Rates per annum of fees payable. £ | *s.* | *d.* |
|---|---|---|---|
| not exceeding 100 gallons | 0 | 5 | 0 |
| exceeding 100 gallons, not exceeding 500 gallons | 0 | 10 | 0 |
| „ 500 „ „ „ 1,000 „ | 0 | 15 | 0 |
| „ 1,000 „ „ „ 5,000 „ | 1 | 0 | 0 |
| „ 5,000 „ „ „ 10,000 „ | 2 | 0 | 0 |
| „ 10,000 „ „ „ 20,000 „ | 3 | 0 | 0 |
| „ 20,000 „ „ „ 50,000 „ | 4 | 0 | 0 |
| exceeding 50,000 gallons | 5 | 0 | 0 |

*Note.*—In the case of a solid substance for which by virtue of an Order in Council made under section nineteen of this Act, a licence is required to be granted under the said section, the fee payable under this schedule shall be calculated as if ten pounds weight of the substance were equivalent to one gallon.

Section 20.

## SECOND SCHEDULE.

TEST APPARATUS TO BE USED AND MANNER OF TESTING PETROLEUM THEREWITH SO AS TO ASCERTAIN THE TEMPERATURE AT WHICH IT WILL GIVE OFF INFLAMMABLE VAPOUR.

### PART I.

SPECIFICATION OF THE TEST APPARATUS.

*General.*

The apparatus to be employed shall be the Abel Petroleum Testing apparatus or the Abel apparatus modified by having an oil cup provided with a stirrer. It shall be constructed to the dimensions herein specified within the limits of accuracy prescribed by the tolerances set forth below.

2ND SCH. —*cont.*

*The Oil Cup.*

The oil cup consists of a cylindrical vessel open at the top and fitted on the outside with a flat circular flange projecting at right angles.

Within the cup, fixed through the wall and silver soldered or brazed in place, there is a gauge consisting of a piece of wire bent upwards and terminating in a point.

Material:—brass or gunmetal.

| —— | Dimension. | Tolerance. |
|---|---|---|
| Cup, wall and bottom thickness - - - | 17 I.W.G. | — |
| ,, internal diameter - - - - | 2″ | ±0·05″ |
| ,, internal depth - - - - - | 2·2″ | ±0·05″ |
| Flange, thickness - - - - - | 17 I.W.G. | — |
| ,, width - - - - - - - | 0·5″ | ±0·05″ |
| ,, distance of upper side from top edge of cup. | 0·375″ | ±0·05″ |
| Gauge, thickness, not less than - - - | 10 I.W.G. | — |
| ,, distance of point from level of upper edge of cup. | 0·7″ | ±0·005″ |

*The Cover.*

The cup is provided with a close-fitting cover with a downward projecting rim barely reaching the flange on the cup. The downward projecting rim is made solid with the top or silver soldered or brazed in place. Upon the cover are mounted a thermometer socket, trunnions to support an oil-test lamp, a pair of guides in which a slide moves, and a white bead. The top of the cover is pierced by three rectangular holes symmetrically placed on a diameter, one in the centre and the other two as close as practicable to the inner sides of the cover-rim and opposite each other. These three holes are covered or uncovered by means of a slide moving in suitably disposed guides. The slide has two perforations, one corresponding in all particulars to the centre hole in the cover and the other to one of the holes at the side. The movement of the slide is restricted by suitable stops, and its length and the disposition of the holes are such, that at the outer extremity of the movement of the slide, the holes in the cover are simultaneously just completely opened and at the inner extremity of the movement of the slide they are completely closed.

The trunnions supporting the test lamp are fixed on the top of the guides and the lamp is mounted in the trunnions so that it is free to oscillate. The lamp is provided with a jet to contain a wick and is so arranged that when the slide is moved so as to uncover the holes, the oscillating lamp is caught by a

2ND SCH. —*cont.*

pin fixed in the slide and tilted over the central hole in such a way that the lower edge of the cover bisects the circle formed by the bore of the jet when in the lowest position. The flame then occupies a central position within the hole in both directions.

A suitably mounted gas-jet may be substituted for the lamp.

The thermometer socket is in the form of a split tube, mounted on a diameter at right angles to the diameter through the centres of the holes, and fitted at such an angle as to bring the bulb of the thermometer, when in place, vertically below the centre of the cover and at the correct distance from it.

A white bead, the dimensions of which represent the size of test flame to be used, is mounted in a visible position on the cover.

Materials :—all parts excepting bead :—brass or gun-metal.
bead :—ivory or other suitable material.

| —— | Dimension. | Tolerance. |
|---|---|---|
| Cover, thickness | 0·05″ | +0·015″ |
| „ central hole, length (in direction of slide). | 0·5″ | ±0·005″ |
| „ width | 0·4″ | ±0·005″ |
| „ peripheral holes length (in direction of slide). | 0·2″ | ±0·005″ |
| width | 0·3″ | ±0·005″ |
| Slide, thickness | 20 I.W.G. | — |
| „ width of upper surface | 0·5″ | +0·01″ (excess only). |
| Lamp. Overall length of jet | Approx. 0·6″ | To suit the requirements for the position of jet when tilted. |
| „ Bore of jet at end | 0·0625″ | ±0·005″ |
| Bead. Diameter | 0·15″ | ±0·01″ |
| Thermometer Socket : | | |
| Internal diameter | 0·6″ | ±0·01″ |
| Length of short side measured from under surface of cover. | Approx. 0·5″ | — |
| Length of long side measured from under surface of cover. | Approx. 0·75″ | — |
| Distance of centre of socket from centre of cover measured on the underside. | Approx. 0·7″ | — |
| These dimensions are subject to the correct placing of the thermometer when in position. | | |
| Vertical depth of lowest part of thermometer below centre of under-side of cover. | 1·5″ | ±0·1″ |

2ND SCH. —*cont.*

*Cover fitted with stirrer.*

Provision may be made in the cover for the reception of a stirrer which projects into the oil cup, for use with viscous materials only.

A bush is mounted on the cover in a position diametrically opposite the thermometer mounting and its length is such and it is set at such an angle that the stirrer rod clears the oil-level gauge and the blades operate below the level of and without fouling the thermometer bulb. The bush is placed as near as practicable to the outer edge of the cover.

The stirrer consists of a round stem having four blades or vanes silver soldered in place at one end. A collar is fixed on the stem so that when the stem is inserted into the bush from below, it is arrested at a position such that the correct length protrudes into the oil cup. The top end of the stem is reduced and screwed.

A long sleeve having an internally screwed, knurled knob soldered to its upper end, is passed over the upper end of the stem and screwed home. The length of the sleeve is such that a flat-faced collar at its lower end just comes into contact with the upper end of the bush, leaving the stirrer free to rotate without appreciable vertical play.

A flat-headed cylindrical plug is provided for insertion in the bush when the stirrer is not in use.

Material :—brass or gun-metal.

| —— | Dimension. | Tolerance. |
|---|---|---|
| Stem, length overall | 4″ | ±0·1″ |
| „ „ Lower end to point of attachment of blades. | Approx. 0·1″ | — |
| „ „ Lower end to upper surface of collar. | 1·9″ | ±0·1″ |
| „ „ Upper surface of collar to lower end of thread. | 2″ | ±0·1″ |
| „ „ Diameter of stem | Approx. 0·125″ | — |
| „ „ „ of collar | Approx. 0·25″ | — |
| „ Thread | 7 B.A. | — |
| Blades, Thickness | 17 I.W.G. | — |
| „ Length excluding root | 0·5″ | ±0·01″ |
| „ Breadth (all corners of blades rounded). | $\frac{5}{16}$″ (0·3125″). | ±0·01″ |
| „ Blade angle | Approx. 45° | — |
| Sleeve. Length, to suit stem, giving free rotation with no appreciable vertical play when screwed home. | — | — |
| Diameter of bore | Sliding fit on stem. | — |
| Diameter of collar | Approx. 0·25″ | — |

2ND SCH. —*cont.*

*Heating Vessel.*

The heating vessel or bath consists of two flat-bottomed cylindrical copper vessels placed coaxially one inside the other and soldered at their tops to a flat copper ring, greater in outside diameter than the larger vessel and of smaller inside diameter than the smaller vessel. The space between the two vessels is thus totally enclosed and is used as a water jacket.

An ebonite or fibre ring of right-angle section is fitted into the hole in the centre of the flat ring forming the top of the bath and, when the apparatus is in use, the oil cup fits into, and its flange rests upon, this ebonite or fibre ring so that the oil cup is centrally disposed within the heating vessel. The ebonite or fibre ring is secured in place by means of six small screws having their heads sunk below the surface of the ring, to avoid metallic contact between the bath and the oil cup.

A split socket, similar to that on the cover of the oil cup, but set vertically, allows a thermometer to be inserted into the water-space. A funnel and overflow pipe also communicate with the water-space through the top plate and two loop handles are provided thereon.

| — | Dimension. | Tolerance. |
|---|---|---|
| Inner vessel : | | |
| Thickness | 24 I.W.G. | — |
| Internal diameter | 3″ | ±0·05″ |
| Internal depth | 2·5″ | ±0·05″ |
| Outer vessel : | | |
| Thickness, not less than | 24 I.W.G. | — |
| Internal diameter | 5·5″ | ±0·1″ |
| Internal depth | 5·75″ | ±0·1″ |
| Top plate : | | |
| Thickness, not less than | 20 I.W.G. | — |
| Outer flange projection | 0·375″ | ±0·1″ |
| Diameter of central hole | To suit ebonite or fibre ring. Clearance not to exceed 0·1″. | — |
| Ebonite or fibre ring : | | |
| Internal diameter | Easy fit on oil cup | — |
| External diameter of flange | 2·75″ | ±0·02″ |
| Overall depth of spigot | 0·25″ | ±0·02″ |
| Thickness, flange and spigot | 0·08″ | ±0·005″ |
| Screws, C.S. | 8 B.A. × 0·15″ | — |
| Thermometer socket : | | |
| Internal diameter | 0·6″ | ±0·01″ |
| Height from top of plate | 0·75″ | ±0·05″ |

The bath rests upon a cast-iron tripod stand, to the ring of which is attached a cylindrical copper jacket not less than

24 I.W.G. flanged inwards at the top, and of such dimensions that the bath, while resting firmly on the iron ring, just touches with its outward projecting flange the inward-turned flange of the jacket. Two handles are provided on the outer jacket.

Diameter of the outer jacket 6·5 inches ± 0·1 inches.

2ND SCH. —*cont.*

*Spirit Lamp.*

A spirit lamp is provided for raising the temperature of the water bath, but any other means approved by the Board of Trade may be employed for this purpose.

*Thermometers.*

Two thermometers are provided with the apparatus, the one for ascertaining the temperature of the bath, the other for determining the flashing point.

*Oil Cup Thermometer.*

| | |
|---|---|
| Type - - | Mercury in glass, nitrogen filled, graduated on the stem, enamel back. |
| Length - - | Approximately 9 inches. |
| Stem - - | Diameter 0·24 inches to 0·28 inches. |
| Bulb - - | Spherical: made of a normal glass approved by the Board of Trade. Diameter, 0·35 inches ± 0·05 inches. |
| Range - - | 50 degrees Fahrenheit to 150 degrees Fahrenheit with expansion chamber. Distance from the bottom of the bulb to the 50 degree line 2·75 inches to 3·15 inches. Distance from the 50 degree line to the 150 degree line not less than 4·75 inches. |
| Immersion - | A swelling is made in the stem to ensure that the thermometer shall be fixed in its brass collar so that the distance from the top of the collar to the bottom of the bulb is 2·4 inches ± 0·05 inches. |
| Graduation - | Scale graduated in 1 degree Fahrenheit divisions. Every fifth degree and tenth degree to be indicated by longer lines. Figured at every tenth degree in full. |
| Marking - | "Abel Oil Cup": Identification number: "Fahrenheit": Maker's or Vendor's name or trade mark. |

*Water Bath Thermometer.*

| | |
|---|---|
| Type - - | Mercury in glass, nitrogen filled, graduated on the stem, enamel back. |
| Length - - | Approximately 9 inches. |

2ND SCH. —*cont.*

| | | |
|---|---|---|
| Stem | - - | Diameter, 0·24 inches to 0·28 inches. |
| Bulb | - - | Cylindrical: made of a normal glass approved by the Board of Trade. Length approximately 0·8 inches. Diameter not to exceed the diameter of the stem. |
| Range | - - | 90 degrees Fahrenheit to 190 degrees Fahrenheit with expansion chamber. Distance from the bottom of the bulb to the 90 degree line 3·95 inches to 4·35 inches. Distance from the 90 degree line to the 190 degree line not less than 3·55 inches. |
| Immersion | - | A swelling is made in the stem to ensure that the thermometer shall be fixed in its brass collar so that the distance from the top of the collar to the bottom of the bulb is 3·5 inches ± 0·1 inches. |
| Graduation | - | Scale graduated in 1 degree Fahrenheit divisions. Every fifth degree and tenth degree to be indicated by longer lines. Figured at every tenth degree in full. |
| Marking | - | "Abel Water Bath": Identification number: "Fahrenheit": Maker's or Vendor's name or trade mark. |

The brass collar of the thermometer is in each case of the following dimensions:—

| | | |
|---|---|---|
| Outside diameter | - | push fit in socket. |
| Thickness of tube | - | 22 I.W.G. |
| Thickness of flange | - | 0·1 inches. ± 0·001 inches. |

*Note.*—A model apparatus is deposited at the Standards Department of the Board of Trade.

Section 23.

## PART II.

### *Manner of Testing Petroleum.*

1. For the purposes of this Act petroleum shall be tested either by means of apparatus constructed in accordance with the specification contained in Part I of this Schedule, or by means of apparatus constructed in accordance with the specification contained in the First Schedule to the Petroleum Act, 1879, and verified and stamped by the Board of Trade.

2. The test apparatus shall be placed for use in a position where it is not exposed to currents of air or draughts.

3. The heating vessel or water-bath shall be filled by pouring water into the funnel until it begins to flow out at the spout of the vessel. The temperature of the water at the beginning of the test shall be 130 degrees Fahrenheit and no

2ND SCH. —*cont.*

heat shall be applied to the water-bath during the test. When a test has been completed and it is desired to make another test the water-bath shall be again raised to 130 degrees Fahrenheit which may conveniently be done while the petroleum cup is being emptied, cooled and refilled with a fresh sample to be tested. The next test is then proceeded with.

4. If an oil test-lamp is being used it shall be prepared by fitting it with a piece of flat plaited candle-wick, and filling it with colza or rape-oil up to the lower edge of the opening of the spout or wick tube. The lamp shall be trimmed so that when lighted it gives a flame of about 0·15 of an inch diameter, and this size of flame, which is represented by the projecting white bead on the cover of the oil-cup, is readily maintained by simple manipulation from time to time with a small wire trimmer. A gas test-lamp may be employed, and if so, the size of the jet of flame shall be adjusted to the size laid down above.

5. The bath having been raised to the proper temperature, the cup shall be placed on a level surface in a good light and the oil to be tested shall be poured into it, until the level of the liquid just reaches the point of the gauge which is fixed in the cup. Before a test is begun the temperature of the oil shall be determined and shall be brought to approximately 60 degrees Fahrenheit. The cover, with the slide closed, shall then be put on to the cup and pressed down so that its edge rests on the rim of the cup, and the cup shall be placed into the bath or heating vessel, every care being taken to avoid wetting the sides of the cup with the oil. The thermometer in the lid of the cup has been adjusted so as to have the correct immersion when the brass collar of the thermometer is properly seated, and its position shall not in any circumstances be altered. When the cup has been placed in the proper position, the scale of the thermometer faces the operator.

6. The test-lamp shall then be placed in position upon the lid of the cup. When the temperature has reached 66 degrees Fahrenheit the operation of testing shall be begun, the test flame being applied once for every rise of one degree, in the following manner :—

The slide shall be slowly drawn open while a metronome, set so as to beat at the rate of 75 to 80 beats in the minute, beats three times and shall be closed during the fourth beat. A pendulum of 24 inches effective length may be used in place of the metronome, counting one beat from one extremity of the swing to the other.

Section 26.

## THIRD SCHEDULE.

ENACTMENTS REPEALED.

| Session and Chapter. | Short Title. | Extent of Repeal. |
|---|---|---|
| 34 & 35 Vict. c. 105. | The Petroleum Act, 1871 | The whole Act. |
| 42 & 43 Vict. c. 47. | The Petroleum Act, 1879 | The whole Act. |
| 13 & 14 Geo. 5. c. 4. | The Fees (Increase) Act, 1923. | Section four. |
| 16 & 17 Geo. 5. c. 25. | The Petroleum Act, 1926 | The whole Act. |
| 18 & 19 Geo. 5. c. 20. | The Petroleum (Amendment) Act, 1928. | The whole Act. |

## CHAPTER 33.

An Act to amend the law relating to the closing of shops; and for purposes connected therewith. [3rd August 1928.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Closing hours.

**1.**—(1) Every shop shall, save as otherwise provided by this Act, be closed for the serving of customers not later than nine o'clock in the evening on one day in the week (in this Act referred to as "the late day"), and not later than eight o'clock in the evening on any other day in the week, and those hours are in this Act referred to as the "general closing hours."

(2) The late day shall be Saturday unless the local authority by order fix some other day as the late day,