

## CHAPTER 190

## PETROLEUM

*Ordinances Nos. 10 of 1938, 5 of 1940, 16 of 1940,  
2 of 1945, 37 of 1966.*

AN ACT RELATING TO THE CARRIAGE AND STORAGE OF  
PETROLEUM

[1st January, 1939.]

*Short title*

1. This Act may be cited as the Petroleum Act.

*Interpretation*

2. In this Act, unless the context otherwise requires—
  - “dangerous petroleum” means petroleum having a flash-point below seventy-three degrees Fahrenheit;
  - “fuel oil” means petroleum which has a flash-point of not less than one hundred and fifty degrees Fahrenheit and not more than ninety per cent distilling below three hundred degrees Centigrade and which is intended for use as fuel;  
(Amended by 5 of 1940, s. 2, and 16 of 1940, s. 2.)
  - “ordinary petroleum” means petroleum having a flash-point of not less than seventy-three degrees Fahrenheit but less than one hundred and fifty degrees Fahrenheit and not less than ninety per cent distilling below three hundred degrees Centigrade; (Amended by 5 of 1940, s. 2.)
  - “package” means any case, barrel, drum or container and includes every means by which petroleum may be encased or contained having a capacity of less than ninety gallons;
  - “petroleum” means any oil, liquid or spirit derived wholly or in part from any petroleum, shale, coal, peat, bitumen or any similar substance but does not include any oil ordinarily used for lubricating purposes or having a flash-point above two hundred degrees Fahrenheit;
  - “street” includes every public square or place and every bridge, culvert, drain, channel, footway, gate, building or other thing belonging thereto or lying upon the line or within the limits thereof.

*Import and export at appointed places*

3. No petroleum shall be imported or exported except at or from a declared harbour under the Harbour Act or at such other place or places as may be appointed for that purpose by the Minister to be notified in the Gazette.

(Cap. 184.)

*Import and export in accordance with this Act*

- 4.—(1) No person shall import or export petroleum except under and in accordance with this Act or any regulations made thereunder.  
(2) No petroleum contained on board any vessel in properly constructed

bunkers or receptacles and used solely as the propelling power of such vessel shall be deemed to have been imported or exported contrary to this Act.

*Notice of arrival*

5. The master of any vessel carrying petroleum as cargo or the agent of such vessel shall, on or before the arrival of such vessel, notify the harbour master accordingly and supply all such information as may be required by the harbour master in respect of such petroleum.

*Anchorage of vessels carrying petroleum*

6. Any vessel having petroleum on board as cargo, whether it is intended to be discharged or transhipped or is merely passing through a port or has been loaded in the port, shall, on being so ordered by the harbour master, proceed to such anchorage as the harbour master shall direct, whether within or without the limits of such port.

*Storage*

7. No person shall store or keep in Fiji any petroleum except under and in accordance with this Act or any regulations made thereunder.

*Powers of entry and inspection*

8.—(1) Any police officer of or above the rank of inspector or other person duly appointed by the Minister shall, for the purposes of this Act, have power to—

- (a) enter, inspect and examine between the hours of seven in the forenoon and six in the afternoon any private premises, other than a dwelling-house, on which he has reasonable cause to believe petroleum is stored or kept;
- (b) take samples of any petroleum stored or kept in such premises;
- (c) seize or detain any petroleum stored or kept in such premises contrary to the provisions of this Act;
- (d) make such examination and inquiry as may be necessary to ascertain whether the provisions of this Act are complied with.

(2) If any person refuses to permit any such officer or other person duly appointed by the Minister to enter or inspect any premises, or hinders or obstructs any such officer or other person in the execution of his duty under this Act, or refuses to allow any such officer or other person to take samples in pursuance of this section or to give him facilities for the purpose, he shall be liable to a fine of twenty dollars.

(3) Where a person is convicted of an offence against the provisions of this Act, the court may order any petroleum seized and detained to be forfeited and to be sold or otherwise disposed of, or, in its discretion, to be returned to the person appearing to be entitled to it.

*(Section substituted by 5 of 1940, s. 3, and amended by 2 of 1945, s. 116.)*

*Power to lay pipes, etc.*

9. Notwithstanding any rights or powers vested in the Suva City Council or in any other person or persons or body of persons, whether incorporated or unincorporated, the Minister may, subject to such conditions as he shall think fit to impose, grant permission to any person or persons or company erecting a tank or magazine for the storage of petroleum for the purpose of the conveyance of

petroleum to and from such tank or magazine to enter upon, open and break up the surface of any land belonging to any private owner or owners and the soil and pavement of all or any streets within or without the limits of the city of Suva, and to open up any sewers, drains or tunnels within or under such privately owned land or such streets, and to lay down, place and maintain under such privately owned land and under all or any of such streets, pipes, conduits, service pipes and other works, and from time to time to repair, alter or remove the same and to do all other acts which such person or persons or company as aforesaid shall from time to time deem necessary for the conveyance of such petroleum as aforesaid, doing as little damage as may be in the execution of the powers hereby granted, restoring as far as possible the land affected to its former state, and making compensation for any damage which may be done in the execution of such powers.

*Regulations*

10.—(1) The Minister may make regulations for all or any of the following purposes:

- (a) regulating the transport of petroleum whether by land or water;
- (b) regulating the discharging and loading of petroleum from vessels to the shore or wharves and vice versa;
- (c) prescribing the quantity or mode of storage of and the receptacles in which petroleum may be carried in any vessel, cart, truck or other vehicle and the quantities to be contained in such receptacles;
- (d) providing for the examination and testing of petroleum and prescribing the tests to be applied to ascertain its flash-point and the method of applying the same;
- (e) prescribing the quantity of petroleum which may be stored or kept in unlicensed premises and the manner of storing or keeping such petroleum;
- (f) providing for the licensing of places in which petroleum is stored;
- (g) prescribing the rules to be observed in any place where petroleum is kept, stored, used or conveyed, whether licensed or not;
- (h) prescribing the making of packages containing petroleum;
- (i) prescribing licence fees and penalties not exceeding a fine of one hundred dollars for the breach of any such regulations;
- (j) generally for the better carrying out of the purposes of this Act.

(2) The power to make regulations under this section with respect to petroleum includes the power to make regulations with respect to any particular class of petroleum.

*Penalty*

11. Any person who acts in contravention of or fails to comply with the provisions of this Act shall be guilty of an offence and, where no special penalty is provided, shall be liable to a fine not exceeding two hundred dollars.

(Amended by 5 of 1940, s. 4, and 2 of 1945, s. 116.)

*Controlled by Ministry of Tourism, Transport and Civil Aviation*

CHAPTER 190

PETROLEUM

SECTION 10—PETROLEUM REGULATIONS

*Regulations 22nd Nov., 1958, [in force 28th Nov., 1958],  
6th April, 1960, 2nd July, 1963, 21st Aug., 1963,  
30th June, 1971, 5th Dec., 1973.*

*Made by the Governor in Council*

PART I—PRELIMINARY

*Short title*

1. These Regulations may be cited as the Petroleum Regulations.

*Harbour master*

2. For the purpose of these Regulations "harbour master" includes any person authorised by him.

*Interpretation*

3. In these Regulations, unless the context otherwise requires—
  - "approved tank" means a tank of a type approved by the Director of Marine;
  - "approved container" means a container of a type approved by the Director of Marine;
  - "dangerous petroleum" means petroleum having a flash point below 73 degrees Fahrenheit;
  - "flash point" means the degree of temperature at which petroleum gives off an inflammable vapour upon being tested by the Abel close test apparatus;
  - "fuel oil" means petroleum having a flash point of not less than 150 degrees Fahrenheit and not more than 90 per cent distilling below 300 degrees Centigrade and which is intended for use as fuel;
  - "harbour" means such place as has been declared to be a harbour under the Harbour Act;
  - "harbour master" means a person appointed to be a harbour master under the Harbour Act;
  - "ordinary petroleum" means petroleum having a flash point of not less than 73 degrees Fahrenheit but less than 150 degrees Fahrenheit and not less than 90 per cent distilling below 300 degrees Centigrade;
  - "package" means any case, barrel, drum or container, and includes every means by which petroleum may be encased or contained having a capacity of less than ninety gallons;
  - "petroleum product" means any type or kind of petroleum and includes any oil (including lubricating oil), spirit or matter derived wholly or in part

from petroleum, shale, coal, peat, bitumen or any similar substance and any matter which contains any particle of any such oil, spirit or matter;

“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, or having discharged petroleum, if the hold and tanks have not been rendered free from inflammable vapour to the satisfaction of the harbour master;

“protected works” includes buildings in which persons dwell or assemble, docks, wharves, timber yards, public roads and any other place not forming part of an installation which the Minister may by order declare as protected works, but does not include the timekeeper’s or administrative office of an installation.

(Regulation amended by Regulations 5th December, 1973.)

## PART II—PRECAUTIONS REGARDING VESSELS CARRYING PETROLEUM

### *General precautions*

4. All due precautions whether prescribed or not for the prevention of accidents by fire or explosion shall be taken, and no act shall be performed or permitted, which tends to cause fire or explosion, and is not reasonably necessary.

### *Responsibility of master, etc., of vessel*

5. The master, owner, and agent of a vessel shall each be responsible for the due performance and observance of all regulations applying to such vessel, and in no case shall the responsibility of one relieve the other or others of his or their responsibility.

### *Escape of oil*

6. No petroleum or ballast water or water mixed with any petroleum shall be permitted to escape from or be discharged from any vessel into any inland or tidal water, and no liquid of any kind shall be discharged into any inland or tidal water from bilges, tanks, or other spaces which have contained any petroleum unless such tanks or spaces have been cleaned of petroleum, or such liquid has been freed from petroleum by means of a separating apparatus.

### *Loading or unloading petroleum*

7. No petroleum of any kind shall be loaded or unloaded at any time unless notice has previously been given to the harbour master.

### *Strong containers required*

8.—(1) No petroleum shall be conveyed, loaded or unloaded on, into or from any vessel in tanks or packages unless such petroleum is contained in tanks or packages from which, in the opinion of the harbour master the petroleum cannot escape in the form of liquid and/or vapour.

(2) It shall be the duty of every member of the crew of a ship loading petroleum, and of every waterside worker or stevedore assisting in such loading, and of every other person on board the ship, forthwith to report to the master or

officer in charge of the loading the presence of any leaky containers that may come under his observation.

(3) It shall be an offence under these Regulations for any person to ship petroleum, or to cause or allow petroleum to be shipped, if to his knowledge any such petroleum or any petroleum vapour is escaping or is likely to escape from any drum, tin or other container in which it is contained.

(4) It shall be an offence under these Regulations for the master or owner of any ship to receive on board that ship any petroleum if to his knowledge any such petroleum or any petroleum vapour is escaping or is likely to escape from any drum, tin, or other container in which it is contained.

*Motor cars, motor boats, etc.*

9.—(1) No person shall ship or send in any vessel any motor driven vehicle, machine or boat using dangerous petroleum unless the tanks and all engine connexions thereof are empty and free from such liquid and/or vapour.

(2) No such vehicle, machine or boat shall have stored, placed or packed therein any dangerous petroleum whether enclosed in a separate container or otherwise.

(3) No master shall knowingly receive or carry on board his vessel any motor driven vehicle, machine or boat, in respect of which the requirements of this regulation have not been complied with.

(4) This regulation shall not apply to working boats and lifeboats propelled by engines using dangerous petroleum and which are normally carried by a vessel, if the Engineer Surveyor is satisfied with the installation and condition of such engines, fuel tanks and pipe lines. For the purpose of this regulation, "Engineer Surveyor" means a Surveyor of Engines appointed by the Fiji Marine Board.

*Vessels not carrying dangerous petroleum*

10. In the event of any vessel being anchored, moored or berthed within one hundred feet of a vessel loading, unloading or carrying dangerous petroleum, such of the requirements of these Regulations relating to vessels carrying dangerous petroleum as the harbour master shall deem necessary in the interests of safety in the loading or unloading of such dangerous petroleum shall be complied with by the former vessel.

*Loading of petroleum on passenger vessels*

11.—(1) No vessel shall at the same time as she is carrying passengers carry any dangerous petroleum except on deck and isolated from such passengers. Ordinary petroleum shall not be carried at the same time as passengers except when isolated from such passengers.

(2) No vessel shall, at the same time as she is carrying passengers, carry more than eight gallons of dangerous or ordinary petroleum packed in cases for each ton net register:

Provided that—

(a) if the ordinary and dangerous petroleum so carried is packed in drums, forty-four gallons so packed shall be deemed to be the equivalent of eight gallons packed in cases;

(b) if ordinary petroleum only is so carried the quantities that may be carried shall be double the amounts.

(3) This regulation does not apply to petroleum carried solely for the purpose of fuelling such vessel.

(4) The harbour master may exempt any foreign going vessel as defined in the Marine Board Act from compliance with all or any of the provisions of this regulation if he is satisfied that— (Cap. 183.)

- (a) its country of registration has adequate regulations for ensuring the safe carriage of petroleum, and
- (b) such vessel is complying with those regulations.

*Fires and lights in oil tanks prohibited*

12. No fires or lights (other than approved electric filament lamps or approved self-contained electric lamps) shall be permitted in the oil tanks of any vessel. In this regulation "approved" means approved by the British Board of Trade or the American Bureau of Standards.

*Smoking prohibited*

13. No person shall smoke in or on a vessel during the loading or unloading of petroleum, except in such places as may be specifically set aside by the master of such vessel and approved by the harbour master.

*Locomotives not permitted within fifty feet*

14. No locomotive on which steam is generated by combustion in open fires shall be permitted on any railway track within fifty feet of any vessel carrying dangerous petroleum.

*Officer to be in charge*

15. A responsible officer of the vessel shall be on duty day and night to give effect to these Regulations.

*Petroleum not to be loaded or unloaded between sunset and sunrise*

16. No person shall cause or permit petroleum to be loaded or unloaded from a vessel except during daylight, which for the purpose of this regulation shall be deemed to be the period of each day from half an hour before sunrise to half an hour after sunset:

Provided that—

- (a) with the written consent of the harbour master first obtained, the master of a tanker only may, at a time other than during daylight discharge petroleum into reservoirs on shore or into tank barges or load into tanks on his own ship;
- (b) if during any such discharge or loading anything should occur to necessitate a repair to the plant, pipes, or connexions, other than changes of hoses or connexions, the master shall cause the discharge or loading to be discontinued until daylight.

*Supply of fire extinguishers, etc.*

17. Such fire-extinguishers and other material as the harbour master may deem necessary shall be so provided and distributed about the vessel as to be available for throwing on any petroleum which may be spilled or ignited.

*Chipping, scraping or hammering prohibited*

18. Iron or steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing hatches or tank lids of a vessel carrying, loading or unloading dangerous petroleum. Chipping, scraping or hammering of iron or steel on the vessel is prohibited when any hold which contains or has recently contained dangerous petroleum is open, or while there is any dangerous petroleum on deck, except with the written approval of the harbour master.

*Watchman at gangway*

19. A watchman shall be stationed at each gangway leading on to the vessel to prevent smoking, to prevent unauthorised access to the vessel, and to warn every person that petroleum is being loaded or unloaded by the vessel.

*Signals and notices to be displayed*

20. On or immediately prior to the arrival in port of any petroleum ship, and so long as the ship remains in port, the master shall—

- (a) display by day the International Code flag B or, if carrying dangerous petroleum, a red flag not less than 3 feet square with a white circular centre 6 inches in diameter, and by night a red light at the masthead or where it can best be seen but not less than 20 feet above the deck, and so that the flag or light is clear of all obstructions and clearly visible in all directions;
- (b) where the vessel is berthed at any wharf or landing place, exhibit, at the forward side of the gangway, a notice board with the words "DANGER—NO SMOKING—NO NAKED LIGHTS" printed in conspicuous lettering not less than 6 inches in size, and by night display a red light at the after side of the gangway, and a white light over the forward side, over the said notice board.

*Ventilation of stowage spaces*

21. Proper and efficient ventilation for the place of stowage shall be provided and, when required, outlet ventilators passing through the deck and terminating just below such deck, and inlet ventilators extending to the bottom of the holds from above the upper deck shall be fixed. All outlet and inlet ventilators shall be covered with wire gauze.

*Ventilation of holds before unloading*

22. Before any petroleum contained in casks, barrels, drums or other containers is landed, the holds of a petroleum ship having on board such containers shall be thoroughly ventilated, and after all petroleum has been removed from any petroleum ship, the holds and tanks shall be rendered free from inflammable vapour:

Provided that this regulation shall not be deemed to require to be free from inflammable vapour the tanks of a petroleum ship which leaves the harbour without delay after the discharge of petroleum, or remains only for the purpose of taking on board bunkers, stores, or ballast, or for such other purposes as the harbour master approves and of which ship the tanks are closed down immediately after the discharge of petroleum.



*Ventilation of holds after unloading*

23. All holds from which dangerous petroleum in packages has been unloaded shall be thoroughly ventilated, and no fire or unauthorised light shall be permitted at or near a hold which recently contained dangerous petroleum until such hold has been thoroughly ventilated and made free from inflammable vapour.

*Stowage*

24. All petroleum loaded on the vessel shall be properly and securely stowed.

*Marking of packages*

25. All dangerous petroleum and ordinary petroleum in packages shall be properly marked or branded to indicate the nature of the petroleum, and all dangerous petroleum shall be marked "Highly Inflammable".

*Loading or unloading general cargo at night*

26.—(1) A permit in writing shall be obtained from the harbour master to load or unload general cargo after sunset into or from a vessel carrying dangerous petroleum and the following precautions shall be taken:—

- (a) every hold containing dangerous petroleum shall be securely battened down;
  - (b) no cargo shall be loaded into or unloaded from any hold unless such hold is separated by watertight and gastight bulkheads, decks, battened down hatchways or other means from all places on such vessel where vapour from dangerous petroleum is likely to be;
  - (c) where petroleum is carried as deck cargo and is stowed in the vicinity of hatches working general cargo, "DANGER—NO SMOKING—NO NAKED LIGHTS" notices shall be prominently displayed and it shall be the responsibility of the master and of the stevedore in charge of working such hatches that this paragraph is complied with.
- (2) If the harbour master is of the opinion that this regulation is being contravened or not complied with he may at once withdraw any permit given under this regulation, but without prejudice to any liability of any person to a penalty in respect of such contravention or failure to comply.

*Wharf barricade*

27. The loading or unloading of petroleum from a vessel shall not commence until a barricade efficient to prevent access to the vessel by any unauthorised person has been erected to the satisfaction of the harbour master and until a watchman has been stationed within the barricade to prevent the entrance of any unauthorised person and to take charge of all matches from all persons entering the barrier.

*Engineer to be on duty*

28. In addition to having a responsible officer on duty as required by these Regulations, a crew to assist such officer and a competent member of the engine room staff shall be on duty at all times when dangerous petroleum is on board, to be available in case of emergency to operate the fire pumps or other fire extinguishing appliances.

*Fires and lights on tank ships*

29. From the time the tanks or holds of tank vessels carrying petroleum are first unsealed or opened for the purpose of loading or unloading dangerous petroleum until such tanks or holds have been closed and sealed down, no fires or lights, other than fires or lights approved by the harbour master, shall be lit or used, either on board the vessel or on shore, within fifty feet of any place at which dangerous petroleum is being loaded or unloaded. Where, however, the harbour master is satisfied that the construction of the vessel and the situation of the fires are such that no serious hazard will be created thereby, the use of boiler fires for the purpose of supplying power, necessary for working the machinery or appliances for the loading or unloading of dangerous petroleum, and also for heating galley appliances, may be authorised.

*Safety gauzes on openings to tanks*

30. Wire gauze shall be fitted over all openings of tanks that contain, or have recently contained, petroleum in bulk except during inspection or when samples or ullage measurements are being taken.

*Maintenance of appliances*

31. Pipes, hoses, pumps and other appliances used for the transferring of petroleum in bulk shall be maintained free from leakage and gastight, and, on the completion of loading or unloading, all gear shall be thoroughly freed from petroleum and the hoses disconnected from the shore pipe lines.

*Loading or unloading in bulk*

32. The following precautions in the loading or unloading of dangerous petroleum or ordinary petroleum in bulk shall be taken:—

- (a) hoses, constructed to be resistant to petroleum and maintained in good order, shall be used for connecting from vessel to shore installation;
- (b) a non-return valve shall be placed immediately behind the connexion between hose and shore installation pipe, or at the shore end of the installation pipe;
- (c) when pumping ceases temporarily the valves on the vessel and on the shore pipe shall be closed;
- (d) all openings in the tanks shall be closed and made gastight immediately on completion of loading or unloading;
- (e) an adequate number of suitable drip trays shall be provided for use under any valves and fittings which may be found leaking; and an adequate supply of sawdust shall be available for use, if necessary, on the decks or wharf in the vicinity of any such valves and fittings, and the scuppers shall be securely closed in order to prevent the escape of petroleum from the ship;
- (f) no unauthorized person shall be permitted to be on board the ship while loading or unloading is in progress.

*Requirements at places where petroleum products are to be handled*

33.—(1) The owner or occupier of, and/or any person in charge of operations at, any installation or any place to or from which any petroleum product is loaded or unloaded in, adjacent to or in the vicinity of a harbour shall at times have at hand

or cause to be available and ready for immediate use—

- (a) a suitable oil spillage boom or such other effective similar equipment by the use of which a spillage of any petroleum product may be rapidly contained;
- (b) sufficient other equipment, materials and labour (as is necessary) to facilitate the rapid containment and dispersal of any such spillage.

(2) No petroleum product shall be loaded or unloaded from or at any such installation or place unless or until the precautions envisaged in paragraph (1) have been complied with and are in force to the satisfaction of the harbour master, who may prescribe the particular type of boom or alternative equipment and the types and amounts of other equipment, and of materials and labour which are required to be available at each such installation or place. In the event of any petroleum product being loaded or unloaded from or at any such installation or place in contravention of any part of this regulation the owner or occupier, and/or any person in charge of the operations at the installation or place shall be guilty of an offence. (*Inserted by Regulations 5th June, 1973.*)

*Repairs or alterations to tanks*

34. Such measures as are necessary shall be taken to free the tanks from inflammable vapours before any repairs or alterations are made to tanks on tank vessels in which petroleum is or has been conveyed, involving such operations as welding, cutting, boring, soldering or hammering, which may produce heat or be liable to cause the ignition of inflammable vapours.

*Petroleum on wharves*

35. No person shall deposit any petroleum or cause or allow any petroleum to be deposited on any wharf or in any shed on any wharf or on or in any place within fifty feet of any wharf or on any vessel without the permission of the harbour master, and no person shall deposit any petroleum or allow petroleum to remain on any such wharf or place at any time between sunset and sunrise. Except with the written permission of the harbour master no person shall place on any wharf any greater quantity of petroleum than can be handled in a period of one hour with the means of transport available at that wharf.

*No smoking or matches within fifty feet*

36. When petroleum is upon any wharf or in any place within fifty feet thereof, no person shall smoke or have in his possession or under his control, any fire, or means of ignition, or light other than an approved safety lamp within fifty feet of such petroleum.

*Duties of master of petroleum ship*

37. While in port the master of every petroleum ship shall—
- (a) berth or moor the ship only at such wharf or place as may be directed by the harbour master;
  - (b) keep the holds and spaces containing petroleum securely closed, except when opened for loading or unloading;
  - (c) cause the cargo, so far as it consists of petroleum, to be loaded or unloaded with all possible despatch;
  - (d) ensure that the radio transmitting apparatus on the ship is not operated in any way;

- (e) ensure that when petroleum is carried as deck cargo for a destination or port other than the vessel's present port of loading or discharge, the petroleum is efficiently protected from the direct rays of the sun, and "DANGER—NO SMOKING" notices are prominently displayed in the vicinity of such deck cargo.

*Warning notices on wharf*

38. No person shall handle or deposit petroleum upon any wharf or in any place within 50 feet of any wharf until notice boards with conspicuous lettering not less than 6 inches in size, and bearing the words "DANGER—NO SMOKING—NO NAKED LIGHTS" in English, Fijian and Hindi, have been erected in conspicuous positions not less than 50 feet from the petroleum so as to be visible to any person approaching from any direction.

*Petroleum to be removed from wharf with utmost despatch*

39. The owner or other person entitled to receive delivery of any petroleum for or from any vessel shall, if the petroleum is unloaded on any wharf or landing stage, remove the petroleum from the wharf or landing stage with the utmost possible despatch.

*Vessels not to be immobilized*

40. Unless exempted by the harbour master, the master of every petroleum ship shall ensure that sufficient motive power is maintained to enable the ship to be removed from her berth in case of fire.

*Signalling and telephone arrangements*

41. Before any pumping of petroleum is commenced on any ship the master, or owner shall ensure that a competent signalling staff is in attendance both at the tank installation and on board the ship, or that direct uninterrupted telephonic communication between the same points is established and maintained during the periods of pumping. The master or owner shall also detail a responsible person for attendance on the wharf to superintend the opening and closing of valves and for patrol of the pipe line.

*Exemptions*

42.—(1) The Director of Marine may in writing under his hand, exempt any person from any provision of this Part on being satisfied that such exemption is in the public interest.

(2) Such exemption may be subject to such conditions as the Director shall think fit for ensuring the safety of persons, buildings, vessels or goods.

(3) Any breach of a condition of such exemption shall render the exemption liable to revocation.

(4) The power to grant exemption under this regulation shall be deemed to be in addition to and not in derogation from any other exemption made under this Part. (*Inserted by Regulations 2nd July, 1963.*)

PART III—STORAGE AND HANDLING OF PETROLEUM

*Storage on unlicensed premises*

43. No person shall keep or store on unlicensed premises more than the following quantities of petroleum:—

- (a) in houses and buildings—
  - (i) dangerous petroleum—4 gallons;
  - (ii) ordinary petroleum—4 gallons;
- (b) in garages, outhouses or printing establishments not less than ten feet from a protected work—
  - (i) dangerous petroleum—44 gallons;
  - (ii) ordinary petroleum—44 gallons;
  - (iii) fuel oil—46 gallons;
- (c) in the open air and not less than 25 feet from a protected work in drums or barrels—fuel oil—up to 5,000 gallons;
- (d) on a farm or estate exceeding 10 acres for private use and not less than 40 feet from a public road or land boundary—
  - (i) dangerous petroleum—250 gallons;
  - (ii) ordinary petroleum—250 gallons;
 (*Regulation amended by Regulations 6th April, 1960.*)

*Storage of dangerous petroleum in unlicensed houses and buildings*

44. In houses or buildings which are unlicensed premises dangerous petroleum shall not be stored except in bottles of a capacity of not more than one Imperial quart. (*Inserted by Regulations 6th April, 1960.*)

*Exemption for not more than 46 gallons*

45. Notwithstanding the provisions of regulation 42, it shall be lawful to keep or store in a shop or garage not more than 46 gallons of ordinary petroleum where such petroleum is kept or stored in an approved tank.

*Storage on licensed premises*

46. No person shall keep or store on licensed premises more than the following quantities of petroleum:—

- (a) in packages not exceeding 90 gallons—
  - (i) in a fireproof compartment inside another building—200 gallons;
  - (ii) in a shed or outhouse not less than 30 feet from a protected work of fireproof construction including an iron building with timber frames—200 gallons;
  - (iii) in a properly constructed magazine where the walls are of brick, stone or concrete and not less than ten feet from a protected work—200 gallons;
  - (iv) in a magazine not less than 25 feet from another building, boundary wall or protected work—unlimited;
- (b) in steel drums not exceeding 90 gallons capacity, in the open air—
  - (i) dangerous and ordinary petroleum not less than 50 feet from the boundary or protected work—unlimited
  - (ii) fuel oil not less than 25 feet from the boundary or protected work—unlimited;
- (c) in underground tanks—
  - (i) under another building with top of tank below floor level—1,000 gallons;
  - (ii) under another building with top of tank below all floor levels within 20 feet—5,000 gallons;

- (iii) in open air 10 feet from a protected work or boundary with top of tank below all floor levels within 25 feet—unlimited;
- (d) in aboveground tanks—
  - (i) in tank 10 feet from boundary or a protected work—12,000 gallons;
  - (ii) in tank 15 feet from boundary or a protected work—12,000-24,000 gallons;
  - (iii) in tank 20 feet from boundary or a protected work—24,000-30,000 gallons;
  - (iv) in tank 25 feet from boundary or a protected work—unlimited;

Provided that in the case of tanks containing only fuel oil the Permanent Secretary for Works may authorise a reduced distance where in his opinion the public safety will not be unduly prejudiced thereby.

*Magazines*

47.—(1) Magazines if inside another building or designed to store more than 200 gallons must be provided with a fireproof well 3 feet deep or be surrounded by a wall or embankment 2 feet high.

(2) Magazines shall be provided with adequate ventilation.

(3) A clear space of at least 3 feet shall separate storage sheds.

*Underground tanks*

48.—(1) All underground tanks shall be provided with a vent pipe not less than one inch diameter protected by gauze of 28 or smaller mesh.

(2) The end of this vent shall be 10 feet above ground and not less than 3 feet from any window, door or other opening.

(3) All underground tanks shall have at least 12 inches of cover and be provided with secure gastight fittings.

(4) All underground tanks if under another building shall be covered with reinforced concrete not less than 4 inches thick.

*Aboveground tanks*

49.—(1) The distance between aboveground tanks shall not be less than the following:—

<i>Capacity</i>	
up to 18,000 gallons .....	3 feet
18,000-24,000 gallons .....	5 feet
24,000-75,000 gallons .....	10 feet
75,000-100,000 gallons .....	15 feet
100,000-250,000 gallons .....	30 feet
Unlimited .....	50 feet

Provided that—

(a) these distances may be halved in the case of tanks containing only fuel oil;

(b) the Permanent Secretary for Works may authorise a further reduction in these distances in the case of such last-mentioned tanks where in his opinion the public safety will not be unduly prejudiced thereby.

(2) All aboveground tanks shall be surrounded by a bund of brick, stone, concrete or earth forming an enclosure capable of holding a volume of petroleum not less than 110 per cent of the capacity of the largest tank:

Provided that where such tanks contain or are intended to contain fuel oil, the Permanent Secretary for Works may authorise a bund or dwarf wall forming an enclosure capable of holding a smaller volume of fuel oil if he considers the public safety will not be prejudiced thereby.

*(Proviso inserted by Regulations 21st August, 1963.)*

(3) All aboveground tanks shall be adequately ventilated with screened ventilation of 28 mesh.

*General*

50.—(1) No magazine shall be within 25 feet of a locomotive, foundry, forge or other fire.

(2) No petroleum shall be allowed to escape into any drain, creek or outlet to the sea, stream or river.

(3) No smoking shall be allowed within 25 feet of any tank.

*Pipe line*

51.—(1) All pumping mains and pipes connected with tanks shall be furnished with a means of stopping flow from such tanks in the event of any injury to the pipe lines.

(2) Pumping mains from wharves or vessels shall be kept filled with water when not in use except where used exclusively for pumping fuel oil.

*Pumps for petroleum*

52.—(1) The position of every pump shall be approved by the licensing officer.

(2) A fire-extinguisher of the foam type having a capacity of not less than 2 gallons, or either a CO<sub>2</sub> or dry powder type of fire-extinguisher of a type and capacity approved by the licensing officer shall be kept on the premises in a position conveniently adjacent to the pump.

(3) The engine of the motor vehicle being served shall not be left running.

(4) No flame shall be brought within 10 feet during the process of delivery.

*Tank waggons*

53.—(1) Every tank waggon shall be provided with a 2 gallon fire-extinguisher.

(2) No delivery shall be made except by stout hose having a liquid and gastight connexion to the container into which delivery is made.

(3) The engine shall be stopped during filling and emptying operations.

(4) No lights or smoking shall be allowed within 25 feet of any tank waggon.

(5) Every tank waggon shall be conspicuously marked "Danger Highly Inflammable" to an approved design.

*(Regulation amended by Regulations 30th June, 1971.)*

*Exemption*

54. Notwithstanding the provisions of regulation 53, for the purpose of filling or replenishing an approved tank with ordinary petroleum delivery may be made into an approved container, without a hose.

*Marking*

55. Every bottle containing dangerous petroleum in quantity less than one gallon shall be conspicuously labelled or marked with the words "Danger Highly Inflammable".

*Issue of licence*

- 56.—(1) Every applicant for a licence shall specify—  
(a) description, quantity and manner of storage;  
(b) name and locality of premises;  
(c) the storage capacity of each tank or magazine.  
(2) In any case where the storage capacity exceeds 5,000 gallons—  
(a) a plan shall be furnished showing all premises within 100 feet; and  
(b) all required particulars shall be furnished.  
(3) The form of licence shall be as in the Schedule.  
(4) The licence may be issued by any district officer or other licensing officer duly appointed by the Minister in respect of any storage capacity not exceeding 5,000 gallons and by the Permanent Secretary for Works for any storage capacity exceeding 5,000 gallons. The issue of a licence shall be in the absolute discretion of the licensing officer.

*(Paragraphs (1) (2) and (4) amended by Regulations 30th June, 1971.)*

The Town Clerks of Suva and Lautoka shall be the licensing officers for the issue of licences in respect of storage capacities not exceeding 5 000 gallons where the premises for the storage of the petroleum are situated within the boundaries of the cities of Suva and Lautoka, and the fees received for such licences shall form part of the revenue of the respective city council.

- (5) The fee for a licence shall be as follows:—

	<i>Fee</i>
	<i>Per annum</i>
	\$
Storage capacity of premises—	
Up to 200 gallons .....	2
201-1,000 gallons .....	10
1,001-10,000 gallons .....	20
10,001-50,000 gallons .....	30
50,001-100,000 gallons .....	40
100,001-250,000 gallons .....	50
250,001-500,000 gallons .....	60
500,001-750,000 gallons .....	70
750,001-1,000,000 gallons .....	80
1,000,001-2,000,000 gallons .....	90
Over 2,000,000 gallons .....	100

*(Paragraph substituted by Regulations 19th November, 1962.)*

*Penalty*

56. Any person who acts in contravention of or fails comply with any of the provisions of these Regulations shall be guilty of an offence and shall be liable to a fine not exceeding one hundred dollars.



## SCHEDULE

*(Regulation 55)*PETROLEUM REGULATIONS  
LICENCE TO POSSESS PETROLEUM

No.

Fee:

Licence is hereby granted to.....for the storage in the premises described below of petroleum not exceeding.....gallons subject to the provisions of the Petroleum Regulations.

This licence shall expire on the 31st December next following the date of issue hereof, and may be renewed on application being made for this purpose not less than fifteen days previous to the date of expiry.

Description of premises above referred to:—

Date of Issue:

*Licensing Officer*

This licence is issued subject to the provisions of the Petroleum Regulations, of which the holder admits cognizance.

*Controlled by Ministry of Tourism, Transport and Civil Aviation.*