

THE MINERAL OILS ACT OF 1886⁽¹⁾ (QUEENSLAND, ADOPTED) IN ITS APPLICATION TO THE TERRITORY OF PAPUA.

An Act to amend the Law relating to Refined Mineral Oils.

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as "*The Mineral Oils Act of 1886.*"⁽¹⁾ Citation.

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Section 2 repealed by No. 3 of 1914, s. 2 and 1st Schedule.

3. From and after the passing of this Act all refined mineral oils which give off an inflammable vapour at a temperature of less than one hundred and ten degrees of Fahrenheit's thermometer under the test prescribed in the First Schedule to this Act and at a temperature of less than eighty-three degrees of Fahrenheit's thermometer under the test prescribed in the Second Schedule to this Act shall be deemed to be goods absolutely prohibited to be imported into Queensland within the meaning of the forty-first

Prohibition of importation of certain mineral oils.

[Schedule I.]
[Schedule II.]

(1) *The Mineral Oils Act of 1886* of Queensland, in its application to the Territory of Papua, comprises the original *The Mineral Oils Act of 1886* of Queensland referred to in Part I of the following Table, as amended by the Ordinance of the Territory of Papua referred to in Part II of the following Table:—

TABLE.

PART I.—ACT OF THE STATE OF QUEENSLAND.

Citation of Act.	Ordinance by which adopted.	Date on which adoption took effect.
<i>The Mineral Oils Act of 1886</i> (50 Vic. No. 10 ^(a))	<i>The Courts and Laws Adopting Ordinance (Amended) of 1889</i> (No. 6 of 1889)	23.11.1889 (Supplement to British N.G. Govt. Gaz. of 23.11.1889)

(a) Continued in force in the Territory of Papua by Section 6(1) of the *Papua Act 1905*.

PART II.—ORDINANCE OF THE LEGISLATIVE COUNCIL FOR THE TERRITORY OF PAPUA.

Short title, number and year.	Date of reservation by Lieut.-Gov.	Date on which assent of Gov.-Gen. published in Papua Govt. Gaz.	Date on which came into operation.
<i>Ordinances Revision Ordinance, 1913</i> (No. 3 of 1914)	14.8.1913	4.2.1914	4.2.1914 (<i>Papua Govt. Gaz.</i> of 4.2.1914)

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section of "*The Customs Act of 1873*"⁽²⁾ and to be included in the table of prohibition in that section contained and if any such oils are imported they shall be forfeited and destroyed or exported as the Treasurer may direct.

Tests for oils.
[Schedules.]

4. For the purpose of determining the temperature at which any mineral oil imported or proposed to be imported gives off inflammable vapour any person duly authorised by the Treasurer may draw samples from any packages containing such oil and shall subject them to one or both of the tests set forth in the Schedules to this Act or such other test as the Governor in Council may by Proclamation⁽³⁾ from time to time appoint.

Search.

5. Any Customs officer or other person duly authorised by the Collector of Customs may in the daytime enter any warehouse or other place where any refined mineral oils are stored and may draw samples thereof for the purpose of applying the tests prescribed by this Act and shall if required deliver a portion of such samples to the owner or person in charge of such oil; and any refined mineral oils found therein which the testing officer decides to be of such a quality that their importation is prohibited under the provisions of this Act shall be forfeited subject nevertheless to appeal as hereinafter provided. Notice of such decision shall be forthwith given to the owner or person in charge of such oils.

Refined mineral
oils may be
sampled.

Proviso.

Provided that the Governor in Council may remit the forfeiture on condition that every package containing such oil shall have distinctly marked on the side or top thereof in black Roman letters of not less than two inches in length and half an inch in breadth the words "Under test" and that the oil shall be exported forthwith or within such time as the Treasurer shall allow. There shall be paid in respect of every package so marked to the officer marking the same a fee of one penny which shall be paid into the Consolidated Revenue.

Penalty for
refusing
information and
obstructing
officer.

6. Any person who refuses to show to a Customs officer or other person authorised as aforesaid any place or vessel in which mineral oil in his possession is kept or to give him such assistance as he may require for examining the same or to give to such officer or other person samples of such mineral oil on payment of the value of such samples or who wilfully obstructs the Collector of Customs or any Customs officer or other person duly authorised as aforesaid in the execution of this Act shall be liable to a penalty not exceeding Twenty pounds.

(2) *The Customs Act of 1873* (Queensland, adopted) was repealed and replaced in the Territory of Papua by the *Customs Ordinance, 1909-1939*. For restrictions on importation of mineral oil, see also Section 49 of the *Customs Ordinance, 1909-1939*.

(3) No proclamation has been published in *British N.G. Govt. Gaz.* or *Papua Govt. Gaz.*

The Mineral Oils Act of 1886 (Queensland, adopted).

7. Any person who thinks himself aggrieved by the decision of any testing officer appointed under this Act may by demand in writing addressed to the Treasurer require any sample of mineral oil so tested to be further tested and thereupon the Treasurer may appoint some person having competent knowledge to further test such sample and the decision of such person shall be final: Provided that every such demand shall be made within fourteen days from the date of the decision originally given by the testing officer and provided that if such decision is confirmed the person making such demand shall pay all reasonable costs and charges incurred by the Treasurer in and about the making of such further test. Pending the decision upon any such further test all proceedings in respect of forfeiture of such oil shall be suspended.

Persons aggrieved may appeal.

8. All forfeitures and penalties imposed or incurred under this Act may be prosecuted and recovered in a summary way by complaint before any two justices and all forfeitures and penalties so recovered shall (after deducting the costs and charges of the prosecution) be divided equally and one-half shall be paid into the Consolidated Revenue and the other half to the seizing officer or complainant.

Trial of offences and disposal of penalties.

9. The Governor in Council may make regulations⁽⁴⁾ for giving effect to this Act and all such regulations shall be published⁽⁴⁾ in the *Gazette* and shall have the force of law from the date of such publication.

The Governor in Council may make regulations.

10. This Act shall not apply to any refined mineral oil imported for purposes other than lighting purposes.

Exemption of oil not for lighting purposes

THE FIRST SCHEDULE.

MODE OF TESTING MINERAL OILS BY THE OPEN-CUP SO AS TO ASCERTAIN THE TEMPERATURE AT WHICH THEY WILL GIVE OFF INFLAMMABLE VAPOUR.

[See sections 3 and 4.]

(1) The oil shall be placed in a vessel made of thin sheet iron, 2 inches deep and 2 inches wide at the opening, and tapering slightly towards the bottom. The vessel shall have a flat rim with a raised edge one quarter of an inch high round the top. The vessel shall be supported by this rim in another tin vessel $4\frac{1}{2}$ inches in diameter, and shall have a thin wire stretched across the opening, and so fixed to the edge of the vessel that it shall be a quarter of an inch above the surface of the flat rim.

(2) The thermometer to be used shall have a round bulb about half an inch in diameter, and is to be graduated upon the scale of Fahrenheit, every 10 degrees occupying not less than half an inch upon the scale.

(4) No regulations were in force in Queensland at the date of the adoption of *The Mineral Oils Act of 1886 (Queensland)* as a law of the Possession of British New Guinea, and no regulations have been made in British New Guinea or the Territory of Papua since that date.

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(3) The inner vessel shall be filled with the oil to be tested, care being taken that the liquid does not cover the flat rim. The outer vessel shall be filled with cold or nearly cold water, at a temperature not exceeding 70 degrees Fahrenheit. The thermometer shall be inserted into the oil so that the bulb shall be immersed about $1\frac{1}{2}$ inches beneath the surface.

(4) To the bottom of the outer vessel a flame shall be applied of such size as will raise the temperature of the oil through 40 degrees Fahrenheit (from 70 degrees to 110 degrees) in about twenty minutes. A screen of pasteboard or wood shall be placed round the apparatus and shall be of such dimensions as to surround it about two-thirds, and to reach several inches above the level of the vessels.

(5) When heat has been applied to the water until the thermometer has risen to about 90 degrees Fahrenheit a very small flame shall be quickly passed across the surface of the oil on a level with the wire. If no pale blue flicker or flash is produced, the application of the flame must be repeated for every rise of 2 or 3 degrees in the thermometer.

(6) When the flashing point has been noted, the test shall be repeated with a fresh sample of the oil, using cold or nearly cold water as before, withdrawing the source of heat from the outer vessel when the temperature approaches that noted in the first experiment, and applying the flame test at every rise of 2 degrees in the thermometer.

THE SECOND SCHEDULE.

[See sections
3 and 4.]

MODE OF TESTING MINERAL OILS BY THE CLOSE-CUP SO AS TO ASCERTAIN
THE TEMPERATURE AT WHICH THEY WILL GIVE OFF INFLAMMABLE VAPOUR.

Specification of the Test Apparatus.

The following is a description of the details of the apparatus:—

The oil-cup consists of a cylindrical vessel 2 inches in diameter and 2 and two-tenth inches in height (internal), with an outward projecting rim five-tenth inch wide, $\frac{3}{8}$ inch from the top, and $1\frac{1}{4}$ inches from the bottom of the cup. It is made of gun-metal or brass (17 B.W.G.) tinned inside. A bracket, consisting of a short stout piece of wire bent upwards and terminating in a point, is fixed to the inside of the cup to serve as a gauge. The distance of the point from the bottom of the cup is $1\frac{1}{2}$ inches. The cup is provided with a close-fitting overlapping cover made of brass (22 B.W.G.), which carries the thermometer and test lamp. The latter is suspended from two supports from the side by means of trunnions upon which it may be made to oscillate; it is provided with a spout, the mouth of which is one-sixteenth of an inch in diameter. The socket which is to hold the thermometer is fixed at such an angle and its length is so adjusted that the bulb of the thermometer when inserted to its full depth shall be $1\frac{1}{2}$ inches below the centre of the lid.

The cover is provided with three square holes, one in the centre, five-tenth inch by four-tenth inch, and two smaller ones, three-tenth inch by two-tenth inch, close to the sides and opposite each other. These three holes may be closed and uncovered by means of a slide moving in grooves, and having perforations corresponding to those on the lid.

In moving the slide so as to uncover the holes, the oscillating lamp is caught by a pin fixed in the slide, and tilted in such a way as to bring the end of the spout just below the surface of the lid. Upon the slide being pushed back so as to cover the holes, the lamp returns to its original position.

Upon the cover, in front of and in line with the mouth of the lamp, is fixed a white bead, the dimensions of which represent the size of the test-flame to be used.

The Mineral Oils Act of 1886 (Queensland, adopted).

The bath or heated vessel consists of two flat-bottomed copper cylinders (24 B.W.G.), an inner one of 3 inches diameter and $2\frac{1}{2}$ inches height, and an outer one of $5\frac{1}{2}$ inches diameter and $5\frac{1}{2}$ inches height; they are soldered to a circular copper plate (20 B.W.G.) perforated in the centre, which forms the top of the bath, in such a manner as to enclose the space between the two cylinders, but leaving access to the inner cylinder. The top of the bath projects both outwards and inwards about $\frac{3}{8}$ inch; that is, its diameter is about six-eighth inch greater than that of the body of the bath, while the diameter of the circular opening in the centre is about the same amount less than that of the inner copper cylinder. To the inner projection of the top is fastened by six small screws a flat ring of ebonite, the screws being sunk below the surface of the ebonite to avoid metallic contact between the bath and the oil-cup. The exact distance between the sides and bottom of the bath and of the oil lamp is one-half of an inch. A split socket similar to that on the cover of the oil-cup, but set at a right angle, allows a thermometer to be inserted into the space between the two cylinders. The bath is further provided with a funnel, an overflow pipe, and two loop handles.

The bath rests upon a cast-iron tripod stand, to the ring of which is attached a copper cylinder or jacket (24 B.W.G.) flanged at the top, and of such dimensions that the bath, while firmly resting on the iron ring, just touches with its projecting top the inward-turned flange. The diameter of this outer jacket is $6\frac{1}{2}$ inches. One of the three legs of the stand serves as a support for the spirit lamp attached to it by means of a small swing bracket. The distance of the wick-holder from the bottom of the bath is 1 inch.

Two thermometers are provided with the apparatus, the one for ascertaining the temperature of the bath, the other for determining the flashing point. The thermometer for ascertaining the temperature of the water has a long bulb and a space at the top. Its range is from about 90 degrees to 190 degrees Fahrenheit. The scale (in degrees of Fahrenheit) is marked on an ivory back fastened to the tube in the usual way. It is fitted with a metal collar fitting the socket, and the part of the tube below the scale should have a length of about $3\frac{1}{2}$ inches measured from the lower end of the scale to the end of the bulb. The thermometer for ascertaining the temperature of the oil is fitted with a collar and ivory scale in a similar manner to the one described. It has a round bulb, a space at the top, and ranges from about 55 degrees Fahrenheit to 150 degrees Fahrenheit; it measures from end of ivory back to bulb $2\frac{1}{2}$ inches.

There is further provided a lead line or pendulum 24 inches in length, from the point of suspension to the centre of gravity of the weight.

NOTE A.—A test-flame arrangement for use with gas may be substituted for the test lamp, and a properly adjusted metronome may be substituted for the pendulum.

NOTE B.—An apparatus, tested and stamped by the Board of Trade (London), is deposited at the Government Chemical Laboratory, Brisbane, with which every apparatus not so stamped must be compared and verified.

Directions for applying the Flashing Test.

The test apparatus is to be placed for use in a position where it is not exposed to draughts.

The heating vessel is filled with water, the temperature of which at the commencement of each test is to be 130 degrees Fahrenheit.

The oil-cup is removed from the heating vessel, and the bath raised to the proper temperature. The oil to be tested is then poured slowly into the cup until the level of the liquid just reaches the point of the gauge. The lid of the cup, with the slide closed, is then put on, and the cup replaced in the heating vessel. The position of the thermometer in the lid of the cup is not under any circumstances to be altered.

(If the temperature of the sample exceed 75 degrees Fahrenheit, it must be cooled down to about 70 degrees Fahrenheit before being tested.)

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When the temperature of the oil has reached about 76 degrees, the operation of testing is to be commenced, the test-flame being applied once for every rise of one degree in the following manner:—

The slide is gradually drawn open while the pendulum performs three oscillations, and is closed during the fourth oscillation.

The temperature of the oil when the first flash is obtained is to be noted as the flashing-point of the sample.

NOTE.—During hot weather if, by above-stated method, a sample flashes below 83 degrees Fahrenheit, the test must be repeated, cooling the sample down to about 63 degrees Fahrenheit, and commencing the operation of testing when the temperature of the oil reaches about 68 degrees Fahrenheit, and the flashing-point thus obtained is to be regarded as the true one.