

VEGETABLE OIL REFINING (LICENSING AND CONTROL) LAW

SUBSIDIARY LEGISLATION

Vegetable Oil Refining Regulations

made under section 10

1. These regulations may be cited as the Vegetable Oil Refining Regulations. Citation.

2. In these regulations:
"Inspector" means an Inspector appointed under section 8 of the Law;
"the Law" means the Vegetable Oil Refining (Licensing and Control) Law;
"licence" means a licence granted by the Commissioner under section 3 of the Law;
"Licensing Authority" means a person authorized by the Commissioner to sign licences on his behalf;
"licensed premises" means premises including land on which oil may be refined by the holder of a valid licence. Interpretation.

3. An application for a licence shall be in the form prescribed in the First Schedule. Application for licence. First Schedule.

4. (1) A licence shall be in the form prescribed in the Second Schedule and shall be signed by a Licensing Authority and the licensee whose signature shall be witnessed by an Inspector. Licence. Second Schedule.
(2) A licence shall be free.

5. The holder of a licence who fails to produce it for inspection at the request of an inspector at the premises to which it relates or at some other place specified by the Inspector shall be guilty of an offence and liable upon summary conviction to a fine not exceeding Five Thousand Naira or to a term of imprisonment not exceeding two months. Licence to be shown to Inspector.

Offences

6. Any person who
- (a) lends, borrows, transfers, alters, defaces or forges a licence; or
 - (b) obtains or attempts to obtain a licence by any false pretence or improper means; shall be guilty of an offence and liable, upon summary conviction, to a fine not exceeding Twenty Thousand Naira or to a term of imprisonment not exceeding twelve months.

Return of
licence

7. (1) A licensee who ceases to refine oil shall return his licence to the Licensing Authority immediately who shall cancel such licence.
- (2) Any person contravening the provisions of sub regulation (1) shall be guilty of an offence and liable, upon summary conviction, to a fine not exceeding Five Thousand Naira or to a term of imprisonment not exceeding two months.

Selling, etc,
refined oil,
etc. offence
and
penalty.

8. Any person (other than the holder of a valid licence, his agents and servants) who:
- (a) buys or receives; or
 - (b) sells, offers for sale or exposes for sale; or
 - (c) tenders in satisfaction of any claim or demand; or
 - (d) is in possession of or has under his control or custody whether for sale or for any other purpose and whether for the use or benefit of himself or of any other person any refined oil or the waste products of oil arising out of the refining of oil; shall be guilty of an offence and liable, upon summary conviction, to a fine not exceeding Twenty Thousand Naira or to a term of imprisonment not exceeding twelve months.

Transport
of refined
oil, etc.
offence and
penalty.

9. Any person other than the holder of a valid licence or his agent or servant who transports or delivers or causes to be delivered for transport any refined oil or waste products of oil arising out of the refining of oil shall be guilty of an offence and liable, upon summary conviction, to a fine not exceeding Ten Thousand Naira or to a term of imprisonment not exceeding six months.

Power of
Inspectors.

10. (1) For the purposes of carrying out his duties, an Inspector shall have power:

- (a) to stop any person carrying or whom he reasonably believes to be carrying any refined oil or waste products of oil and to stop and search any vehicle, boat, canoe or animal carrying or which he reasonably believes to be carrying such substances and to call upon the person in charge of such vehicle, boat, canoe or animal or, if he cannot be ascertained, the person appearing to be in charge of such vehicle, boat, canoe or animal and the person in charge of such substances to unload any such substances for examination;
 - (b) to direct the person in charge of any vehicle, boat, canoe or animal carrying or which he reasonably believes to be carrying any refined oil or products or waste products of oil to proceed in or with the particular vehicle, boat, canoe or animal to the nearest suitable place for the purpose of their depositing any such refined oil or the waste products of oil;
 - (c) to seize and detain any oil or waste products of oil or substance or any receptacle, container or article used in connection with the refining of oil in respect of which he has reasonable grounds to believe that an offence has been committed against the law or these regulations; and
 - (d) to direct that the person in charge or in possession of any oil, substance or other thing seized and detained under the provisions of paragraph (c) to proceed to the nearest suitable place for the purpose of depositing such oil, substance or other thing.
- (2) Any person who seizes and detains any oil, substance or any other thing under sub-regulation (1) shall within twenty-four hours report that fact to the nearest Magistrate.
11. (1) Where any oil, substance or other thing which has been seized and detained is not already packed in suitable receptacles, an Inspector may order that it shall be so packed and the owner or person in charge thereof shall be responsible for the provision of suitable receptacles and the labour necessary to carry out the order.

Further
power of
Inspectors.