

MINERAL OILS (SAFETY) REGULATIONS¹

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* The Act under which these Regulations were made was repealed by the Petroleum Act Cap. 350 L.F.N. 1990. (now Cap. PIO). Paragraph 4 of the Fourth Schedule to the Act deems those Regulations to have been made under section 8 of the Act. Hence these Regulations which have not been revoked are published here with other Regulations made under Cap. 350 L.F.N. 1990.

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MINERAL OILS (SAFETY) REGULATIONS

[L.N. 45 of 1963.]

deemed to be made under section 9

[11th April, 1962]

[Commencement.]

PART I

Preliminary

1. Short title

These Regulations may be cited as the Mineral Oils (Safety) Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires -

"**child**" or "**younger person**" shall have the same meaning as is assigned to it in the Children and Young Persons Act;

"**Class 'A' Petroleum**" comprises all hydrocarbon liquids having a flash-point up to but not including 73 of by Abel closed cup test and all petroleum stocks with a flash-point below 200 of that are being handled at temperatures above their flash point;

"**competent person**" means a person appointed by the manager under regulation 6;

"**crude oil**" means the natural product of wells or seepages of petroleum oil before such oil has been refined or otherwise treated;

"**dangerous area**" means -

- (a) any enclosed premises containing a dangerous location together with a space extending not less than fifty feet measured along the shortest possible path in air of flammable gases or vapour from any point of escape of such gases from such premises; or
- (b) any open premises containing one or more dangerous locations together with a space extending not less than fifty feet in all directions from every such dangerous location;

"**dangerous atmosphere**" means an atmosphere containing any flammable gases or vapour in a concentration capable of ignition by an open flame or electric spark;

"**dangerous location**" means a location where a leakage or emission of a product which can produce a dangerous atmosphere is normally likely to occur;

"**Director of Petroleum Resources**" means an officer of the Ministry of Petroleum Resources appointed as such to exercise and perform those powers and duties, as the case may be, as are assigned to him by these Regulations;

"**gas**" or "**natural gas**" means gas obtained from boreholes or released from crude oil and consisting principally of hydrocarbons;

"**gas-free**" includes an absence of any concentration of combustible or toxic gases in a vessel, container or any area below the prescribed limits;

"**inspector**" means a petroleum engineer or other officer appointed in writing by the Director of Petroleum Resources to perform any of the duties detailed in these Regulations or in any of the licences or leases granted under the repealed Mineral Oils Act;

"**L.P.G.**" means hydrocarbon gas components comprising mainly butane or propane or admixtures thereof capable of being condensed and stored in liquid form in pressure vessels while gaseous at normal temperature and atmospheric pressure;

"**manager**" means the person appointed by the licensee under a licence or by the lessee under a lease to be in charge of all operations authorised by the licence or lease;

"**pressure vessel**" means a closed vessel of any capacity subjected or which may be subjected to an internal pressure above atmospheric;

"**restricted area**" in an installation or oilfield means an area in which certain precautions are necessary to ensure safety by reason of the possible presence of dangerous atmosphere, or because of the operations executed therein;

"**unrestricted area**" in an installation or oilfield means an area which is free from petroleum vapour in dangerous or hazardous quantities, and in which it is safe to accommodate boilers, open fires or flames, workshops, service buildings or any other similar structure;

"**wells**" includes every borehole drilled or sunk or in the course of being drilled or sunk for the purpose of searching for or producing crude oil or natural gas, and, where the context so admits, all works adjacent to or connected with such boreholes except boreholes which shall have been reported to the Director of Petroleum Resources as abandoned.

PART II

Duties of licensees and lessees

3. Duties of licensees and lessees

Every licensee or lessee under a licence or lease issued under the repealed Mineral Oils Act shall-

- (a) appoint in writing a person to be the manager who shall have continual charge of all operations authorised by the licence or lease;
- (b) notify the Director of Petroleum Resources in writing of such appointment and of any subsequent appointment in place of an original or later appointment;

- (c) provide sufficient safety belts for the derrickman and hard hats and safety boots of a pattern to be approved by the Director of Petroleum Resources for persons working in every drilling and workover crew;
- (d) provide adequate fire-fighting and first-aid equipment in accordance with good operating practice and to the satisfaction of the Director of Petroleum Resources at every well being drilled or worked over, block station, pump station or installation handling crude oil, natural gas or petroleum product;
- (e) ensure that no person shall drill any borehole for petroleum oil or gas with its centre within 150 feet of any building in which fire or lights other than a flame-proof or explosion-proof electric lighting installation are used, unless the said building shall have been evacuated and fire and exposed lights extinguished for the period when drilling is in progress.

4. Offences

Any licensee or lessee who fails to comply with the provisions of this Part of these Regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ₦ 100 or to imprisonment not exceeding six months or to both such fine and imprisonment.

PART III

Duties of managers

5. Compliance with regulations

It shall be the duty of every manager to ensure that the provisions of the Regulations in this Part are fully complied with.

6. Appointment of competent persons

The manager shall appoint in writing competent persons for the purposes of supervising all drilling, production, transmission and loading operations, and shall at once report each appointment and change in appointment to the Director of Petroleum Resources.

7. Drilling and production operations

Where no specific provision is made by these Regulations in respect thereof, all drilling, production, and other operations necessary for the production and subsequent handling of crude oil and natural gas shall conform with good oilfield practice which for the purpose of these Regulations shall be considered to be adequately covered by the appropriate current Institute of Petroleum Safety Codes, the American Petroleum Institute Codes or the American Society of Mechanical Engineers Codes.

8. Approaches

Every derrick floor shall have at least two clearly defined approaches which shall in addition be capable of being used as exits in case of danger and which shall be kept clear of obstruction at all times.

9. Moving machinery

(1) Every dangerous part of any machinery shall be securely fenced or guarded unless it is in such a position or of such construction as to be as safe to every person employed or working in the premises as it would be if securely fenced or guarded.

(2) All guards protecting rotary table chains shall be capable of resisting the shock of a breaking chain.

10. Hooks

The hook used for hoisting drill pipe, casing, tubing or sucker rods shall be provided with a latch or other device sufficient to prevent the elevator links or other equipment becoming detached from the hook.

11. Lifelines

(1) Unless exemption has been obtained in writing from the Director of Petroleum Resources, every derrick shall be provided with a lifeline or lifelines or other suitable device securely fixed at any platform in the derrick where persons are normally working, and firmly anchored to the ground at least fifty feet from the nearest point of the derrick at an angle not exceeding 45 degrees to the horizontal; and such lifeline or lifelines or other suitable device shall be anchored against the prevailing wind and shall not run over oil tanks or sumps.

(2) Where a lifeline is employed, a carriage of a type approved by the Director of Petroleum Resources shall be provided.

(3) The life line shall be tested before the start of drilling at weekly intervals thereafter, and all personnel who work in the derrick shall be instructed in its use.

12. Boilers and oil treaters

(1) No boiler or oil treater fired by a naked or open flame shall be placed within 150 feet of the centre of any borehole being drilled for crude oil or gas or being worked over, or within 100 feet of a dangerous area.

(2) As far as is practicable, any such boiler or treater shall be placed upwind from the nearest borehole or well in the direction of the prevailing wind and in a naturally ventilated area.

13. Internal combustion engines

(1) The use of internal combustion engines, whether stationary or otherwise, within 150 feet of the centre of any borehole being drilled for crude oil or gas or being worked over, or within 100 feet of a dangerous area is not permitted unless-

- (a) such precautions as are approved by the Director of Petroleum Resources are taken to prevent fire or explosion; and
- (b) exposed metal surfaces on exhaust manifolds do not exceed 700 OF in temperature.

(2) Exhaust gases from internal combustion engines shall not be released into the atmosphere within 150 feet of the centre of any borehole being drilled for crude oil or gas or being worked over or within 100 feet of a dangerous area:

Provided that the provisions of this paragraph shall not apply to motor vehicles, power-driven vessels, hovercraft, helicopters, or to internal combustion engines and exhausts of which are fitted with flame-proof attachments of a type approved by the Director of Petroleum Resources.

14. Electricity

(1) Where electricity is used at a borehole being drilled for or producing crude oil or gas, or in any other dangerous area, the installation provided shall comply in every respect with the Institute of Petroleum Electrical Code.

(2) Every derrick at any well being drilled or brought into production shall be fitted with a switch adjacent to the driller's normal working position capable of cutting off the electrical current from the electrical installation in the derrick.

(3) All electrical apparatus for power purposes of whatsoever description shall, when installed in a dangerous area, either-

- (a) be certified flame-proof, group 11, in conformity with British Standard 229; or
- (b) be constructed in compliance with the United States National Electrical Safety Code and the National Board of Fire Underwriters National Electric Code for explosion-proof electrical apparatus and equipment, and all cable glands and bolted cable couplers shall be constructed and installed in conformity with the relevant British Standard for flame-proof fittings of this type, or the relevant American Codes where explosion-proof fittings are used.

(4) All apparatus, cables, fittings and other equipment shall be installed and maintained to ensure that neither the flame-proof nor explosion-proof characteristics, as the case may be, are invalidated.

(5) All apparatus, including all associated wiring, within a dangerous area, for communication purposes, (that is, telephones and bells) shall be certified intrinsically safe in conformity with British Standard 1259 or the corresponding United States Code (explosion-proof).

15. Pressure vessels

All pressure vessels and their fittings in use in oilfield installations shall meet the American Society of Mechanical Engineers Codes and as far as their routine inspection and testing are concerned, these shall comply with the requirements of the Factories Act, and a record of such inspection and testing shall be maintained to the satisfaction of the Director of Petroleum Resources; and in particular, the following matters shall be carried out and recorded-

[Cap. Fl.]

- (a) oil heaters shall be examined at intervals of not more than twelve months and the tire tubes replaced when below the minimum thickness. At the same time other parts and fittings, both internal and external, shall be examined;

- (b) all compressed-air receivers shall be drained of liquid daily. Where the internal surface of the receiver cannot be examined, and in any event not less often than once in every 26 months, the receiver shall be tested hydraulically to the recommended test pressure;
- (c) gas separators shall be tested whenever the opportunity occurs and at intervals not exceeding five years. They shall be tested to the recommended test pressure which shall not be less than one-and-one-half times the design working pressure;
- (d) relief valves and safety valves shall be inspected at least once in every 26 months or at such shorter intervals as shall be necessary to maintain them in a satisfactory condition and to ensure that they operate effectively as soon as the safe working pressure is exceeded. They shall be set to operate at a pressure not exceeding ten per cent above the working pressure and shall pass full design quantity at this setting. All safety valves shall be stamped or tagged at their set popping-pressure, and where appropriate, bursting discs may be used in lieu of safety valves;
- (e) every pressure vessel shall be fitted with a tested pressure gauge, graduated in pounds per square inch or the metric equivalent. Such gauges shall be checked for accuracy at intervals not exceeding six months;
- (f) all new pipework shall be tested in accordance with A.S.M.E. working standards to 1.25 times the maximum intended working pressure before being put into service; and pipework shall also be similarly tested when alterations or repairs have been carried out.

16. Tanks

(1) All permanently placed bulk storage tanks containing Class A petroleum (which for the purposes of this regulation includes crude oil) shall be installed within a bond wall capable of containing the contents of the largest tank plus ten per cent of the remaining tanks; and where there is only one tank, the bond wall shall in the event of an emergency conflagration, be capable of containing the contents of the tank unless the piping facilities are approved as adequate to remove them.

- (2) In addition the tanks referred to in paragraph (1) of this regulation shall-
- (a) be fitted with access doors sufficiently large to enable easy access and vents capable of relieving any excess pressure or vacuum;
 - (b) have access to their roofs by means of a ladder or staircase of a type approved by the Director of Petroleum Resources and all floating roof tanks shall have an adequate wind girder;
 - (c) have provision made for containing any leakage to prevent oil contaminating the water when located above water; and
 - (d) be provided with efficient electrical earth connections independent of pipe connections, having an electrical resistance value not exceeding ten ohms when measured by an earth resistance tester of the "Megger" or similar type.

(3) Before permitting workmen to enter a tank which had previously contained petroleum products it shall be gas-free and the concentration of gas determined; and all feed and vent lines shall be disconnected and blanked off, and tank hatches shall be kept open.

(4) During tank-cleaning operations adequate ventilation shall be provided inside the tank and, as work progresses, frequent tests shall be made to detect increases in gas concentration.

(5) If the gas concentration exceeds 0.05 per cent, gas masks shall be worn, tools shall be incapable of causing sparks, and hand lamps and torches used shall either-

- (a) be certified flame-proof, group 11, in conformity with British Standard 229; or
- (b) be constructed in compliance with the United States National Electric Safety Code and the National Board of Fire Underwriters National Electric Code for explosion-proof electrical apparatus and equipment.

17. Fuel storage tanks

All petrol, diesel oil or L.P.G. tanks shall be sited at least 100 feet from the centre of any well being drilled or worked over or any dangerous area in a direction downwind from the prevailing wind where possible; and all noxious or inflammable gases vented from storage tanks shall be carried a safe distance from regular operating areas and be properly disposed of.

18. Persons entering tanks, etc.

(1) Unless a tank that has contained petroleum has been certified safe by a competent person it shall not be entered by any person without a lifeline and unless accompanied by a second person who shall stand at a safe distance but in a position to observe if the first person is overcome by gas or fumes.

(2) No person shall enter a sump or well cellar which has contained petroleum without a lifeline and unless accompanied by a second person who shall stand at a safe distance but in a position to observe if the first person is overcome by gas or fumes.

(3) The second person mentioned in paragraphs (1) and (2) of this regulation, if an accident occurs, shall call for help and shall render such assistance as is practicable without entering the tank, sump or well cellar until the help arrives.

19. Safe access

Safe access shall be provided on all drilling rigs and other installations, with non-slip walkways and handrails leading over complex pipe systems and other obstructions. Drains in the area of general access shall be covered.

20. Restricted areas

(1) All wells, block stations, pump-stations, tank farms and similar installations shall constitute a restricted area, the boundaries of which shall be clearly defined.

(2) Only persons authorised by a competent person shall be admitted to restricted areas.

(3) A notice shall be prominently displayed at the entrance of a restricted area giving details of the nature of the restrictions.

21. Fire precautions

(1) Convenient to each well being drilled or worked over, block station or other installation where petroleum is handled, there shall be provided and kept in readiness to the reasonable satisfaction of the Director of Petroleum Resources for immediate use, adequate means designed to extinguish fire.

(2) Each item of the fire-fighting equipment shall be inspected and tested by a competent person appointed for the purpose at appropriate intervals; and the date of last inspection shall be painted on the appliance and the result of the inspection entered in a log book kept for that purpose.

(3) Personnel employed on a site shall be instructed in the use of the fire-fighting equipment; and instructions to personnel in case of fire shall be clearly and concisely expressed and prominently displayed.

(4) "No smoking" signs shall be posted as needed in restricted areas.

(5) Whenever a gas or oil fire occurs at a well, block station or other installation handling petroleum, a report of the circumstances and probable cause shall be forwarded to the nearest inspector and to the Director of Petroleum Resources within 48 hours.

(6) When pipelines are run in open trenches, fire stops shall be provided at such intervals as the Director of Petroleum Resources may require, save that the distance between any two firestops shall not exceed 300 feet.

22. Hydrogen sulphide

(1) The occurrence of hydrogen sulphide gas in any gas or oil well shall be reported to the nearest inspector and to the Director of Petroleum Resources within 48 hours.

(2) Tests shall be made immediately to determine the concentration of hydrogen sulphide, and if found hazardous, steps shall be taken immediately to protect all personnel working on the well; and the danger of breathing hydrogen-sulphide bearing gas shall be made known.

(3) The precautions taken shall include the provision of an adequate number of "blower", or self-contained oxygen or compressed air type breathing apparatuses at the well and on any subsequent well in the same field or on any other well likely to penetrate the hydrogen-sulphide bearing formation.

23. Explosives

(1) The requirements of the Explosives Regulations shall be fully observed at all times.

[Cap. EI8.]

(2) A report shall be made to the Director of Petroleum Resources whenever the use of explosives has been authorised by the manager under regulation 42 of these Regulations.

24. Reporting of accidents

(1) Where any accident occurs at any well or in connection with any operations under a licence or lease resulting in the death of or serious injury to any person, a full report thereon shall forthwith be forwarded to the nearest inspector and to the Director of Petroleum Resources who may order an inquiry to be made by an inspector.

(2) For the purposes of this regulation, "serious injury" means-

[L.N.1630f1959.]

- (a) a fractured skull, pelvis, arm, thigh or spine, forearm or leg;
- (b) a dislocated shoulder;
- (c) the amputation of an arm or hand, or of one finger or more on the same hand, or of a leg or a foot;
- (d) the loss of the sight of an eye; or
- (e) any other serious bodily injury, including internal haemorrhage, or burns or asphyxia where such injury is likely to endanger life, cause permanent incapacity or impair efficiency substantially.

(3) The provisions of this regulation shall be additional to the requirements as to notice contained in the Workmen's Compensation Act, and the Electrical Supply Regulations in the case of an accident, explosion, or fire involving electrical apparatus or equipment.

[Cap. W6.]

25. Inquiries into accidents

(1) An inspector holding an inquiry under regulation 24 shall, for the purposes of the inquiry, have the powers of a magistrate to summon witnesses, to call for the production of books and documents and examine witnesses and parties concerned on oath; and all summonses may be in the form in the Schedule to these Regulations and shall be served by the police or by such person as the officer issuing the same may direct.

[Schedule.]

(2) Any person summoned to attend or to produce books or documents as aforesaid and refusing or neglecting to do so or refusing to answer any question put to him by or with the concurrence of the officer holding the inquiry shall be liable on summary conviction to a fine of ₦ 100

Provided that no person shall be bound to incriminate himself, and every witness shall, in respect of any evidence given by him at such inquiry, be entitled to the same privileges to which he would have been entitled if giving evidence before a court of law.

(3) Witnesses attending at the request of or upon summons by an officer holding the inquiry shall, subject to any order made by the officer, be entitled to the like expenses as if summoned to attend a magistrate's court and payment shall be made in the same manner as if such person were a witness in a criminal trial.

26. Publication of Regulations

At every well being drilled for oil or gas or being worked over and in every installation handling petroleum, an abstract of these Regulations shall be prominently displayed at all times.

27. Offences

Any manager who fails to comply or ensure compliance with any regulation in this Part shall be liable on summary conviction to a fine not exceeding ~~₹~~ 100 or to imprisonment not exceeding six months or to both such fine and imprisonment.

PART IV

Duties of employees

28. Competent persons

It shall be the duty of every competent person appointed under regulation 6 to ensure that the provisions of the Regulations contained in this Part are fully complied with.

29. Safety precautions

No child or young person shall be on the derrick floor while any well is being drilled or repaired.

30. Accumulation of rubbish

No person shall accumulate or permit the accumulation of flammable rubbish at any well, block station or other installation handling petroleum.

31. Safety belts, hats and boots

(1) Every person working on a drilling rig shall wear a hard hat and safety boots.

(2) Every person working at a fixed workstation above the derrick floor shall wear a safety belt:

Provided that the provisions of this paragraph shall not apply to routine maintenance operations conducted in accordance with normal oilfield practice.

32. Storage of loose tools in derricks

No tools, machine parts or other loose material of any kind shall be kept in the derrick above the derrick floor, unless such articles are required for immediate use, in which case adequate precautions shall be taken to prevent injury to persons below.

33. Counterbalance

No counterbalance shall clear the ground or derrick floor by more than five feet unless adequate precautions are taken to prevent injury to persons below.

34. Machinery guards

(1) No person shall remove or render ineffective any safeguard while the machinery relating thereto is in operation.

(2) Where it is necessary to make any adjustment or repair to any machinery, the machinery shall be shut down and shall not be operated again until the safeguard is replaced.

35. Electrical apparatus

(1) No person other than a duly qualified electrician or electrical engineer shall open or restore any flame-proof or explosion-proof enclosure, and on completion of any necessary adjustment or repairs within the enclosure, he shall ensure that it is so restored that the flame-proof or explosion-proof characteristics have not been impaired by such opening and closing.

(2) Adjustments to or repairs of apparatus within the flame-proof or explosion proof enclosure shall not be carried out until all the live parts within it have been made dead and efficiently earthed.

36. Signalling equipment

No person other than a duly qualified person shall repair, adjust or maintain any signalling equipment, and on completion of any repairs, adjustment or maintenance, he shall ensure that the intrinsic safety of the electrical circuit has not in any way been impaired.

37. Sleeping, drinking, etc., on duty

No person at any well or in any installation where petroleum is being handled shall-

- (a) sleep while in charge of boilers or machinery; or
- (b) consume any alcoholic liquor during the period he is on duty; or
- (c) report for duty while under the influence of alcoholic liquor.

38. Endangering safety by fire

No person at any well or in any other restricted area shall-

- (a) smoke; or
- (b) discharge any firearm or explosives; or
- (c) use any naked light; or
- (d) make any fire,

except in such places as may be set aside and notified by the manager or any person authorised by the manager in that behalf as being safe for such purpose:

Provided that a competent person may at his discretion authorise the welding of casing or machinery, but the authorisation shall be in writing giving details of the precautions that shall be taken for the prevention of fire.

39. Examination of plant

A competent person shall at every well being drilled or worked over or installation where petroleum is handled, daily-

- (a) examine the installation and shall record in a book kept for that purpose the state thereof; and
- (b) inspect the fire-fighting and first-aid equipment to ensure that-
 - (i) it is in its correct position;

- (ii) access to it is unobstructed; and
- (iii) it has been tested within the appropriate period for each appliance.

40. Other safety measures

A competent person shall be responsible for the observance of all safety measures at any drilling site or installation handling petroleum where work is in progress.

41. Offences

Any competent person who fails to comply or ensure compliance with any regulation in this Part shall be liable on summary conviction to a fine not exceeding ₦100 or to imprisonment not exceeding six months or to both such fine and imprisonment.

PART V

Miscellaneous

42. Explosives

No person shall use any explosives at any well or in any installation where petroleum is handled, unless authorised by the manager.

43. Buildings

No person shall place any building in which fire or lights other than a flame-proof or explosion-proof electric lighting installation are used within 150 feet of the centre of any borehole being drilled for or producing oil or gas or being worked over or within 100 feet of a dangerous area.

44. Reporting unusual circumstances

Any person employed under any licence or lease who notices any unusual escape of petroleum oil or gas from any well, pipeline or installation or anything unsafe or likely to produce damage shall forthwith inform the manager or competent person.

45. Reporting of neighbouring workings

The manager may report to the Director of Petroleum Resources if he has reason to believe that the operations of a neighbouring licence or lease are being conducted in such a manner as to endanger the safety of any persons in the vicinity.

46. Delegation of powers of Director of Petroleum Resources

The powers and duties of the Director of Petroleum Resources under these Regulations may be exercised or performed, as the case may be, by any public officer duly authorised in writing in that behalf by the Director of Petroleum Resources.

47. Offences

(1) Any person who acts in contravention of any provision of these Regulations for which no penalty is provided shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ₦100 or to imprisonment not exceeding six months or to both such fine and imprisonment.

(2) Where under the provisions of these Regulations, a duty is placed upon any person, the onus of proving that all reasonable steps have been taken to fulfil that duty shall lie upon the person charged with the breach thereof.

SCHEDULE
[Regulation 25.]

Minerals Oils (Safety) Regulations

SUMMONS TO WITNESS

To⁽¹⁾⁽²⁾

.....

You are hereby summoned to appear before the undersigned at.....

upon the day of 20and to give evidence
at any inquiry being held into an accident at

on the day of 20and you are required
to bring with you-

(3)

.....

.....Therein fail not at your peril.

.....

Inspector

⁽¹⁾ Insert name of intended witness.

⁽²⁾ Insert address of intended witness.

⁽³⁾ Name any document the intended witness will be required to produce.
