

**PETROLEUM REGULATIONS**

**ARRANGEMENT OF REGULATIONS**

REGULATION

1. Short title
2. Definitions

**PART I**

**STORAGE OF PETROLEUM IN LICENSED BUILDINGS**

3. Licensing of buildings for storage of petroleum
4. Construction of licensed buildings
5. Distance from other buildings
6. Storage of petroleum
7. Leaking containers
8. Smoking and naked lights, etc prohibited
9. Fire precautions

**PART II**

**SALE OF PETROLEUM FROM PUMPS**

10. Pumps to be licensed
11. Fixed pumps: siting and construction to be approved
12. Construction and capacity of fixed pumps
13. Moveable pumps: construction and storage
14. Siting of moveable pumps
15. Supply pumps to be insured
16. Fire precautions

**PART III**

**STORAGE OF PETROLEUM IN GARAGES AND SERVICE STATIONS**

17. Maximum quantity of petroleum that may be stored
18. Method of storing
19. Storing of containers
20. Leaking containers
21. Fire precautions
22. Saving for private garages

**PART IV**

**STORAGE OF PETROLEUM KEPT FOR SALE  
OTHERWISE THAN IN PUMPS, GARAGES OR SERVICE STATIONS**

23. Maximum quantity of petroleum that may be stored
24. Method of storing
25. Leaking or damaged container
26. Fire precautions

PART V  
TRANSPORT OF PETROLEUM

27. Method of transport
28. Construction of containers
29. Tank waggons and trailers
30. Precautions against interference by unauthorised persons
31. Responsible person to be in charge
32. Transference of petroleum to other receptacles, etc

PART VI  
LICENCES TO DEAL IN OR SELL PETROLEUM

33. Council Committee may grant licences
34. Premises to comply with regulations

PART VII  
PARAFFIN

35. Application of previous regulation to paraffin
36. Separate storage of paraffin

PART VIII  
MISCELLANEOUS

37. Licences, and fee payable
38. No fee for government
39. Offences
40. Appeal

---

**PETROLEUM REGULATIONS – SECTION 16**

*(Legal Notices 7 of 1978, 21 of 1987, 16 of 1994, 10 of 1998 and 26 of 2009)*

**Short title**

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

**Definitions**

2. In these regulations—  
**“Council Committee”**<sup>5</sup> ...  
**“paraffin”** means paraffin oil as a product of petroleum being within the definition of “petroleum” contained in the Petroleum Ordinance;  
**“petroleum”** means dangerous petroleum as defined in the Petroleum Ordinance;  
**“pump”** where the context so indicates, includes the storage tank and all necessary fittings, pipes and hoses associated therewith;

---

<sup>5</sup> Definition of “Council Committee” revoked by L.N. 26 of 2009

“suitable container” means, for the storage of petroleum, other than in pumps, a container made of metal, or of a plastic sold specifically for the storage of petroleum, which is not liable to break or fracture with impact. (The definition does not include bottles or containers made of fragile material, and these are specifically forbidden for the sale or storage of petroleum, but may be used for the sale or storage of paraffin.) All containers used for containing petroleum shall be fitted with air tight caps.

PART I  
STORAGE OF PETROLEUM IN LICENSED BUILDINGS

**Licensing of buildings for storage of petroleum**

3. No building shall be licensed for the storage of petroleum unless—
- (a) the position thereof shall have been approved by the Chief of Police<sup>6</sup>; and
  - (b) the Civil Engineer or such other officer as the Governor may appoint shall have certified that such building is constructed in accordance with the provisions of regulation 4.

**Construction of licensed buildings**

4. (1) A building licensed for the storage of petroleum shall be constructed of non-inflammable material and shall have door-ways and other openings built up to a height of 60 cm above the level of the ground, or the floor sunk to a depth of 60 cm below the level of the ground, or a masonry wall or an embankment or both not less than 60 cm high around it:

Provided that the provisions of this subsection shall not apply to the Petroleum Store at West Rocks, Jamestown.

(2) There shall be exhibited on every such building so as to be visible from every side thereof a permanent notice or notices bearing the words “Danger Petroleum”.

**Distance from other buildings**

5. No building shall be licensed for the storage of petroleum unless such building is not less than 9 metres from the nearest building not being a building licensed for the storage of petroleum.

**Storage of petroleum**

6. All petroleum in a building licensed for the storage of petroleum shall be stored in accordance with such instructions, if any, as may be given by the Chief of Police<sup>7</sup>.

**Leaking containers**

7. Any containers in a building licensed for the storage of petroleum found to be in a leaking condition shall be dealt with in accordance with the instructions of the Chief of Police<sup>8</sup>.

---

<sup>6</sup> Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

<sup>7</sup> Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

<sup>8</sup> Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

### Smoking and naked lights, etc prohibited

8. No person in a building licensed for the storage of petroleum shall—
- (a) smoke or have any naked light therein;
  - (b) have on or about his person any matches or implements for producing flame or fire;
  - (c) bring into such building any artificial light of any description except a light incapable of igniting any inflammable vapour outside of the lamp itself.

### Fire precautions

9. In every building licensed for the storage of petroleum there shall be maintained to the satisfaction of the Chief of Police<sup>9</sup> an adequate supply of sand in suitable receptacles to be used in case of fire, or some effective type of foam extinguisher.

## PART II

### SALE OF PETROLEUM FROM PUMPS

#### Pumps to be licensed

10. No pump shall be used for the sale of petroleum unless such pump is licensed in accordance with these regulations by the Council Committee.

#### Fixed pumps: siting and construction to be approved

11. No fixed pump shall be licensed unless—
- (a) the position of such pump shall have been approved by the Chief of Police<sup>10</sup>; and
  - (b) the Civil Engineer or such other officer as the Governor may appoint shall have certified that such pump is constructed in accordance with the provisions of regulation 12.

#### Construction and capacity of fixed pumps

12.<sup>11</sup> (1) Fixed supply pumps and the storage tanks to be used in connection therewith shall be constructed to a design and of a suitable material approved by the Civil Engineer and shall be fitted with hoses and couplings in good condition and without leaks. The air inlet shall be so arranged that the blast or explosion of any flame which may issue therefrom shall not impinge upon any part of the pump or tank or upon any inflammable substance.

(2) The storage tank in connection with any fixed supply pump shall be of a capacity not exceeding 13,500 litres and shall be embedded in such a way that the top thereof is at no part thereof less than 60 cms below the level of the surrounding ground:

Provided that where the capacity of the storage tank does not exceed 450 litres such tank may be placed in any building in the construction of which no inflammable material is used and which is approved by the Civil Engineer.

#### Moveable pumps: construction and storage

<sup>9</sup> Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

<sup>10</sup> Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

<sup>11</sup> Regulation 12 amended by L.N. 21/1987

**13.** Moveable supply pumps, the tanks of which shall not exceed a capacity of 450 litres, shall be constructed to a design and of a suitable material approved by the Civil Engineer and shall be fitted with hoses and couplings in good condition and without leaks and may have glass measures. The air inlet shall be so arranged that the blast or explosion of any flame which may issue therefrom shall not impinge upon any part of the pump or tank or upon any inflammable substance.

#### **Siting of moveable pumps**

- 14. (1)** Moveable supply pumps may be placed only in—
- (a) such position on the pavement or side-walk that they may be clearly seen by the public and the person in charge thereof; and
  - (b) such place or places as may be approved by the Chief of Police<sup>12</sup>.
- (2)** Moveable supply pumps when not in use shall be stored in a place approved by the Chief of Police.

#### **Supply pumps to be insured**

**15.** No person shall sell petroleum from a fixed or moveable supply pump unless there is in force in relation to such pump a policy of public liability insurance for an amount of not less than £10,000.

#### **Fire precautions**

**16.** In the vicinity of every supply pump licensed for the storage of petroleum there shall be maintained to the satisfaction of the Chief of Police<sup>13</sup> an adequate supply of sand in suitable receptacles to be used in case of fire, or some effective type of foam extinguisher.

### **PART III**

#### **STORAGE OF PETROLEUM IN GARAGES AND SERVICE STATIONS**

#### **Maximum quantity of petroleum that may be stored**

**17.** A quantity of petroleum not exceeding 520 litres, exclusive of petroleum in the fuel tanks of motor vehicles, may be kept in a garage or service station in accordance with this Part of these regulations:

Provided that nothing in this regulation shall be deemed to prevent the storage of petroleum in a pump licensed under the provisions of Part II of these regulations.

#### **Method of storing**

**18.** All petroleum in garages and service stations, other than petroleum in the fuel tanks of motor vehicles, shall be kept in sound containers which shall be kept in a non-inflammable chamber fitted with a non-inflammable door, such chamber and door to be constructed to the satisfaction of the Civil Engineer in a place approved by him.

#### **Storing of containers**

---

<sup>12</sup> Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

<sup>13</sup> Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

19. All containers used for containing petroleum, whether containing petroleum or not, shall be kept in the chamber provided for in regulation 18.

### Leaking containers

20. Any container in any garage or service station containing petroleum found to be in a leaking or damaged condition shall be immediately removed from the garage or service station to a place of safety in the open air.

### Fire precautions

21. In every garage or service station in which petroleum is stored otherwise than in the fuel tanks of motor vehicles there shall be maintained to the satisfaction of the Chief of Police<sup>14</sup> an adequate quantity of sand in suitable receptacles to be used in case of fire, or some efficient type of foam extinguisher.

### Saving for private garages

22. Notwithstanding anything contained in regulations 17, 18 and 19, there may be kept in a private garage in addition to the petroleum in the fuel tank of any motor vehicle therein a quantity of petroleum not exceeding 36 litres, provided such petroleum is kept in a suitable container or containers.

## PART IV

### STORAGE OF PETROLEUM KEPT FOR SALE OTHERWISE THAN IN PUMPS, GARAGES OR SERVICE STATIONS

### Maximum quantity of petroleum that may be stored

23. A quantity of petroleum not exceeding 250 litres may be kept for sale in accordance with this Part of these regulations.

### Method of storing

24. (1) All petroleum kept for sale shall be stored in suitable containers.

(2) Where the quantity of petroleum kept for sale exceeds 90 litres it shall be kept and stored in a non-inflammable chamber fitted with a non-inflammable door, such chamber and door to be constructed to the satisfaction of the Civil Engineer or such other officer as the Governor may appoint, in a place approved by him.

(3) Subregulation (2) shall not apply to petroleum kept and stored outside the limits of Jamestown if such petroleum is kept and stored in a place not less than 6 metres from the nearest building, road or public footpath.

### Leaking or damaged container

25. Any container found to be in a leaking or damaged condition shall be immediately removed to a place of safety in the open air.

---

<sup>14</sup> Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

### **Fire precautions**

26. There shall be maintained to the satisfaction of the Chief of Police<sup>15</sup> in the vicinity of any petroleum stored for sale an adequate quantity of sand in suitable receptacles to be used in case of fire, or some efficient type of foam extinguisher.

## PART V TRANSPORT OF PETROLEUM

### **Method of transport**

27. Petroleum, other than petroleum in the fuel tank of a motor vehicle, shall not be transported save in suitable containers approved by the Civil Engineer, and shall not be carried in the same compartment at the same time as any passenger is carried therein.

### **Construction of containers**

28. (1) Receptacles used for the conveyance of over 18 litres of petroleum shall be of gas tight tinned or galvanised sheet iron or steel or of a design and material approved by the Civil Engineer containing each not more than 450 litres and fitted with well made filling holes and well fitted screw plugs or fitted with screw cap or under-cap.

(2) Receptacles shall be so substantially constructed and secure as not to be liable under circumstances of grave negligence or extraordinary accident to be broken or become defective, leaky or insecure.

### **Tank waggons and trailers**

29. Tank waggons and tank trailers for the conveyance of petroleum shall be approved by the Civil Engineer or such other Officer as the Governor may appoint.

### **Precautions against interference by unauthorised persons**

30. All due precautions shall be taken to prevent any unauthorised person, or persons, below the age of fifteen years, having access to any receptacle, tank waggon or tank trailer that contains or has contained petroleum or to the contents of such receptacle, tank waggon or tank trailer.

### **Responsible person to be in charge**

31. Petroleum while being transported shall be in the charge of a person not below the age of fifteen years and such person shall take all necessary precautions to prevent such petroleum from ignition.

### **Transference of petroleum to other receptacles, etc**

32. The transference of petroleum from any receptacle, tank waggon or tank trailer to any other receptacle, tank or container shall be conducted with every reasonable precaution

---

<sup>15</sup> Gazette Notice No. 63 of 1 July 2011: Title changed to Director of Police

against the ignition, explosion or spilling of such petroleum; and no fire, flame, naked light or artificial light, other than a light incapable of igniting any inflammable vapour outside the lamp itself, shall be brought within dangerous proximity during the operation.

PART VI  
LICENCES TO DEAL IN OR SELL PETROLEUM

**Council Committee may grant licences**

33. A licence to deal in or sell petroleum may be granted by the Council Committee at their discretion.

**Premises to comply with regulations**

34. Before granting a licence to deal in or sell petroleum, the Council Committee shall be satisfied that the applicant has made adequate provision on the premises on which petroleum is to be sold to enable him to comply with the provisions of these regulations governing the storage of the petroleum kept for sale.

PART VII  
PARAFFIN

**Application of previous regulation to paraffin**

35. This Part of the regulations applies to the storage and sale of paraffin, and the following regulations concerning petroleum shall apply equally to paraffin, as if paraffin had therein been specified instead of petroleum. The regulations which apply to paraffin are:

Numbers 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 26, 33 and 34.

**Separate storage of paraffin**

36. Paraffin shall not be stored in the same compartment of any building with petrol, and reasonable measures shall be taken to ensure that petrol cannot be issued on sale instead of paraffin and vice versa.

PART VIII  
MISCELLANEOUS

**Licences, and fee payable**

37. The various licences which may be issued at the discretion of the Council Committee are listed in Schedule 1, together with the fee payable in each case. Every licence shall be granted only in accordance with the provisions of these regulations, and be subject to the observance of any special conditions and shall, unless previously revoked or surrendered, expire on the 31st day of December next following the date on which it was issued.

**No fee for government**

38. No fee shall be charged for any licence granted to any department of the Government of St. Helena or of Her Majesty's Government in the United Kingdom.

### Form of licences

39. Licences shall be issued in the multi-purpose form set out in Schedule 2, suitably modified to suit the circumstances of issue (e.g. multiple licences, various premises etc.).

### Offences

40. Any person who contravenes or fails to comply with the provisions of these regulations or any instruction lawfully given thereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding £100 or to imprisonment not exceeding six months.

### Appeal

41. Any person aggrieved by the grant or refusal of a licence by the Council Committee may appeal within fourteen days of such grant or refusal to the Governor in Council and the decision of the Governor in Council thereon shall be final.

---

#### SCHEDULE 1

(Regulation 37)

##### TYPES OF LICENCES AND FEES

COLUMN 1 Item No.	COLUMN 2 Type of licence	COLUMN 3 Fee for licence
1	To store petroleum—	£5.50
2	To sell petroleum from a fixed pump—	£33
3	To sell petroleum from a moveable pump—	£2.20
4	To deal in and sell paraffin—for each premises where paraffin is dealt in and sold—	£1.10

---

**SCHEDULE 2***(Regulation 39)*

## PETROLEUM REGULATIONS

**Form of Licence**

1. Name of Licensee—
2. Address of Licensee—
3. Type of Licence  
(delete where inapplicable)—
  - (a) to store petroleum;
  - (b) to sell petroleum from a fixed pump;
  - (c) to sell petroleum from a moveable pump;
  - (d) to deal in and sell paraffin.
4. Address or addresses to which Licence applies (except in respect of a Licence to sell petroleum from a moveable pump)—
5. Date of issue of Licence—
6. Date of expiry of Licence— The 31 December next following date of issue of Licence.

Signed for the Public Works and Services  
Committee.

---