

THE PETROLEUM ORDINANCE, 1960 (Ordinance No. 21 of 1960)

THE PETROLEUM RULES, 1960

In exercise of the powers conferred upon him by subsection (1) of section 29 of the Petroleum Ordinance, 1960 [*Ord. No. 21 of 1960.*], and all other powers thereunto him enabling, the Governor in Council has made the following Rules:-

Citation and commencement.

1. These Rules may be cited as the Petroleum Rules, 1960, and shall come into operation on the date on which the Petroleum Ordinance, 1960, shall come into operation.

PART I INTERPRETATION

Interpretation.

2. In these Rules, unless the context otherwise requires –

“Director” means the Director of Public Works and includes any person authorised by him to perform any duty under these rules;

“master” includes chinchew and serang;

“package” means any case, barrel, drum or container, and includes every means by which petroleum may be encased or contained, having a capacity of not more than fifty gallons;

“petroleum vessel” means any vessel 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 Port Officer;

“tank trailer” means a trailer drawn by any vehicle and carrying a tank for the purpose of haulage of petroleum, the tank being built in as a part of the vehicle and having a capacity not exceeding 1,000 gallons;

“tank vehicle” means a motor vehicle upon which is mounted a tank for the purpose of haulage of petroleum, the tank being built in as a part of the vehicle and having a capacity not exceeding 2,500 gallons and includes a semi-articulated tank vehicle;

“tank vessel” means a vessel possessing a certificate to the effect that it is constructed as a tank vessel issued by Llords Register or other Classification Society recognised for this purpose by the Director of Marine or if it has been certified by him as having been so constructed.

PART II TESTING OF PETROLEUM FOR FLASHPOINT

Testing.

3. (1) The testing of the flashpoint of petroleum for the purposes of section 8 of the Ordinance shall be determined by Pensky-Martin close test apparatus and all other tests shall be carried out with the Abel Standard close test apparatus.

(2) The Port Officer may accept as having been examined and tested for flashpoint any petroleum covered by a certificate as to flashpoint issued by an authority within or without the Colony which the Port Officer deems competent to issue such a certificate:

Provided that the Port Officer may require a test to be made of any petroleum at any time.

PART III
TRANSPORT OF PETROLEUM BY WATER
[Repealed by P.U. (A) 84/85 w.e.f. 1.3.85]

PART IV
TRANSPORT OF PETROLEUM BY ROAD

Definition.

34. In this Part –

“licensing authority” means the Director;

“petroleum carried in bulk” means petroleum carried in any container other than a package.

Saving in case of small quantities of petroleum.

35. Nothing in this Part shall apply –

(a) petroleum in the fuel tank of a vehicle;

(b) dangerous petroleum not exceeding twenty gallons in quantity; or

(c) non-dangerous petroleum not exceeding five hundred gallons in quantity, if such petroleum is contained in air-tight containers not exceeding two hundred gallons in capacity.

Licence necessary for transport of petroleum.

36. (1) No person shall transport petroleum by road except under the authority of a licence issued by the licensing authority in Form C in the Schedule hereto.

(2) The fee for a licence under this rule shall be ten dollars per vehicle.

Conveyance of petroleum in bulk.

37. (1) Petroleum carried in bulk shall not be transported by road except in a specially constructed tank vehicle or tank trailer approved by the Director.

(2) Every such vehicle and its fitting shall be maintained in good condition to the satisfaction of the Director.

Filling and emptying of tank vehicle and trailers.

38. The following precautions shall be taken during filling or emptying of tank vehicles or tank trailers –

- (a) every such vehicle shall be constantly attended by a driver or competent person not under 18 years of age;
- (b) the engine of the vehicle shall be stopped, unless the vehicle fills and empties by means of its own power;
- (c) before delivery into any tank is begun it shall be ascertained that the tank will receive the quantity prepared to be delivered;
- (d) no delivery shall be made except by hose constructed to be resistant to petroleum and maintained in good order, having a liquid and gastight connexion to the container into which delivery is made.

Tanks vehicles and trailers.

39. No tank vehicle shall be attached to other than a tank trailer, and no tank trailer shall be attached to other than a tank vehicle.

Conveyance of petroleum not in bulk.

40. Petroleum not carried in bulk shall be transported in strongly constructed vehicles with sides and a back of adequate height to ensure that the packages containing the petroleum shall not fall out of the vehicle.

Packages for conveyance of petroleum not in bulk.

41. The following provisions shall apply to packages used in the transport of petroleum not carried in bulk –

- (a) petroleum shall be carried in strong metal packages in good condition and so constructed, secured and closed as not to be liable to become defective, leaky or insecure in transit;
- (b) all packages shall be so packed as not to project beyond the sides and back of the vehicle.

Precautions against fire and explosion.

42. The following provisions shall apply to the transport of petroleum by road –

- (a) all persons engaged in the loading, unloading or conveyance of petroleum shall take every reasonable precaution for preventing fire or explosion;
- (b) no fire or artificial light capable of lighting inflammable vapour shall be allowed on any vehicle conveying petroleum, nor shall any explosive substance or any substance or article capable of causing fire or explosion other than petroleum be carried on any such vehicle;
- (c) every tank vehicle shall be provided with a two-gallon fire extinguisher;
- (d) every tank vehicle shall be conspicuously marked in English and Malay "Danger Highly Inflammable" to a design approved by the Director;
- (e) an air space of not less than two and a half per cent of its capacity shall be left in each receptacle containing

dangerous petroleum;

- (f) no person shall smoke, nor carry any matches or other means of ignition while in or near a vehicle carrying petroleum;
- (g) no vehicle in which petroleum is carried shall carry –
 - (i) other goods of an inflammable nature;
 - (ii) passengers, which term shall not include persons whose presence on such a vehicle is in the course of duty.

Duties of persons in charge of vehicles.

43. The owner, person in charge and driver of every vehicle used for the conveyance of petroleum shall be responsible for carrying out the provisions of rule 42 and every such person shall take all reasonable measures to ensure –

- (a) that any person employed by him in connection with such conveyance is acquainted with the provisions of such rule; and
- (b) that such provisions are carried out.

PART V STORAGE

Definitions.

44. In this Part –

“filling shed” means any place in which packages are filled with petroleum;

“filling station” means any premises or place used or intended to be used by way of trade or for purposes of gain for fuelling motor vehicles with petroleum, and includes any building, advertisement, pump or other apparatus in, or used in connection with, any such premises;

“fireproof” has the meaning attributed thereto in any written law relating to the control of buildings;

“installation” means any premises within which any place has been specially prepared for the storage of petroleum in bulk;

“licensed premises” means any installation, storage shed, filling shed or filling station licensed under this Part;

“storage shed” means a building used for the storage of petroleum otherwise than in bulk whether it form or does not form part of an installation.

Licences to store two hundred gallons of non-dangerous petroleum or less.

45. Where pursuant to subsection (1) of section 16 of the Ordinance application is made for a licence to store two hundred gallons of non-dangerous petroleum or less in or about a house or building the following conditions shall apply to any licence granted –

- (a) the petroleum shall be contained in drums or tins and shall be stored in an iron, brick or stone compartment constructed to the satisfaction of the licensing authority;
- (b) where the use of a tank exceeding ninety gallons in capacity is permitted such tank shall either be buried in the ground or securely bricked in, and so fitted that such petroleum can only be drawn off by means of a pump fitted with a valve;
- (c) no other goods whatsoever shall be stored in any compartment containing such petroleum;
- (d) between 7 a.m. and 7 p.m. a quantity not exceeding fifty gallons of such petroleum contained in sealed tins may be exposed for sale or placed outside the storage chamber at one time, but after 7 p.m. no such petroleum shall be kept outside the storage compartment;
- (e) such petroleum shall not be drawn off from any drum or tin between sunset and sunrise except by the light of properly guarded electric light or gastight electric hand-torch;
- (f) adequate precaution shall be taken by the provision of drip trays to prevent spillage of such petroleum while dispensing.

Licences to store fifty gallons of dangerous petroleum or less.

46. Where pursuant to subsection (1) of section 17 of the Ordinance application is made for a licence to store fifty gallons of dangerous petroleum or less in or about a house or building the following conditions shall apply to any licence granted –

- (a) there shall be provided within the licensed place in such a position as may be approved by the licensing authority one or more storage bins either constructed of brickwork of a thickness of not less than four and a half inches and rendered inside with cement mortar of a thickness of not less than half an inch, or constructed of mild steel plates of a thickness of not less than one-eighth of an inch. All bins shall be fitted with a hinged mild steel lid of a thickness of not less than one-eighth of an inch, and shall be firmly secured to the ground;
- (b) no dangerous petroleum shall be stored elsewhere than in the approved bins and except when dangerous petroleum is being placed therein or removed therefrom the bins shall be kept securely locked; and
- (c) every drum and tin wherein dangerous petroleum is or has been contained within the licensed place shall at all times be kept securely stoppered and no drum or tin containing dangerous petroleum shall be bleached or opened nor any shall dangerous petroleum be drawn off or changed from one drum or tin or other container to another at any time by any means other than a pump fitted with a valve.

Storage of large quantity on licensed premises.

47. No licence shall be granted for the storage of a larger quantity of non-dangerous petroleum than two hundred gallons or a larger quantity of dangerous petroleum than fifty gallons save in accordance with the following quantities and conditions –

- (a) in packages –
 - (i) in a fireproof compartment inside another building – total not exceeding 200 gallons;

- (ii) in a fireproof store not less than ten feet from any house or building – total not exceeding 200 gallons;
 - (iii) in a fireproof store not less than twenty-five feet from any house or building - unlimited quantity;
 - (iv) in a shed or outhouse not less than thirty feet from any house or building which is of fireproof construction – total not exceeding 200 gallons;
- (b) in steel drums not exceeding fifty gallons capacity in the open air – not less than fifty feet from the boundary of any house or building – unlimited quantity;
- (c) in underground tanks –
- (i) under another building with top of tank below floor level – total not exceeding 1,000 gallons;
 - (ii) under another building with top of tank below all floor levels within twenty feet – total not exceeding 5,000 gallons;
 - (iii) in open air not less than ten feet from the boundary of any house or building with top of tank below all floor levels within twenty-five feet – unlimited quantity;
- (d) in aboveground tanks – at a distance from the boundary of any building used or intended to be used for human habitation or occupation not exceeding –
- (1) ten feet – total not exceeding 10,000 gallons;
 - (2) fifteen feet – total not exceeding 10,000 to 24,000 gallons;
 - (3) twenty feet – total not exceeding 24,000 to 30,000 gallons;
 - (4) twenty-five feet – unlimited quantity.

Underground tanks.

48. (1) All underground tanks shall be provided with a vent pipe the end of which shall be ten feet above ground and not less than three feet from any window, door or other opening.

(2) All underground tanks shall have at least two feet of cover and be provided with secure gastight fittings.

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

(4) Every underground tank shall be set in firm foundations, such as clay, well tamped into place:

Provided that where, with the approval of the licensing authority, the tank is placed in a chamber constructed of concrete or masonry the space between the tank and the chamber shall be filled with dry sand or dry clay.

Aboveground tanks.

49. (1) All aboveground tanks for storing dangerous petroleum shall be completely surrounded by a main oil-retaining wall. Separate walls around each tank shall not be necessary;

Provided that the total capacity of tanks in any one walled enclosure shall not, without the written permission of the licensing authority, exceed 40,000 water tons. Where one tank is in one enclosure, the capacity of such enclosure shall be 100 per cent of the tank capacity. Where two or more tanks are in one walled enclosure the capacity of the enclosure shall be 100 per cent of the largest tank, plus ten per cent of the combined or aggregate capacity of the remaining tanks. The distance between such tanks shall not be less than the diameter of the smaller tank or fifty feet whichever is the less.

(2) All aboveground tanks storing non-dangerous petroleum may be required by the licensing authority to be completely surrounded by an oil-retaining wall of a height required by the licensing authority, and so constructed as to collect spillage and prevent the escape of such non-dangerous petroleum from an installation. The distance between such tanks shall not be less than ten feet.

(3) Except for the necessary pipes and valves the space within an oil-retaining wall not occupied by tanks shall be kept entirely clear and unoccupied and no water shall be allowed to accumulate therein.

Construction of tanks.

50. (1) Each storage tank shall be constructed of iron or steel or other approved material and shall be designed and erected according to standards approved by the licensing authority and shall, together with all pipes and fittings be so constructed and maintained as to prevent the leakage therefrom of petroleum.

(2) Each storage tank shall be electrically connected effectively with suitably rated conductors to individual earth connections at not less than two separate points placed at opposite extremities of such tank.

(3) Each storage tank other than a floating roof tank shall be fitted with one or more effective vent pipes not less than one inch diameter the upper ends of which shall be protected by non-corroding metal wire gauze having a mesh of not less 400 openings to the square inch or other type of flame trap approved by the licensing authority.

Conditions applicable to all licensed premises.

51. (1) No person shall, in or near any licensed premises, do any act which is likely to cause danger from fire or explosion.

(2) No person shall smoke within licensed premises, or have in his possession therein any matches, other means of ignition, or other articles of a highly inflammable or explosive nature except as permitted by these rules:

Provided that this provision shall not apply to –

- (i) smoking in offices and living quarters if so situated as to preclude danger from fire;
- (ii) the possession of the necessary means of ignition for such fires as are authorised by the licensing authority.

(3) There shall be posted in a conspicuous place at the entrance to every licensed premises a notice in English, Chinese and Malay to the effect that smoking and the possession of matches are prohibited.

(4) All operations within any licensed premises shall be conducted under the supervision of the licensee or a responsible agent of the licensee.

(5) An adequate supply of dry sand or dry earth together with an implement for its convenient application or other efficient means of extinguishing petroleum fires shall be kept ready for immediate use in or about all licensed premises

for the purpose of extinguishing fire.

(6) No petroleum shall be allowed to escape into any drain, sewer, harbour, river or watercourse:

Provided that this paragraph shall not apply to any drain specially constructed for the sole conveyance of petroleum.

(7) The ground inside all licensed premises shall be kept clean and free from all inflammable material, waste vegetation and rubbish.

(8) All reasonable precautions shall be taken to prevent unauthorised persons from having access to any licensed premises.

(9) No licensed premises shall, without the permission in writing of the licensing authority, be used for any purpose other than that for which it has been licensed and purposes directly connected therewith.

(10) No structural alterations shall be carried out in any licensed premises without the previous sanction in writing of the licensing authority.

Conditions applicable to storage sheds.

52. (1) Every storage shed shall be constructed entirely of non-inflammable material.

(2) The bottom level of the doorways and other openings in a storage shed shall be not less than six inches in height above the level of the floor of such storage shed, or such greater height as shall be necessary to ensure that petroleum cannot flow out from such storage shed in the case of its escape from the container or containers in which it is contained.

(3) Every storage shed shall be adequately ventilated.

(4) No fire or naked lights shall be allowed in or near a storage shed.

(5) No container containing petroleum shall be opened and no petroleum shall be drawn from any container within a storage shed in which petroleum is stored.

(6) The provisions of this rule shall apply to all storage sheds, whether within an installation or otherwise.

Petroleum pipes.

53. (1) *[Repealed by P.U. (A) 85/85.]*

(2) 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 links.

(3) *[Repealed by P.U. (A) 85/85.]*

Electrical apparatus.

54. (1) In those parts of any licensed premises where petroleum is stored or handled all electrical apparatus and the associated wiring installed or used in such parts shall be of flame-proof construction and shall be maintained to retain the quality of flame-proofness.

(2) In any licensed premises all portable hand lamps and associated cables, plugs and sockets shall be of flame-proof construction and such lamp fittings shall not be fitted with bulbs above the wattage for which the fittings is certified.

FILLING SHEDS

Who may operate.

55. The holder of a licence to store petroleum in an installation or storage shed may operate a filling shed.

Construction.

56. (1) Every filling shed shall be constructed entirely of non-inflammable material and shall have not less than two separate doorways and either sliding doors or doors opening outwards.

(2) The bottom level of the doorways and other openings in a filling shed shall be not less than six inches in height above the level of the floor of such filling shed, or such greater height as shall be necessary to ensure that petroleum cannot flow out from such filling shed in the case of its escape from the receptacle in which it is contained.

(3) Every filling shed shall be adequately ventilated near the ground and near or in the roof, and all ventilators below the eaves shall be covered with fine non-corroding wire gauze having a mesh of not less than 400 openings to the square inch.

(4) A filling shed shall be used exclusively for the keeping of petroleum and the filling of containers with petroleum.

Static electricity.

57. Adequate provision shall be made to prevent the accumulation in every filling shed of dangerous static charges of electricity.

Petroleum vapour.

58. All empty vessels in a filling shed which have contained petroleum and have not been rendered free from the vapour thereof shall be kept securely closed.

Storage and filling shed in one building.

59. A storage shed and filling shed shall not form part of the same building unless they are separated by a fire resisting wall of metal sheeting, masonry or concrete. Such wall may contain a doorway giving direct communication between the storage and filling sheds if such doorway is of a type which may be immediately closed by a fire proof door in case of emergency.

Soldering tins.

60. (1) The soldering of packages shall not be carried out in a filling shed but in a separate building not less than fifty, or in the case of non-dangerous petroleum, twenty feet distance therefrom.

(2) Soldering irons, unless electrically heated, shall not be heated in the same building as that in which the soldering takes place, unless each operation is carried on in a separate compartment divided by a fire-proof partition of metal or concrete containing an opening not less than three feet from the ground, the opening to be furnished with an iron shutter

which can be closed at once in case of emergency; and each compartment shall be adequately ventilated.

(3) Fires used for heating solder shall be at least three feet above ground level.

FILLING STATIONS

Who may operate.

61. No person shall operate a filling station unless in possession of a licence to store the appropriate amount of petroleum for the purpose of the filling station issued by the licensing authority, and unless the plans and specifications of the filling station have been approved by the licensing authority.

Tanks.

62. (1) Save as provided in rule 46 any dangerous petroleum stored in a filling station shall be stored in such underground tanks as are approved by the licensing authority,

(2) There shall be no opening in such tanks other than those necessary for filling, ventilating and dipping the tanks.

(3) The filling and dipping pipes shall be carried down to within two inches of the bottom of the tanks.

Removal of petroleum.

63. (1) No dangerous petroleum shall be removed from the tanks except by means of a pump forming part of the filling station except for the periodical cleaning of the tanks or for the repair of equipment used in a filling station.

(2) The pumps together with the connections and fittings shall be so constructed and maintained as to prevent leakage of dangerous petroleum.

Times of delivery.

64. Dangerous petroleum shall only be delivered into a storage tank in a filling station between the hours of sunrise and sunset except where approved electric lighting in accordance with rule 54 is exclusively used.

Precautions while delivering petrol in vehicle tank.

65. Dangerous petroleum shall not be placed in, or removed from, any motor vehicle, other than a tank vehicle, at a filling station while its engine is running and persons in or near such motor vehicle shall not be permitted to smoke.

Signs.

66. There shall be displayed in a prominent position in the vicinity of the pumps at the filling station the following notice in English, Chinese and Malay "No Smoking, switch off engine; extinguish vehicle lights."

GENERAL

Discontinuance of tank.

67. The holder of a storage licence shall, at least ten days before discontinuing the use of any tank on the premises to which his licence relates, give to the licensing authority notice of his intention so to do and shall, immediately upon discontinuing so to use it, take such action as may be necessary to render it immune from danger of fire or explosion,

including any steps which the licensing authority may require him to take for that purpose:

Provided that the provisions of this rule shall not apply where the use of any tank is only discontinued temporarily for the purpose of cleaning or repair.

Notice to employees.

68. The provisions of this Part which impose any obligations on employees of a licensee shall be posted on the premises to which they relate in the form of a notice which shall be displayed in such manner as to be easily read and understood by such employees.

Licensing authority to have access.

69. The licensing authority or any person authorised by him in writing in that behalf shall at all reasonable times be allowed free access to all premises to which such licence relates for the purpose of ascertaining that the provisions of this Part are duly observed.

Application for licences.

70. (1) Every application for a licence to store shall specify –

- (a) description, quantity and manner of storage;
- (b) name and locality of premises;
- (c) quantity to be kept in each tank or storage shed.

(2) In any case where quantity exceeds 10,000 gallons –

- (a) a plan shall be furnished showing all premises within ten feet of the boundary of installation; and
- (b) all required particulars shall be furnished.

(3) The form of licence shall be in Form D as in the Schedule hereto.

(4) The fee for a licence shall be as follows –

		\$
For quantities of not more than 200 gallons	...	100
For quantities of more than 200 gallons and not more than 1,000 gallons	...	300
For each additional 1,000 gallons or part thereof up to 10,000 gallons	...	100

Bulk Storage –

(a) for the first 10,000 gallons	...	1200
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(b)	for every additional 10,000 gallons or part thereof	...	80
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PART VI
PENALTY

Penalty.

71. (1) Any person who acts in contravention of or fails to comply with any of the provisions of these Rules or the conditions of any licence granted thereunder shall be guilty of an offence and shall be liable on conviction to a fine of twenty thousand dollars and, if the offence be a continuing offence, to a fine of one thousand dollars for each day during which the offence continues.

(2) Without prejudice to the generality of the foregoing for the purposes of Part III the term "person" includes the owner, agent, charterer or master of any vessel in respect of which a breach of these Rules is committed.

SCHEDULE
FORM A
THE PETROLEUM ORDINANCE, 1960
(Section 7)
REQUISITION TO LAND/TRANSHIP

Address

.....

.....

To The Port Officer,

.....

Please issue a permit to remove on the 19.....
between the hours of the *dangerous/non-dangerous petroleum
described below from the which arrived
on the 19....., from

(a) to store the same in the store situated at

.....

Delete
(a) or (b)

(b) to tranship the same to which is
now lying at and intending to
depart on the, 19....., to

.....

Nature of Containers	Marks of Containers	Quantity of petroleum (State whether dangerous or non-dangerous)

* Delete as applicable

.....

Date.

.....

Importers.

Port Officer.

To The Importers Named Above,
Permission granted.

.....

Department
Stamp

.....

Port Officer.

Date

FORM B
 THE PETROLEUM ORDINANCE, 1960
 (No.21 of 1960)
 GOVERNMENT SURVEYOR'S CERTIFICATE
 (Rule 33)

I hereby certify that I have inspected the S.S.
 of and have ascertained that she is fit to
 carry dangerous/non-dangerous petroleum in the following holds/compartments below
 deck –

.....

Special conditions:

.....

.....

Government Surveyor.

Date, 19.....

Expiring day of, 19.....

Delete as applicable.

FORM C
 THE PETROLEUM ORDINANCE, 1960
 LICENCE TO TRANSPORT PETROLEUM BY ROAD
 (Rule 36)

..... is hereby licensed to transport petroleum
 by road in the following vehicles.

	<i>Registration No.</i>	<i>Type of Vehicle.</i>
1.
2.
3.
4.
5.
6.

This licence is issued subject to the provisions of the Petroleum Ordinance and such subsidiary legislation as may from time to time be in force thereunder.

This licence expires on 31st December, 19.....

This licence is not transferable.

Licence Fee: \$

Date of Issue:, 19.....

.....
Licensing Authority.

FORM D
THE PETROLEUM ORDINANCE, 1960
LICENCE TO STORE PETROLEUM
(Rule 70)

..... is hereby licensed to store Petroleum not in excess of in an installation/storage shed at

This licence is issued subject to the provisions of the Petroleum Ordinance and such subsidiary legislation as may from time to time be in force thereunder and to the following further conditions

This licence expires on 31st December, 19.....

This licence is not transferable.

Licence Fee: \$

Date of Issue:, 19.....

.....
Licensing Authority.

Dated at Jesselton, this 21st day of December, 1960.

COUNCIL CHAMBER,
JESSELTON.

M. PIKE,
Clerk of Executive Council.

3rd October 2008