

INFLAMMABLE LIQUID (AMENDMENT) ACT.

Act No. 6, 1952.

An Act to make provision in relation to the construction, maintenance and use of oil pipe-lines; to make further provision in relation to the handling, conveyance, loading and unloading of inflammable liquids and dangerous goods; to bring certain additional substances within the operation of the Inflammable Liquid Act, 1915-1946; for these and other purposes to amend the said Act and certain other Acts; and for purposes connected therewith. [Assented to, 17th April, 1952.]

Elizabeth II,
No. 6, 1952.

BE

Inflammable Liquid (Amendment) Act.

No. 6, 1952.

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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title,
citation
and com-
mencement.

1. (1) This Act may be cited as the "Inflammable Liquid (Amendment) Act, 1952."

(2) The Inflammable Liquid Act, 1915, as amended by subsequent Acts and by this Act, may be cited as the Inflammable Liquid Act, 1915-1952.

(3) The Inflammable Liquid Act, 1915-1946, is in this Act referred to as the Principal Act.

(4) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment
of Act
No. 15,
1915.

2. The Principal Act is amended—

Sec. 3.
(Division
into
Parts.)

(a) by inserting in section three after the matter relating to Part IV the following new matter:—

PART IVA.—OIL PIPE-LINES—s. 20A.

Sec. 5.
(Defini-
tions.)

(b) by inserting in section five in the definition of "Protected work" after the words "liquid is" the words "or dangerous goods are";

(c) by omitting from the same section the definition of "Screen wall" and by inserting in lieu thereof the following definition:—

"Screen wall" means wall of such material and so constructed and placed as to preclude the penetration of vapour through such wall and to prevent the spread of fire from any one place to any other place, and in relation to an underground depot, means the material which covers and surrounds such underground depot, if efficient for the purposes aforesaid.

3.

Inflammable Liquid (Amendment) Act.

27

3. The Principal Act is further amended—

No. 6, 1952.

- (a) by omitting paragraph (c) of subsection three of section ten and by inserting in lieu thereof the following paragraph:—

Further amendment of Act No. 15, 1915. Sec. 10. (Stores and premises may be licensed or registered.)

- (c) the amendment or renewal of a license referred to in subsection two of this section or in paragraph (a) of this subsection or of any certificate of registration;

- (b) (i) by omitting from subparagraph (i) of paragraph (a) of the proviso in subsection one of section eleven the words “either the mineral spirit or the mineral oil is kept completely surrounded by a screen wall” and by inserting in lieu thereof the words “the mineral spirit and the mineral oil are separated by a screen wall”;

Sec. 11. (Only limited quantities may be kept in unlicensed and unregistered stores and premises.)

- (ii) by inserting in subparagraph (iii) of the same paragraph after the word “kept” where thirdly occurring the words and symbols “(a) in underground tanks in accordance with the regulations; or (b) is kept aboveground and”;

- (iii) by inserting in the same subsection after the words “shall be kept in” the words and symbols—

“(a) steel drums or drums of other prescribed material fitted with a pressure relief valve of a type approved by the Chief Inspector or some other similar device so approved, or

(b)”;

- (c) (i) by omitting from paragraph (a) of subsection one of section thirteen the words “either the mineral spirit or the mineral oil is kept completely surrounded by a screen wall or in a prescribed underground depot” and by inserting in lieu thereof the words “the

Sec. 13. (Registered premises.)

No. 6, 1952.

“the mineral spirit and the mineral oil are separated by a screen wall or either the mineral spirit or the mineral oil is kept in a prescribed underground tank depot”;

(ii) by omitting from paragraph (b) of the same subsection the words “thereof; and neither the mineral spirit nor the mineral oil is kept completely surrounded by a screen wall or in a prescribed underground depot” and by inserting in lieu thereof the words “thereof and the mineral spirit and the mineral oil are not separated by a screen wall or the mineral spirit or the mineral oil is not kept in a prescribed underground tank depot”;

(iii) by inserting in paragraph (c) of the same subsection after the word “underground” the word “tank”;

Sec. 14.
(General
rules as to
registered
premises.)

(d) (i) by inserting next after paragraph (a1) of subsection one of section fourteen the following new paragraph:—

(a2) The depot shall have an effective covering or roof of metal, sand, slate, or other unflammable material, unless such depot is within another building, and that building has a roof, externally unflammable;

(ii) by omitting paragraph (b) of the same subsection and by inserting in lieu thereof the following paragraph:—

(b) The depot shall not be situated within nor be attached to a dwelling or building in which persons assemble for the purposes of public concourse, public religious worship, public entertainment or amusement, education

education or discussion, unless the walls and roof of such depot are constructed of brick, concrete or masonry or other un inflammable material approved by the Chief Inspector or a screen wall separates such dwelling or building and such depot. A separate entrance to such depot from the open air distinct from that of such dwelling or building shall be provided and no other entrance to such depot shall be permitted.

No. 6, 1952.
— 211

- (iii) by inserting at the end of paragraph (e) of the same subsection the words “or if such vessel is a steel drum such vessel shall be so constructed and maintained or fitted with a pressure relief valve of a type approved by the Chief Inspector or some other similar device of a type so approved”;

- (c) by inserting at the end of paragraph (b) of subsection one of section fifteen the words “or unless such depot is aboveground, and is exempted from the requirements of this paragraph by the Chief Inspector, and any inflammable liquid kept therein is kept in the prescribed receptacles under such terms and conditions as the Chief Inspector may impose”;

Sec. 15.
(Conditions
as to
licensing
stores.)

- (f) (i) by inserting at the end of paragraph (d) of subsection one of section sixteen the words “or if such vessel is a steel drum such vessel shall be so constructed and maintained or fitted with a pressure relief valve of a type approved by the Chief Inspector or some other similar device of a type so approved”.

Sec. 16.
(General
rules as
to
licensed
stores.)

(ii)

Inflammable Liquid (Amendment) Act.

No. 6, 1952.

(ii) by inserting at the end of the same subsection the following new paragraph:—

(q) If so required by the Chief Inspector a reliable adult person shall be employed in the store as a watchman.

Further
amendment
of Act No.
15, 1915.
Sec. 17.
(General
rules as to
marking of
packages.)

4. The Principal Act is further amended by inserting in paragraph (b) of subsection one of section seventeen after the word "letters" the words "'Inflammable' together with the words".

Further
amendment
of Act No.
15, 1915.

5. The Principal Act is further amended—

Sec. 18.
(General
rules as to
conveying,
loading
and unloading
inflammable
liquid and
dangerous
goods.)

(a) by omitting paragraph (d) of subsection one of section eighteen;

New sec.
18A.

(b) by inserting next after the same section the following new section:—

Handling,
etc., of
inflammable
liquid, etc.,
between
sunset and
sunrise.

18A. (1) Where the Chief Inspector, or any person authorised by him in that behalf, is of the opinion that it is in the interests of public safety so to do, he may prohibit any person handling, loading or unloading inflammable liquid or dangerous goods or any liquids derived from petroleum, shale or coal on, to or from any boat or ship between sunset and sunrise.

Notice of such prohibition shall be given in writing to the person to whom it relates and shall specify the period during which such prohibition shall operate.

During the period within which any such prohibition operates no person acting under the authority of any Act or of any by-law or regulation under this Act shall give any orders or directions inconsistent with any such prohibition.

(2).

(2) If any person contravenes or fails to comply with any of the terms of any prohibition under this section he shall be liable to a penalty not exceeding one hundred pounds. No. 6, 1952.

(c) (i) by inserting in subsection one of section nineteen after the words "inflammable liquid and/or dangerous goods" wherever occurring the words "and/or liquids derived from petroleum, shale or coal"; Sec. 19. (By-laws.)

(ii) by inserting at the end of the same subsection the following new paragraph:—

Any such by-laws may provide that any plant or equipment used in connection with such operations shall be constructed, installed, tested, maintained or operated in accordance with such plans, rules, specifications, or the like as are referred to in the by-laws or as may be approved by the harbour-master or other prescribed officer either generally or in any particular case and the by-laws may authorise any matter or thing from time to time to be determined, applied or regulated by the harbour-master or other prescribed officer either generally or in any particular case.

(iii) by inserting at the end of the same section the following new subsection:—

(5) In this section—

"dangerous goods" means—

(a) any dangerous goods which are dangerous goods pursuant to section five of this Act; and

(b) any goods or substances which the Governor by proclamation published in the Gazette declares to be dangerous goods for the purposes of this section.

No. 6, 1952.

Further
amendment
of Act No.
15, 1915.New Part
IVA.Construc-
tion, instal-
lation, etc.,
of oil
pipe-lines.

6. The Principal Act is further amended by inserting next after section twenty the following new Part:—

PART IVA.—OIL PIPE-LINES.

20A. (1) In this section:—

“oil pipe-lines” means all pipe-lines used for the transmission of inflammable liquid, dangerous goods or any liquid derived from petroleum, shale or coal and all hoses, valves, fittings and appliances used in connection with such pipe-lines.

(2) All oil pipe-lines shall be constructed, installed, tested, maintained and operated in such manner and in accordance with such conditions as may be prescribed.

(3) No person shall instal, relay, renew or effect any major repairs to, any oil pipe-line unless—

(a) he has submitted proposals of such installation, relaying, renewal or repairs together with all relevant details to the Chief Inspector; and

(b) the approval of the Chief Inspector has been given in writing to such proposals.

No person shall use any oil pipe-line so installed, relayed, renewed or repaired until the approval of the Chief Inspector has been given in writing to such use.

(4) Where the Chief Inspector is of the opinion that it is in the interests of public safety so to do, he may by notice in writing given to the owner of an oil pipe-line require such owner to relay, renew or repair such pipe-line in accordance with such requirements as may be specified in such notice.

(5) An inspector may at any time inspect and examine any oil pipe-line, and the owner thereof or person operating or using the same and the person on whose land such oil pipe-line is situated or his representative

Inflammable Liquid (Amendment) Act.

33

representative shall facilitate such inspection and examination and answer all inquiries put by the inspector in regard to such oil pipe-line. No. 6, 1952.

(6) Any person who—

- (a) constructs, instals, tests, maintains or operates any oil pipe-line otherwise than in the manner and in accordance with the conditions prescribed;
- (b) fails to comply with the requirements of any notice given to him pursuant to subsection four of this section; or
- (c) otherwise contravenes or fails to comply with any provisions of this section.

shall be liable to a penalty not exceeding one hundred pounds.

7. The Principal Act is further amended by inserting at the end of section forty-four the following new paragraph and subsection:—

Further amendment of Act No. 15, 1915.

- (s) regulating and controlling the construction, installation, testing, maintenance and operation of oil pipe-lines within the meaning of section 20A of this Act.

Sec. 44.
(Regulation.)

(2) Without limiting the generality of paragraph (s) of subsection one of this section any such regulations may prescribe the design, materials, situation and manner of construction, installation, testing, maintenance and operation of oil pipe-lines referred to in such paragraph and may apply to oil pipe-lines generally or to particular oil pipe-lines or any part thereof or may apply to all areas or to specified areas or to areas other than those specified.

Any such regulations may provide that the construction, installation, testing, maintenance and operation of oil pipe-lines and all hoses, valves, fittings and appliances in connection therewith or any components thereof, shall be carried out in accordance with any plans, rules, specifications or the like

referred

Mining (Amendment) Act.

No. 6, 952.

referred to in the regulations or which may be approved by the Chief Inspector either generally, or in any particular case.
