

## SCHEDULE 7

### AMENDMENTS

#### PART II

9. For regulation 20 (unloading of petrol at petroleum filling stations and certain other premises licensed for the keeping of petrol) of the Carriage of Dangerous Goods by Road Regulations (Northern Ireland) 1997<sup>(1)</sup> there shall be substituted the following regulation –

**“Direct filling of fuel tanks with petrol from road tankers**

20.—(1) Neither the fuel tank of an internal combustion engine nor a portable container shall be filled or replenished with petrol direct from a road tanker conveying petrol in such circumstances that these Regulations apply to that conveyance.

(2) Except in relation to Her Majesty’s Forces, the enforcing authority for these Regulations and for Articles 4 to 6 and Articles 8 and 9 of the 1978 Order in respect of such filling or replenishing with petrol as is referred to in paragraph (1) at any premises for which a petroleum-spirit licence authorising the keeping of petrol is required under the 1929 Act, shall be the petroleum licensing authority, even if the relevant tanker is on a road at the time of that filling or replenishing.

(3) In this regulation –

- (a) “the 1929 Act” means the Petroleum (Consolidation) Act (Northern Ireland) 1929<sup>(2)</sup>;
- (b) “the Directive” means Commission Directive 92/69 EEC<sup>(3)</sup> adapting to technical progress for the seventeenth time Council Directive 67/548/EEC<sup>(4)</sup> on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances; and
- (c) “Her Majesty’s Forces” means any of the naval, military or air forces of the Crown, whether raised inside or outside the United Kingdom and whether any such force is a regular, auxiliary or reserve force, and includes any civilian employed by those forces;
- (d) “petrol” means petroleum-spirit intended for use as a fuel for an internal combustion engine;
- (e) “the petroleum licensing authority” means the district council empowered to grant petroleum-spirit licences under the 1929 Act for the premises concerned;
- (f) “petroleum-spirit” means petroleum which, when tested in accordance with Part A.9. of the Annex to the Directive has a flash point (as defined in that Part) of less than 21°C; and
- (g) “petroleum-spirit licence” means a licence authorising the keeping of petroleum-spirit granted by a district council empowered under the 1929 Act to grant such a licence or by the Secretary of State or by Executive.”.

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(1) S.R. 1997 No. 248 as amended by S.R. 2002 No. 34

(2) 1929 c. 13 (N.I.)

(3) O.J. No. L383, 29.12.92, p. 113

(4) O.J. No. 196, 16.8.67, p. 1