

SCHEDULE 3

Regulation 12

AMENDMENTS RELATING TO THE DETERMINATION
OF THE FLASH POINT OF PETROLEUM-SPIRIT

PART I

AMENDMENTS TO THE PETROLEUM (CONSOLIDATION) ACT 1928

(1) <i>Provisions</i>	(2) <i>Extent of repeal or modification</i>
Petroleum (Consolidation) Act 1928(1)	
Section 17	After subsection (5) insert the following new subsection— “(6) In any case where there is doubt as to whether the substance tested is petroleum-spirit the testing shall be carried out using the Abel test apparatus.”.
Section 20	Repeal
Section 23	
Definition of “I.W.G.”	Repeal
Definition of “petroleum-spirit”	For the definition of petroleum-spirit, substitute the following definition— ““Petroleum-spirit” means such petroleum as when tested in accordance with Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984 (S.I. 1984/1244) has a flash point of less than 21°C Celsius.”.
Schedule 2	Repeal.

PART II

AMENDMENTS TO INSTRUMENTS

(1) <i>Provisions</i>	(2) <i>Extent of revocation or modification</i>
Petroleum (Mixtures) Order 1929(2)	
Article 1	After the words “Petroleum-spirit” substitute the following words—

(1) 1928 c. 32.

(2) S.R. & O. 1929/993.

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(1) <i>Provisions</i>	(2) <i>Extent of revocation or modification</i>
The Schedule	“except in so far as the methods referred to in Part IV of Schedule 1 to the Classification of Packaging and Labelling of Dangerous Substances Regulations 1984 (S.I. 1984/1244) are inconsistent with or contradictory to Part II of the Schedule to this Order (manner of testing mixtures of petroleum).”.
Part I	In Part I for “seventy-three degrees fahrenheit” substitute “21 degrees Celsius”.
Part II	
Paragraph 1 (Liquid Mixtures)	After the words “shall be tested by” substitute the words— “a suitable method referred to in Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984.”.
Paragraph 2 (Sedimentary and Viscous Mixtures)	In sub-paragraph (1) after the words “shall be tested by” substitute the words— “a suitable method referred to in Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984.”. In sub-paragraph (2) after the words “with a stirrer” substitute the words— “appropriate to the method of test and the test shall be carried out by a suitable method referred to in Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984.”. In sub-paragraph (4) after the words “shall be” substitute the words “a test specified in Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984.”.
Paragraph 3 (Solid Mixtures)	(a) (a) For the words from “solid mixture of petroleum” to “the Act of 1928” substitute “shall be that which is carried out with Abel apparatus according to a method for that apparatus set out in Part IV of Schedule 1 to the Classification, Packaging and

(1) Provisions	(2) Extent of revocation or modification
	<p>Labelling of Dangerous Substances Regulations 1984.”;</p> <p>(b) for “cylinders 1½ inches long” substitute “cylinders 38 millimetres long”;</p> <p>(c) for “1/4 inch in diameter” substitute “6 millimetres in diameter”;</p> <p>(d) for “shortened to 1/2 inch” substitute “shortened to 13 millimetres”;</p> <p>(e) for “a depth of 1½ inches” substitute “a depth of 38 millimetres”;</p> <p>(f) for “about 75° Fahrenheit” substitute “about 22° Celsius”;</p> <p>(g) for “72° Fahrenheit” substitute “20° Celsius”;</p> <p>(h) for “73° Fahrenheit” substitute “21° Celsius”.</p>

The Dry Cleaning Special Regulations 1949(3)

Regulation 2(2)

For the definition of “Flash point” substitute the following definition—

““Flash point” means the flash point determined in accordance with Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1983 ([S.I. 1984/1244](#)).”

Regulation 2(2A)

After paragraph (2) of regulation 2 insert the following paragraph—

“(2A) Solely for the purposes of these Regulations, for sub-paragraph (b) of paragraph 4 of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984 there shall be substituted the following sub-paragraph—

“(b) by one of the non-equilibrium methods referred to in paragraph 6, except that when the flash point falls within the range 30° C to 34° C that flash point shall be confirmed by the use of like apparatus using the appropriate equilibrium method referred to in paragraph 5.””

The Factories (Testing of Aircraft Engines and Accessories) Special Regulations 1952(4)

(3) [S.I. 1949/2224](#) amended by [S.I. 1983/977](#).

(4) [S.I. 1952/1689](#), amended by [S.I. 1983/979](#) and [S.I. 1989/639](#).

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(1) <i>Provisions</i>	(2) <i>Extent of revocation or modification</i>
Regulation 2(2)	<p>For the definition of “Petroleum-spirit” substitute the following definition—</p> <p>““Petroleum-spirit” means petroleum-spirit as defined in section 23 of the Petroleum (Consolidation) Act 1928 (1928 c. 32 amended by S.I. 1992/1811) and any other flammable liquid or substance which when tested in accordance with Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984 (S.I. 1984/1244) has a flash point of less than 21 degrees Celsius.”.</p>
The Shipbuilding and Ship-repairing Regulations 1960(5)	
Regulation 3(2)	<p>For the definition of “Abel closed test” substitute the following definition—</p> <p>““Abel closed test” means a test carried out with Abel apparatus according to a method for that apparatus set out in Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances p Regulations 1984 (S.I. 1984/1244).”</p>
The Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972(6)	
Regulation 2(2)	<p>In the definition of “highly flammable liquid” from the words “when tested” to “32 degrees Celsius and” substitute “when tested in accordance with Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984 (S.I. 1984/1244) has a flash point of less than 32 degrees Celsius and”.</p>
Regulation 2(2A)	<p>After paragraph (2) of regulation 2 insert the following paragraph—</p> <p>“(2A) Solely for the purposes of these Regulations, for sub-paragraph (b) of paragraph 4 of Part IV of Schedule 1 to the Classification, Packaging and Labelling of Dangerous Substances Regulations 1984 there shall be substituted the following sub-paragraph—</p> <p>“(b) by one of the non-equilibrium methods referred to in paragraph 6,</p>

(5) S.I. 1960/1932 amended by S.I. 1969/690, S.I. 1974/1681, S.I. 1980/1248 and S.I. 1983/644.

(6) S.I. 1972/917 amended by S.I. 1978/209.

(1) Provisions	(2) Extent of revocation or modification
	except that when the flash point falls within the range 30° C to 34°C that flash point shall be confirmed by the use of like apparatus using the appropriate equilibrium method referred to in paragraph 5.””
Schedule 1 The Fire Certificates (Special Premises) Regulations 1976(7)	Repeal
Schedule 1 Part III	
Paragraph 25(a)	For the definition of “highly flammable liquid” substitute the following definition— ““highly flammable liquid” has the same meaning as in regulation 2(2) of the Highly Flammable Liquids and Liquefied Petroleum Gases Regulations 1972 (S.I. 1972/917 as amended by S.I. 1978/209 and S.I. 1992/1811).”

(7) S.I. 1976/2003 amended by S.I. 1985/1333 and S.I. 1987/37.