

SCHEDULE 4

UNLOADING OF PETROL AT PETROLEUM FILLING STATIONS AND CERTAIN OTHER PREMISES LICENSED FOR THE KEEPING OF PETROL

PART I

GENERAL REQUIREMENTS

1.—(1) It shall be the duty of the person licensed under the Petroleum (Consolidation) Act 1928 to keep petrol at a particular petroleum filling station or at particular premises of the kind specified in regulation 25(1)(b) (“the licensee”) to ensure that the unloading of petrol from a road tanker at those premises (“the licensed premises”) is carried out—

- (a) under his control and in accordance with the procedure set out in Part II of this Schedule (“the Part II procedure”); or
- (b) under the control of the driver of the road tanker making the delivery, under the authority of a licence issued by the petroleum licensing authority pursuant to paragraph 19(1)(a) (“a Part III licence”) and in accordance with the procedure set out in Part III of this Schedule (“the Part III procedure”); and
- (c) (in either case)—
 - (i) subject to the provisions of this Part of this Schedule, and
 - (ii) by transferring the petrol from the carrying tank of the road tanker into a storage tank.

(2) Where the licensee has been granted a Part III licence in respect of the licensed premises, he shall use the Part III procedure and no other thereat unless—

- (a) he has given at least one week’s notice to the petroleum licensing authority that he intends to change to using the Part II procedure and that notice period has expired; or
- (b) due to failure of equipment, compliance with the Part III procedure has ceased to be possible and the licensee has agreed with the operator and (where the operator is not the supplier of the petrol) with the supplier to revert temporarily to the Part II procedure pending correction of the equipment.

(3) Where the temporary use of the Part II Procedure occurs in accordance with sub-paragraph (2) (b) of this paragraph, the licensee shall give notice to the petroleum licensing authority—

- (a) of his having commenced such temporary use; and
- (b) of his having resumed the use of the Part III procedure upon correction of the equipment failure.

(4) Any notice required to be given in accordance with sub-paragraph (3) of this paragraph shall be given by the quickest practicable means.

(5) The licensee shall, within 3 working days of giving any notice in accordance with subparagraph (3) of this paragraph, give written confirmation of that notice to the petroleum licensing authority.

(6) In sub-paragraph (5) of this paragraph, the reference to “3 working days” is a reference to a period of 72 hours calculated from the time the relevant notice was given in accordance with subparagraph (3) of this paragraph, but disregarding so much of any such period as falls on a Saturday or Sunday, or on Christmas day or Good Friday, or a day which is a bank holiday under the

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Banking and Financial Dealings Act 1971(1) in the part of Great Britain where the licensed premises concerned are situated.

(1) 1971 c. 80.