

SCHEDULE 1

Regulation 8

Prescribed material changes to dispensing premises

1. The cessation of use of one or more of the petrol storage tanks.

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Commencement Information

- I1** Sch. 1 para. 1 in force at 1.10.2014, see **reg. 1(2)**

2. The removal or permanent decommissioning of one or more of the petrol storage tanks.

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Commencement Information

- I2** Sch. 1 para. 2 in force at 1.10.2014, see **reg. 1(2)**

3. The installation of any tank, pipework or vapour pipework associated with the storage and dispensing of petrol.

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Commencement Information

- I3** Sch. 1 para. 3 in force at 1.10.2014, see **reg. 1(2)**

4. The installation of any petrol pump, any other automotive pump, or dispenser in a new location.

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Commencement Information

- I4** Sch. 1 para. 4 in force at 1.10.2014, see **reg. 1(2)**

SCHEDULE 2

Regulation 13(1)(c)

Petrol Storage in Domestic or Other Relevant Premises

Requirements for keeping up to 30 litres of petrol in suitable portable containers or in a single demountable fuel tank

1. A person keeps petrol in accordance with this paragraph if—
 - (a) no more than a total of 30 litres in suitable portable containers or in a single demountable fuel tank is kept, of which—
 - (i) no more than 30 litres is kept in one or more suitable portable containers;
 - (ii) no more than 30 litres is kept in one demountable fuel tank; or
 - (iii) no more than 30 litres is kept in no more than two suitable portable containers in any motor vehicle, motor boat, hovercraft or aircraft;
 - (b) the storage place is—
 - (i) within, above, below, attached to, or within the curtilage of a building (but, subject to paragraphs (ii) and (iii), not a flat or public building);
 - (ii) below a flat;

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- (iii) attached to a public building; or
- (iv) in a vehicle for the purpose of using it as fuel for any internal combustion engine;
- (c) the storage place, where it is—
 - (i) within a building, is fire-separated from the rest of the building and any exit route from the building; and
 - (ii) above, below or attached to a building, is fire-separated from the building; and
- (d) the common storage requirements of paragraph 3 are met.

Commencement Information

I5 Sch. 2 para. 1 in force at 1.10.2014, see [reg. 1\(2\)](#)

Requirements for keeping of up to 275 litres of petrol

2. A person keeps petrol in accordance with this paragraph if—
- (a) petrol is kept in accordance with the common storage requirements of paragraph 3;
 - (b) notice has been given to the petroleum enforcement authority in accordance with paragraph 4;
 - (c)
 - (i) more petrol is kept than may be kept in accordance with paragraph 1; and
 - (ii) within the entirety of the domestic or other relevant premises no more than 275 litres is kept; and either
 - (d) no more than so much petrol as may be kept in accordance with paragraph 1 is kept in accordance with that paragraph and the remainder is kept in accordance with (e); or
 - (e) all petrol is kept—
 - (i) in suitable portable containers, or demountable fuel tanks, or both of those types of container;
 - (ii) in a storage place that is—
 - (aa) a detached building; or
 - (bb) attached to a building (but not domestic premises), and is fire-separated from the building; and
 - (iii) where fire extinguishing and spillage containment apparatus is available either within the storage place, or as close as is reasonably practicable to the storage place.

Commencement Information

I6 Sch. 2 para. 2 in force at 1.10.2014, see [reg. 1\(2\)](#)

Common storage requirements for the keeping of intermediate quantities of petrol

3. The requirements of this paragraph are met if—
- (a) the storage place is not living accommodation;
 - (b) no dispensing of petrol occurs at the storage place;
 - (c) where the storage place is not in the open air, it has a direct exit to the open air and is ventilated to the open air;

- (d) all reasonable precautions are taken in the storage place to prevent any sources of ignition or heat that would be liable to ignite petrol or its vapour; and
- (e) petrol is not used in the storage place otherwise than—
 - (i) in the fuel tank of any internal combustion engine; or
 - (ii) in quantities, not exceeding at any one time 150 millilitres, for cleaning or as a solvent for repair purposes.

Commencement Information

I7 Sch. 2 para. 3 in force at 1.10.2014, see **reg. 1(2)**

Notification of petrol storage

4. A petroleum enforcement authority is given notice in accordance with this paragraph where notice—

- (a) is made in writing, stating—
 - (i) the name of the occupier of the storage place;
 - (ii) the address of the domestic or other relevant premises where the storage place is located;
 - (iii) that petrol is kept, or to be kept, on those domestic or other relevant premises in accordance with paragraph 2; and
- (b) is given by the occupier of the storage place—
 - (i) before keeping, or permitting the keeping, of petrol in accordance with paragraph 2; and
 - (ii) after that, annually in the month of January.

Commencement Information

I8 Sch. 2 para. 4 in force at 1.10.2014, see **reg. 1(2)**

Calculating the amount of petrol kept in a storage place

5. For the purpose of calculating the amount of petrol kept in domestic or other relevant premises, any petrol contained in a fuel tank that is connected to an internal combustion engine in the way it would ordinarily be connected when the engine is running, is not to be counted towards the total amount of petrol kept.

Commencement Information

I9 Sch. 2 para. 5 in force at 1.10.2014, see **reg. 1(2)**

Suitable portable containers

6. For the purposes of this Schedule (and regulation 12) a container is a “suitable portable container” if it—

- (a) is in a good state of repair, secure from leaking, has not degraded from exposure to chemicals or light and is not unsteady when placed on a level surface; and

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- (b) fulfils one of the following requirements—
- (i) it meets the requirements of Schedule 3;
 - (ii) it is made of metal and immediately before the relevant date complied (or would have complied if it were used for the purpose of keeping petrol) with the requirements of regulations 2(1) and 4 of the Petroleum-Spirits (Motor Vehicles, etc.) Regulations 1929; or
 - (iii) immediately before the relevant date it had the characteristics described in sub-paragraphs (a) to (d) of regulation 3(1) of, and the Schedule to, the Petroleum-Spirits (Plastic Containers) Regulations 1982.

Commencement Information

I10 Sch. 2 para. 6 in force at 1.10.2014, see **reg. 1(2)**

Interpretation

7. In this Schedule—

“fire-resistant internal linings” means materials or products used in lining any partition, wall, ceiling or other internal structure that—

- (a) adequately resist the spread of flame over their surfaces; and
- (b) have, if ignited, either a rate of heat release or a rate of fire growth, that is reasonable in the circumstances;

“fire-separated” means—

- (a) separated by an external wall of a building which is able to resist adequately the spread of fire over the wall and from one building to another, having regard to the height, use and position of the building;
- (b) separated by a partition, wall, ceiling or other internal structure, containing fire-resistant internal linings; or
- (c) separated by the means described in sub-paragraph (a) or (b), other than a floor or ceiling, where there is an opening fitted with a self-closing door constructed of hard wood or other fire-resisting material;

“flat” means a separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building, from some other part of which it is divided horizontally;

“public building” means a building consisting of or containing a place of public resort but a building is not to be treated as a place of public resort because it is, or it contains, a dwelling to which the public are occasionally admitted;

“storage place” in domestic or other relevant premises means the place where petrol is stored.

Commencement Information

I11 Sch. 2 para. 7 in force at 1.10.2014, see **reg. 1(2)**

SCHEDULE 3

Regulation 19

PORTABLE PETROL STORAGE CONTAINERS

1. A portable petrol storage container must—
 - (a) have a nominal capacity —
 - (i) no greater than 10 litres if made of plastic; and
 - (ii) no greater than 20 litres if made of metal;
 - (b) have a total capacity between 10% and 15% more than the nominal capacity;
 - (c) be made of either metal or plastic that is suitable and safe for the purpose and will not significantly degrade due to exposure to petrol or naturally occurring ultra-violet radiation;
 - (d) be designed and constructed so that—
 - (i) it is reasonably robust and not liable to break under the normal conditions of use;
 - (ii) the escape of liquid or vapour is prevented;
 - (iii) petrol can be poured safely from it; and
 - (iv) it is not unsteady when placed on a flat surface;
 - (e) be marked or labelled in a legible and indelible form with—
 - (i) the words “PETROL” and “HIGHLY FLAMMABLE”;
 - (ii) an appropriate hazard warning sign;
 - (iii) the nominal capacity in litres; and
 - (iv) the manufacturer’s name and the date and month of manufacture.

Commencement Information

I12 Sch. 3 para. 1 in force at 1.10.2014, see **reg. 1(2)**

2. In paragraph 1—

“nominal capacity” means the maximum volume of liquid that the container is intended to hold at 20°C;

“total capacity” means the maximum volume of liquid that the container would hold if filled to the brim.

Commencement Information

I13 Sch. 3 para. 2 in force at 1.10.2014, see **reg. 1(2)**

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SCHEDULE 4

Regulation 25

PART 1

Repeals and revocations

Commencement Information

I14 Sch. 4 Pt. 1 in force at 1.10.2014, see [reg. 1\(2\)](#)

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Title</i>	<i>Reference</i>	<i>Extent of repeal or revocation</i>
London County Council (General Powers) Act 1912	c. civ	The whole Act.
Petroleum (Consolidation) Act 1928	c. 32	The whole Act.
Petroleum (Transfer of Licences) Act 1936	c. 27	The whole Act.
Regulatory Enforcement and Sanctions Act 2008	c. 13	The entries in Schedule 3 relating to the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936, and the entry in Schedule 6 relating to the Petroleum (Consolidation) Act 1928, sections 1, 5 and 18.
Petroleum-Spirit (Motor Vehicles, etc.) Regulations 1929	S.R. & O. 1929/952	The whole Regulations.
Petroleum (Mixtures) Order 1929	S.R. & O. 1929/993	The whole Order.
Petroleum (Liquid Methane) Order 1957	S.R. & O. 1957/859	The whole Order.
Petroleum (Regulation) Acts 1928 and 1936 (Repeals and Modifications) Regulations 1974	S.I. 1974/1942	The whole Regulations.
Petroleum (Consolidation) Act 1928 (Enforcement) Regulations 1979	S.I. 1979/427	The whole Regulations.

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Title</i>	<i>Reference</i>	<i>Extent of repeal or revocation</i>
Petroleum-Spirit (Plastic Containers) Regulations 1982	S.I. 1982/630	The whole Regulations.
Dangerous Substances in Harbour Areas Regulations 1987	S.I. 1987/37	Regulation 47(3).
Health and Safety (Explosives and Petroleum Fees) (Modification) Regulations 1987	S.I. 1987/52	The whole Regulations.
Health and Safety (Miscellaneous Provisions) (Metrication etc.) Regulations 1992	S.I. 1992/1811	The entry in the first column in the table in Part 1 of Schedule 1 referring to the Petroleum (Consolidation) Act 1928 and the corresponding entries below in the first, second, third and fourth columns in that table.
Health and Safety Information for Employees (Modifications and Repeals) Regulations 1995	S.I. 1995/2923	The entry in the first column in the table in Part 1 of the Schedule referring to the Petroleum (Consolidation) Act 1928 and the corresponding entry in the second column in that table.
Carriage of Dangerous Goods by Rail Regulations 1996	S.I. 1996/2089	The whole Regulations.
Carriage of Dangerous Goods by Road Regulations 1996	S.I. 1996/2095	The whole Regulations.
Quarries Regulations 1999	S.I. 1999/2024	In column 1 of Part II of Schedule 5, the reference to the Carriage of Dangerous Goods by Rail Regulations 1996 and the corresponding entries in column 2 of that Part.
Dangerous Substances and Explosive Atmospheres Regulations 2002	S.I. 2002/2776	Regulation 17(4) and (5). Paragraphs 2, 3, 4, 5, and 6 of Schedule 6. The entry in the first column in the table in Part 1 of Schedule 7 referring to the Petroleum

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Title</i>	<i>Reference</i>	<i>Extent of repeal or revocation</i>
		(Consolidation) Act 1928 and the corresponding entries in the second and third columns in that table.

PART 2

1. In section 143(4)(a) (regulations for building near dangerous businesses) of the London Building Act 1930(1) for “licence is in force under the provisions of the Petroleum (Consolidation) Act 1928” substitute “storage certificate or licence is in force under the provisions of the Petroleum (Consolidation) Regulations 2014”.

Commencement Information

I15 Sch. 4 para. 1 in force at 1.10.2014, see **reg. 1(2)**

2. For section 69(8) (control of petroleum-filling stations) of the London County Council (General Powers) Act 1933(2) substitute—

“(8) In this section the expression “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 petrol by means of a pump or standpipe or other like apparatus and includes any building advertisement pump or other apparatus used in connection with such premises or place and the expression “petrol” has the meaning given by regulation 2 of the Petroleum (Consolidation) Regulations 2014.”.

Commencement Information

I16 Sch. 4 para. 2 in force at 1.10.2014, see **reg. 1(2)**

3. In section 73 (derelict petrol tanks) of the Public Health Act 1961(3)—

- (1) in subsection (1), for “petroleum spirit” substitute “petrol”;
- (2) in subsection (5), for “section twenty-three of the Petroleum (Consolidation) Act 1928” substitute “section 57 of the Harbours Act 1964”; and
- (3) for subsection (6) substitute—

“(6) In this section “petrol” has the meaning given by regulation 2 of the Petroleum (Consolidation) Regulations 2014.”.

Commencement Information

I17 Sch. 4 para. 3 in force at 1.10.2014, see **reg. 1(2)**

4. In section 94 (disused petrol containers) of the Civic Government (Scotland) Act 1982(4)—

(1) 1930 c.clviii.
 (2) 1933 c.xxviii.
 (3) 1961 c.64.
 (4) 1982 c.45.

- (1) in subsection (1), for “petroleum spirit” substitute “petrol”;
- (2) in subsection (4), for “section 23 of the Petroleum (Consolidation) Act 1928” substitute “section 57 of the Harbours Act 1964”; and
- (3) for subsection (5) substitute—
 - “(5) In this section “petrol” has the meaning given by regulation 2 of the Petroleum (Consolidation) Regulations 2014.”.

Commencement Information

I18 Sch. 4 para. 4 in force at 1.10.2014, see [reg. 1\(2\)](#)

- 5. In article 3(e) of the Isles of Scilly (Functions) Order 1979(5) (functions), for “the Petroleum (Consolidation) Act 1928” substitute “the Petroleum (Consolidation) Regulations 2014”.

Commencement Information

I19 Sch. 4 para. 5 in force at 1.10.2014, see [reg. 1\(2\)](#)

- 6. In the Dangerous Substances in Harbour Areas Regulations 1987(6)—
 - (a) in regulation 2(1) (interpretation), for the definition beginning with “petroleum-spirit” substitute ““petroleum-spirit” means petrol within the meaning of regulation 2 of the Petroleum (Consolidation) Regulations 2014”;
 - (b) for regulation 5(2)(a) (application of these Regulations) substitute—
 - “(a) petroleum-spirit, intended for use in any internal combustion engine and not wholly or partly for the purpose of sale, kept in a container which meets the requirements of the Petroleum (Consolidation) Regulations 2014.”;
 - (c) for regulation 29(b) (application of this Part) substitute—
 - “(b) to petroleum-spirit kept in accordance with the requirements of the Petroleum (Consolidation) Regulations 2014.”.

Commencement Information

I20 Sch. 4 para. 6 in force at 1.10.2014, see [reg. 1\(2\)](#)

- 7. In the Dangerous Substances (notification and marking of sites) Regulations 1990(7), in Schedule 1 (Exceptions)—
 - (a) for paragraph 2(c) substitute—
 - “(c) sites in respect of which a storage certificate or licence is in force for the keeping of petrol under the Petroleum (Consolidation) Regulations 2014”;
 - (b) for paragraph 4 substitute—
 - “4. Regulations 5 and 6 (which relate to access and location marking respectively) do not apply to retail or non-retail petrol filling stations within the meaning of regulation 18 of the Petroleum (Consolidation) Regulations 2014.”.

(5) S.I. 1979/72.
(6) S.I. 1987/37.
(7) S.I. 1990/304.

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Commencement Information

I21 Sch. 4 para. 7 in force at 1.10.2014, see [reg. 1\(2\)](#)

8. In paragraph (10) of regulation 7 (labelling of dangerous substances and dangerous preparations) of the Chemicals (Hazard Information and Packaging for Supply) Regulations 2009⁽⁸⁾, for sub-paragraph (a) substitute—

“(a) regulation 19 of and paragraph 1(e) of Schedule 3 to the Petroleum (Consolidation) Regulations 2014;”.

Commencement Information

I22 Sch. 4 para. 8 in force at 1.10.2014, see [reg. 1\(2\)](#)

9. In the Health and Safety (Fees) Regulations 2012⁽⁹⁾—

- (a) in the heading to regulation 9 for “Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936” substitute “Petroleum (Consolidation) Regulations 2014”;
- (b) for paragraph (5) of regulation 9 substitute—
 - “(5) Where an application in relation to the provision specified in column 1 of Part 4 of Schedule 8 is made for the purpose described in the corresponding entry in column 2 of that Part, the fee specified in the corresponding entry in column 3 of that Part is payable by the applicant to the petroleum enforcement authority.”;
- (c) in paragraph (12) of regulation 9 omit “, 4” in each place where it appears;
- (d) for regulation 10 substitute—

“Date from which fees are payable under Petroleum (Consolidation) Regulations 2014

10.—(1) The fee prescribed by these Regulations in respect of an application for a storage certificate under regulation 6 of the Petroleum (Consolidation) Regulations 2014 is payable on the certificate first having effect on or after the date the Petroleum (Consolidation) Regulations 2014 come into force, irrespective of the date of the application for that storage certificate.

(2) The fee prescribed by these Regulations in respect of an application for a licence under regulation 14 of the Petroleum (Consolidation) Regulations 2014 is payable on the licence first having effect or any renewal of a licence first taking effect, on or after the date the Petroleum (Consolidation) Regulations 2014 come into force, irrespective of the date of the application for that licence or renewal.”;

- (e) for Part 4 of Schedule 8 substitute—

⁽⁸⁾ S.I. 2009/716 – to be revoked by regulation 36(b) of S.I. 2013/506 with effect from 1st June 2015.

⁽⁹⁾ S.I. 2012/1652.

“PART 4

Fee Payable in Respect of Applications for the Granting of Storage Certificates and Petrol Licences

<i>1</i>	<i>2</i>	<i>3</i>
<i>Provision under which a fee is payable</i>	<i>Purpose of application</i>	<i>Fee</i>
Petroleum (Consolidation) Regulations 2014		
Regulation 6	Storage certificate, where premises to be used to store petrol of a quantity—	
	not exceeding 2,500 litres	£42 for each year of certificate
	exceeding 2,500 litres but not exceeding 50,000 litres	£58 for each year of certificate
	exceeding 50,000 litres	£120 for each year of certificate
Regulation 14	Licence to keep petrol of a quantity—	
	not exceeding 2,500 litres	£42 for each year of licence
	exceeding 2,500 litres but not exceeding 50,000 litres	£58 for each year of licence
	exceeding 50,000 litres	£120 for each year of licence”.

Commencement Information

I23 Sch. 4 para. 9 in force at 1.10.2014, see **reg. 1(2)**

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