



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 431 of 12th February, 1976.
LEGISLATION

ORDINANCE 1 OF 1976.

AN ORDINANCE

TO AMEND AND CONSOLIDATE THE LAW RELATING
TO THE STORAGE, TRANSPORT AND SALE OF PETROLEUM.

JOHN AIKEN

9th February, 1976.

ADMINISTRATOR

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

1. This Ordinance may be cited as the Petroleum Ordinance, 1976. Short title.
2. In this Ordinance— Interpretation.
 - “petroleum” includes any inflammable substance which is derived from petroleum, coal or any other bituminous substance or from any of their products comprised in the following three classes, that is to say:—
 - (a) “petroleum class A” which includes the products usually known as aviation spirit, benzine, gasolene, petrol, motor spirit, petrolene, mineral naphtha, artificial turpentine, turpene, drialene, crude petroleum, low flash distillates, and other petroleum having a flashpoint below 73° Fahrenheit;
 - (b) “petroleum class B” which includes the products usually known as kerosene, illuminating oil, paraffin oil, lamp oil, and other petroleum having a flashpoint not below 73° but below 150° Fahrenheit;
 - (c) “petroleum class C” which includes the products usually known as fuel oil, “Mazut” diesel oil, solar or gas oil, and other petroleum having a flashpoint not below 150° but below 300° Fahrenheit.

Licensing
Authority.

3. The Area Officer in each Area shall be the Licensing Authority for the purposes of this Ordinance.

Licences.

4.—(1) The Licensing Authority may, subject to Regulations made under this Ordinance, in his discretion grant to any person a licence in the prescribed form to store and keep petroleum of a class specified in such licence :

Provided that no such licence shall be granted unless and until the applicant produces to the Licensing Authority a certificate from the Chief Officer that the place or premises whereon or wherein any petroleum will be stored or kept are suitable and safe for the purpose.

(2) Every such licence shall be issued on or after the 1st day of January in every year and shall expire on the thirty-first day of December next following the date of issue.

(3) The Licensing Authority, upon the report of the Chief Officer that any place or premises in respect of which a licence has been granted has for any reason become unfit for the storage of petroleum, shall cancel such licence.

(4) Any person who shall store or keep any petroleum, save under a licence as in this section provided, shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding one year or to a fine not exceeding five hundred pounds or to both such imprisonment and fine.

(5) The provisions of this section shall not apply to any petroleum—

(a) stored or kept in any premises in separate glass, earthenware or metal receptacles which are securely and hermetically closed, provided that the aggregate amount of petroleum contained therein does not exceed—

(i) 4 gallons of petroleum class A and is contained in receptacles of a capacity not greater than one litre;

(ii) 100 gallons of petroleum class B ;

(iii) 250 gallons of petroleum class C ;

and that such petroleum is not stored or kept for the purposes of sale ;

(b) contained in the tank of—

(i) any motor vehicle or any other vehicle the propelling power of which is obtained from petroleum ;

(ii) any aircraft or power driven vessel ;

(c) carried as a reserve supply on any motor vehicle or other vehicle, the propelling power of which is obtained from petroleum, provided that such reserve supply does not exceed 8 gallons.

5.—(1) Where any petroleum class A—

- (a) is stored or kept in any place ;
- (b) is removed or conveyed from one place to another in or through the Areas ;
- (c) is sold or exposed or offered for sale,

Marking of receptacles containing petroleum class A.

all receptacles containing such petroleum shall be marked in legible and block red letters against a white background with the words "PETROLEUM CLASS A" and "VERY INFLAMMABLE" in English, Greek and Turkish :

Provided that for the purposes of this section—

- (i) any petroleum class A shall not be deemed to be stored or kept during the period of seven days immediately after its importation into the Island of Cyprus ;
- (ii) any petroleum class A carried on any aircraft or motor vehicle or marine craft which is intended for exclusive use by such aircraft or motor vehicle or marine craft shall not be deemed to be carried.

(2) Any person who stores, keeps, removes, carries, sells or exposes or offers for sale any petroleum class A in contravention of the provisions of this section shall be guilty of an offence and shall be liable, on conviction, to imprisonment for a term not exceeding one year or to a fine not exceeding five hundred pounds or to both such imprisonment and fine.

(3) Where an offence has been committed under subsection (2) by a body of persons, corporate or unincorporate, any director, partner, manager or other responsible official acting at the time in a managerial capacity shall likewise be guilty of an offence unless the Judge's Court is satisfied—

- (a) that the offence was committed without his knowledge ; or
- (b) that he took all reasonable steps to ensure compliance with the provisions of this Ordinance.

6. Where it is made to appear to the Administrator that it is desirable that this Ordinance should apply to any inflammable substance other than petroleum, he may by Order declare that the provisions of this Ordinance and any Regulations made thereunder, subject to such exceptions or limitations as may be specified in the Order, shall apply to such substance as if such substance were petroleum within the meaning of this Ordinance.

Power of the Administrator to apply this Ordinance to inflammable substances.

7. Any person aggrieved by the refusal to grant a licence or the cancellation of a licence by the Licensing Authority or to the terms or conditions imposed by the Licensing Authority in any such licence may, within ten days from such refusal or cancellation or from the date of the grant of the licence against which the appeal is made, appeal to the Administrator whose decision thereon shall be final and conclusive.

Appeal to the Administrator.

Search
and seizure.

8.—(1) The Area Officer or any police officer of any rank not lower than that of sergeant may at any time without warrant enter any premises or place wherein or whereon he has reasonable ground to suspect that petroleum is being stored, kept, sold or exposed for sale in contravention of this Ordinance or any Regulations made thereunder and may seize and remove any such petroleum together with the vessel containing the same.

(2) Any person who resists search or obstructs the Area Officer or any police officer acting under the provisions of subsection (1) shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding ten pounds or to both such imprisonment and fine.

Power to make
Regulations.

9.—(1) The Administrator may make Regulations for all or any of the following purposes :—

- (a) prescribing the tests to be applied to petroleum to ascertain its flashpoint and its standard and the methods of applying the same ;
- (b) determining the standard of petroleum ;
- (c) providing for power of entry without warrant into any places or buildings, other than a dwelling house, and inspection for the purpose of ascertaining whether the provisions of this Ordinance or any Regulations made thereunder have been complied with or are being complied with and for prescribing and regulating the manner and procedure of taking samples and for analysis of such samples, as well as any matter related to this subparagraph;
- (d) prescribing the powers and duties of the Chief Officer ;
- (e) regulating the licensing and management of places for storing or keeping petroleum and determining the construction and materials of any place in which any petroleum may be stored or kept ;
- (f) controlling and regulating the mode of conveyance of petroleum into and out of the Areas through tankers or vessels of any type ;
- (g) determining the materials and appliances to be used for preventing or extinguishing fire in any place licensed for the storing or keeping of petroleum ;
- (h) providing for the inspection of any place licensed for the storing or keeping of petroleum ;
- (i) empowering the Chief Officer to order such works or repairs to be executed to any store as in his opinion may be necessary to ensure the safe storage therein of petroleum ;
- (j) regulating the importation, transport and storage of petroleum ;
- (k) regulating the sale of and dealings in petroleum ;

- (l) prescribing the fees to be paid for any licence or examination or inspection made under this Ordinance or any Regulation made thereunder ;
- (m) prescribing the forms of applications and licences to be made or granted under this Ordinance or any Regulation made under this Ordinance ;
- (n) generally, for the better carrying out of the purposes of this Ordinance.

(2) Such Regulations may impose penalties for the breach thereof not exceeding one year imprisonment or a fine not exceeding five hundred pounds or both and in case of a continuing offence a further penalty not exceeding a fine of one pound for every day during which the offence continues after conviction therefor.

10. The Petroleum Ordinance is hereby repealed and any Regulations made thereunder shall remain in force until amended or revoked by Regulations made under this Ordinance.

Saving
and Repeal.
Cap. 272 (Laws
of Cyprus).

A.W. STEPHENS
Chief Officer.

9th February, 1976.
(105/9)
