Revised Regulations of Anguilla: P40-5

PETROLEUM ACT (R.S.A. c. P40)

PETROLEUM BULK STORAGE REGULATIONS

Note: These Regulations are enabled under sections 10(2)(g) and 16 of the Petroleum Act, R.S.A. c. P40.

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Interpretation

1. In these Regulations—

"installation" means a place specially prepared for the storage of petroleum products in bulk;

"storers" means the person or persons, or the agent of the person or persons, storing petroleum in an installation.

Application to erect installation

2. Any person desiring to erect an installation shall forward to the Governor in Council an application and shall submit with such application a site plan drawn to an approved scale.

Avoidance of dangerous acts

3. Every person managing, or employed on, or in connection with, an installation shall abstain from any act whatever which tends to cause fire or explosion and which is not reasonably necessary, and shall in an installation prevent any other person from doing such act.

Smoking

4. No person shall smoke in any installation.

Supervision

5. All operations within any installation shall be conducted under the supervision of a responsible agent of the owners of the premises.

Grounds to be clean

6. The ground in the interior of an installation shall be kept clean and free from articles of an inflammable nature, waste vegetation and rubbish. Articles of an inflammable nature shall be stored only under conditions approved by the Chief Fire Officer.

(Act 1/2007, s. 88)

Fire extinguishers

7. An efficient fire service, or fire extinguishing apparatus, commensurate with the size of the installation and approved by the Chief Fire Officer, shall be provided in each installation.

(Act 1/2007, s. 88)

Sand to be kept

8. An adequate supply of sand and dried earth shall always be kept ready for immediate use in an installation for the purpose of extinguishing fire.

Repairs to equipment

9. All leaks in tanks and pipes shall be promptly repaired.

Authority to enter

10. No person shall enter any tank without the authority of the manager of the installation.

Fire

11. No fire or naked lights shall be permitted within the installation.

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Protection of lights

12. Electric lights shall be enclosed in a double glass, the outer one of which shall be gas tight. All switches and fuses within a radius of 50 feet from any point in the perimeter of storage tanks shall be enclosed in gas tight boxes and all electrical wires shall be enclosed in piping.

Ventilating openings

13. All ventilating openings on tanks shall be suitably protected. If not provided with ventilating openings, each tank shall be fitted with a safety pressure vacuum valve of an approved type.

Arrival of tanker

14. The storers shall notify the Comptroller of Inland Revenue or the Comptroller of Customs not less than 24 hours previous to the intended arrival of a vessel bringing petroleum products to be landed at an installation. The storers shall state at what hour the presence of a customs officer will be required, and a customs officer shall attend at the time appointed.

(Act 6/2010, s. 41)

Unloading to be supervised

15. No petroleum products shall be pumped from a vessel to shore pipe lines connected to the vessel without the presence of a customs officer and not until such customs officer has given permission for the pipe line to be connected to the vessel and for pumping to begin.

No deliveries during unloading

16. No deliveries from any storage tanks shall be made while petroleum products from abroad are being pumped from any vessel into such tank nor until after the petroleum in such tank has been measured by the customs officer and the quantity landed ascertained.

Measuring apparatus to be provided

17. The storers shall provide all apparatus necessary for ascertaining the quantity of petroleum products from abroad received in their storage tanks, or the Comptroller of Inland Revenue may provide, at the expense of the storers, any apparatus of a like nature, and may have all or any such apparatus so secure as he may deem fit, so that it cannot be tampered with.

(Act 6/2010, s. 41)

Storers to facilitate officers

18. The storers shall give all reasonable facilities to any Inland Revenue or customs officer supervising the landing of petroleum products from abroad and to any such officer regarding the ascertainment of the quantities landed or in stock at any time and shall open manholes and otherwise do all reasonable things required of them for those purposes and shall provide reasonable shelter for the Inland Revenue or customs officers on duty there in close proximity to the storage tanks.

(Act 6/2010, s. 41)

Storers to pay for attendance of officer

19. The storers shall pay, for the attendance of the customs officer who supervises the landing of petroleum products at an installation before or after the ordinary office hours, the overtime fees payable to customs officers. When the customs officer is employed at breakfast and dinner hours, he shall be paid a subsistence allowance of $1 for each meal hour during which he is on duty at the installation.

Storers to pay duty

20. The storers shall within 48 hours or as soon as may be directed by the Comptroller of Inland Revenue after the landing of any petroleum products pass the usual warrant inwards for the cargo landed from such tanker

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as ascertained by measurement computed by calibration tables and shall, within 30 days, or at such time as may be directed by the Comptroller of Inland Revenue, pay import duty on such petroleum products delivered from the installation for consumption in Anguilla.

(Act 6/2010, s. 41)

Estimation of quantity

21. In estimating the quantity of petroleum products landed and stored by the storers at an installation, all the petroleum products will be measured to ascertain the actual volume at the time of measurement without alteration to volume at any other temperature, but no artificial means are adopted by the storers to lower the volume by reducing the temperature, and the Comptroller of Customs shall be entitled to correct the volume to atmospheric temperature in any case in which he is not satisfied that artificial means have not been used to reduce volume.

Storers to keep books

22. The storers shall keep books showing delivery of petroleum products from tank storage whether for use in their own works or conveyances or for other disposal and any Inland Revenue or customs officer shall have access to such books at any reasonable time.

(Act 6/2010, s. 41)

Storers to make returns

23. The storers shall make a return to the Comptroller of Inland Revenue before the 5th day of each month of the quantities of the various kinds of petroleum products withdrawn from storage either for their own use or for delivery otherwise during the previous month and an Inland Revenue or customs officer may at any time examine their book of delivery from storage tanks with a view to ascertaining the correctness of such returns.

(Act 6/2010, s. 41)

Notification of exportation

24. The storers shall notify the Comptroller of Inland Revenue or the Comptroller of Customs of the intended exportation of petroleum or petroleum products stored at an installation.

(Act 6/2010, s. 41)

Exportation to be supervised

25. No delivery of petroleum or petroleum products for exportation from an installation shall be made by pipeline to any ship except in the presence of a customs officer.

Penalties

26. Any person committing a breach of any of these Regulations is liable on summary conviction to a fine of $5,000.

Citation

27. These Regulations may be cited as the Petroleum Bulk Storage Regulations, Revised Regulations of Anguilla, P40-5.

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