



Petroleum (Consolidation) Act (Northern Ireland) 1929

1929 CHAPTER 13

LICENCES FOR KEEPING PETROLEUM-SPIRIT

1 Petroleum-spirit not to be kept without a licence.

- (1) Subject to the provisions of this Act, petroleum-spirit shall not be kept unless a petroleum-spirit licence is in force under this Act authorising the keeping thereof and the petroleum-spirit is kept in accordance with such conditions, if any, as may be attached to the licence:

Provided that the foregoing provision shall not apply to any petroleum-spirit kept either for private use or for sale so long as—

- (a) it is kept in separate glass, earthenware, or metal vessels, securely stopped and containing not more than^[F1] 570 millilitres] each; and
 - (b) the aggregate amount kept would not, if the whole contents of the vessels were in bulk, exceed^[F1] 15 litres].
- (2) The occupier of any premises in which petroleum-spirit is kept in contravention of this section, shall be liable on summary conviction to a fine not exceeding^[F2] level 3 on the standard scale], and the court before whom any person is convicted under this sub-section may order that the petroleum-spirit, in respect of which the contravention occurs, and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as the court thinks fit.
- (3) If any person to whom a petroleum-spirit licence is granted contravenes any condition of the licence, he shall be liable on summary conviction to a fine not exceeding^[F2] level 3 on the standard scale].

F1 SR 1992/413

F2 1984 NI 3

Changes to legislation: There are currently no known outstanding effects for the Petroleum (Consolidation) Act (Northern Ireland) 1929, Licences for Keeping Petroleum-Spirit. (See end of Document for details)

[^{F3}1A Powers of local authority in relation to petroleum-spirit licences

A petroleum-spirit licence may be granted by a local authority and the authority may—

- (a) vary the conditions attached to the licence; or
- (b) revoke the licence,

by notice in writing given to the holder.]

F3 S. 1A inserted (19.3.2012) by [The Petroleum \(Consolidation\) Act \(Amendment of Licensing Provisions\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/11\)](#), regs. 1, **2(2)**

2 Provisions as to licences.

- (1) The local authority empowered under this Act to grant petroleum-spirit licences shall be, as respects any ...^{F4} district, the council thereof:

^{F5} . . .

Para.(i) rep. by SRO (NI) 1973/341

Para.(ii) rep. by SR 2003/152

Subs.(2) and (3) rep. by SR 2003/152

Subs.(4) rep. by SR 1996/512

F4 SRO (NI) 1973/341

F5 SR 2003/152

[^{F6}3 Licensing Procedures and Appeals

- (1) This subsection applies to the following actions in relation to a petroleum-spirit licence, that is to say—

- (a) the refusal to grant the licence;
- (b) the attachment of any condition to the licence;
- (c) the variation or refusal to vary the conditions of the licence; or
- (d) the revocation of the licence.

- (2) A local authority shall not take any action to which subsection (1) applies unless they have followed the procedure set out in Chapter II of the model rules.

- (3) Any person aggrieved by any action of the local authority to which subsection (1) applies may appeal against that action to a Tribunal and Chapter I of the model rules shall apply for the purpose of such an appeal.

- (4) For the purposes of subsections (2) and (3), the model rules are those set out in the Schedule to the Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997 and for the purposes of subsection (3), the Tribunal is a Tribunal appointed in accordance with Chapter I of those model rules.]

F6 S. 3 substituted (19.3.2012) by [The Petroleum \(Consolidation\) Act \(Amendment of Licensing Provisions\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/11\)](#), regs. 1, **2(3)**

Changes to legislation: There are currently no known outstanding effects for the Petroleum (Consolidation) Act (Northern Ireland) 1929, Licences for Keeping Petroleum-Spirit. (See end of Document for details)

[^{F7}4] **Fees payable for licences**

In respect of every petroleum-spirit licence granted by a local authority, fees shall be payable to the authority by the person to whom the licence is granted at the rates fixed by or determined under regulations made in accordance with Article 40(2) of the Health and Safety at Work (Northern Ireland) Order 1978.]

F7 S. 4 substituted (19.3.2012) by [The Petroleum \(Consolidation\) Act \(Amendment of Licensing Provisions\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/11\)](#), regs. 1, **2(4)**

Modifications etc. (not altering text)

C1 S. 4 excluded (30.7.2012) by [The Health and Safety \(Fees\) Regulations \(Northern Ireland\) 2012 \(S.R. 2012/255\)](#), regs. 1(1), **3**

Changes to legislation:

There are currently no known outstanding effects for the Petroleum (Consolidation) Act (Northern Ireland) 1929, Licences for Keeping Petroleum-Spirit.