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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 11**

**The Petroleum (Consolidation) Act (Amendment of Licensing Provisions) Regulations (Northern Ireland) 2012**

**Amendment of the Petroleum (Consolidation) Act (Northern Ireland) 1929**

2.—(1) The Petroleum (Consolidation) Act (Northern Ireland) 1929(1) shall be amended in accordance with the following paragraphs.

(2) After section 1 (Petroleum-spirit not to be kept without a licence) insert—

**“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.”.

(3) For section 3 (Appeals from refusals by local authority to grant licences) substitute—

**“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(2) and for the purposes of subsection (3), the Tribunal is a Tribunal appointed in accordance with Chapter I of those model rules.”.

(4) For section 4 (Fees payable for licences) substitute—

**“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.”.

(5) In section 23(1) (Interpretation)—

- (a) the definition of “Executive” is repealed; and
- (b) in the definition of “Petroleum-spirit licence” the words “or by the Executive” are repealed.