

**RULES UNDER SECTION 9 OF THE INDIAN PETROLEUM ACT, 1899, FOR THE IMPORTATION,
POSSESSION AND TRANSPORT OF PETROLEUM IN MYANMAR.**

No. II

The 14th January 1909.

[Amendment : 11.07.1914, 18.06.1989]

No.II.- In exercise of the powers conferred by section 90f the Indian Petroleum Revenue Department Notification No.46, dated the Act, 1899 (VIII of 1899), and in supersession of the notifications of the Government of Myanmar cited in the margin, the Lieutenant-Governor is pleased, with the previous sanction of the Governor- General in Council, to make the following rules for the importation, possession and transport of petroleum in Myanmar:-

PART I.

Preliminary.

1. In these rules,-

Definitions.

- (a) "Part" means a Part of these rules;
- (b) "certificated petroleum" means petroleum certified to be non-dangerous petroleum by a certificate of such description as the Local Government may, from time to time, by written order, prescribe, granted at the port of shipment;
- (c) "petroleum in bulk" means petroleum in quantities exceeding five hundred gallons, contained in any one receptacle;
- (d) "installation" means a place specially prepared for the storage of petroleum in bulk, or for bulk combined with non-bulk storage, and may be either a major or a minor installation;
- (e) "major installation" means an installation-
 - (1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, exceeding fifty thousand gallons, or
 - (2) in which tin-making operations are carried on;
- (f) "minor installation" means an installation-

- (1) capable of containing an amount of oil, whether in bulk only or in combined bulk and non-bulk storage, not exceeding fifty thousand gallons, and
- (2) in which no tin-making operations are carried on;
- (g) "storage shed" means a building used for the storage of petroleum otherwise than in bulk, and may or may not form part of an installation;
- (h) "protected works" includes buildings in which persons dwell or assemble, docks wharves, timber yards, other petroleum stores, and any other place not forming part of an installation, which the Local Government may by notification declare as such;
- (i) "testing officer" means the testing officer appointed by the Local Government under section 10 of the Act for any port at which petroleum may be imported under these rules;
- (j) "motor-vehicle" means any vehicle or vessel propelled by a motor, in which petroleum is used as fuel; and
- (k) "owner," as applied to a motor-vehicle, includes a person who hires, or is otherwise entitled for the time being to use or work a motor- vehicle.

PART II.

Possession and Transport of Petroleum.

CHAPTER I.- POSSESSION OF PETROLEUM.

Smoking prohibited.

1. No smoking shall be permitted inside any installation or storage shed.

Supervision of operations within installation or storage shed.

2. All operations within any installation or storage shed shall be conducted under the supervision of a responsible agent or supervisor.

Cleanliness of installation.

3. The ground in the interior of an installation shall be kept clean and free from goods of a combustible nature, vegetation and rubbish.

Supply of sand or dry earth in installation.

4. A supply of sand or dry earth shall always be kept in an installation for the purpose of extinguishing fire.

Marking of capacity of tanks.

5. The capacity in gallons of every tank in an installation shall be conspicuously marked on it, and shall be calculated at the rate of 6.25 gallons per cubic foot.

Protection from lightning.

6. Every tank or other receptacle for the storage of petroleum in bulk, except a tank or receptacle which is not of sufficient capacity to contain ten thousand gallons of petroleum and which is so situated as not to be liable to cause danger in the event of the petroleum being ignited, shall be protected by an efficient lightning-conductor.

Explanation.- A tank or receptacle shall be deemed to be so situated as not to be liable to cause danger in the event of the petroleum being ignited, if it is not in close proximity to any other tank or receptacle, or to any building not forming part of the installation, and if it is surrounded by a wall, or embankment, or sunk in an excavation, the enclosure thus formed being sufficient to contain the whole contents of the tank or receptacle.

Testing of lightning-conductor by licensee.

7. Not less than once in every year the licensee of an installation shall test or cause to be tested the efficiency of the conductor in such manner as the Chief Inspector of Explosives may, by general or special order, declare to be sufficient, and a certificate showing the date of the last test shall be posted in a conspicuous place within the installation.

Official testing of lightning-conductor.

8. Any officer appointed by the Local Government in this behalf may enter any installation for the purpose of testing the efficiency of the conductor, at any time after sunrise and before sunset.

Time for work in installations or storage sheds.

9. No installation or storage shed shall be open, and no work in any installation or storage shed shall be permitted, between sunset and sunrise: provided that in cases where electric lighting is exclusively used, night working may be permitted by the Local Government on the recommendation of the Chief Inspector of Explosives.

Closure of pipes and openings.

10. Where there are any pipes or openings for draining out water in any enclosure wall, arrangements shall be made whereby they can be closed and they shall only be kept open when actually necessary for

drainage purposes. The nature of such arrangements shall be shown in the specifications which are required under rule 10 of Chapter IV of this Part, to be submitted with the application for a license.

Material for storage sheds.

11. All storage sheds in an installation shall be built of unflammable material.

Posting up of rules and conditions.

12. There shall be hung up in a conspicuous place in every installation and storage shed for which a license has been granted, copies in English and the vernacular, of the rules contained in this Chapter, and of the conditions endorsed on the license.

CHAPTER II.- TRANSPORT OF PETROLEUM.

Conditions of carriage of petroleum in bulk by water.

1. Petroleum in bulk shall not be carried by water except on a ship certified as suitable for the carriage of petroleum in bulk by an officer appointed by the Local Government in this behalf, and the petroleum shall be stowed in such part of the ship and in such manner as may be approved, by general or special order, by the authority so appointed.

Petroleum in bulk on barges or flats.

2. Petroleum in bulk shall not, except with the sanction of the Local Government, be transported on any barge or flat which is not towed by a steamer or motor tug.

Inflammable cargo, or passengers.

3. No ship shall carry petroleum in bulk which carries at the same time passengers, or any inflammable cargo other than petroleum and its products.

Towage of barge or flat carrying petroleum.

4. No steamer carrying inflammable cargo other than petroleum and its products shall tow a barge or flat carrying petroleum in bulk.

Towage of additional barge or flat carrying inflammable cargo.

5. No steamer towing a barge or flat carrying petroleum in bulk shall at the same time tow any other barge or flat carrying inflammable cargo other than petroleum and its products.

Exemption of petroleum having a flashing point above 150°.

6. Rules 4 and 5 of this Chapter shall not apply when the petroleum carried in bulk has a flashing point above 150° Fahrenheit.

Cleaning of compartments.

7. When any ship has discharged petroleum in bulk, the oil compartments shall be thoroughly cleaned and freed from petroleum and petroleum vapour, before any other cargo or passengers are taken on board.

8. The officer in charge of any ship certified under rule 1 of this Chapter as suitable for the carriage of petroleum in bulk, shall observe the following precautions regarding oil-tanks, namely:-

(i) so long as there is petroleum or dangerous vapour in a tank, he shall keep the hatches of such tank and the man-holes or other apertures in such hatches, locked or otherwise fastened in a manner certified as satisfactory by an officer appointed under rule 1 of this chapter:

Provided that, subject to the provisions of clause (ii) he may cause them to be opened for the purpose of taking on board or discharging petroleum, for cleaning the tanks, or for other sufficient reason; and

(ii) he shall not allow any person to enter a tank unless-

(a) such person wears a safety helmet of a description approved by the Local Government, or

(b) a Port Surveyor or other officer appointed by the Local Government in this behalf, having examined the tank with the aid of a vapour-testing instrument, has certified it to be free from dangerous vapour.

<Amendment 11.07.1914>

Loading and discharge.

9. No petroleum in bulk shall be taken on board or discharged from any ship certified as suitable for the carriage of petroleum in bulk, except through a suitable pipe prepared for the purpose.

Naked lights, fire or smoking prohibited.

10. No fire, naked lights or smoking shall be allowed on board any flat or barge carrying petroleum in bulk.

Lag to be carried.

11. The person in charge of any flat or barge carrying petroleum in bulk shall, from sunrise to sunset, show at its stern a conspicuous red flag having the words "Petroleum Boat" marked on it in black letters.

Loading and unloading by night.

12. No petroleum in bulk shall be loaded on or unloaded from any ship between sunset and sunrise, except when electric light is exclusively used.

Validity of license granted in another province.

13. Petroleum may be transported into and within the province of Myanmar under cover of a license granted by the prescribed authority in any other province of British India or in any area outside British India to which the Indian Petroleum Act, 1899, may be applied, provided that the conditions of such license are observed throughout the period during which the petroleum is in transit.

<Amendment 18.06.1989>

Transport by sea of petroleum which has not been tested.

14. Petroleum which has been imported into any port specified in rule I of Part III, and which has not been tested at the port of import in accordance with the rules contained in that Part, shall not be transported to any other port in British India save one specified in rule I of Part III, and the provisions of all the rules of that Part, except rule 22, shall be deemed to apply to such petroleum when it arrives at such other port.

Transport by sea of petroleum which has been tested.

15. Petroleum which has been tested at any port in British India may be transported to any other port in British India, and the provisions of rules 2, 3, 4, 14 (except the proviso), 16, 19 and 20 of Part III shall apply to such petroleum when it arrives at such other port.

CHAPTER III.-GENERAL PROVISIONS RELATING TO LICENSES.

Applications for licenses.

1. All applications for licenses except those referred to in rules 13 and 14 of Chapter IV of this Part for the possession or transport of petroleum shall be made to the District Magistrate.

Licensing authority.

2. Licenses-

- (a) for the possession of non-dangerous petroleum, not being petroleum in bulk,
- (b) for the possession of non-dangerous petroleum in a minor installation,
- (c) for the possession or transport of dangerous petroleum in quantities not exceeding forty gallons, and
- (d) for the transport of petroleum, not being dangerous petroleum, otherwise than by a pipe line,

may be granted by a District Magistrate, or by such other authority as the Local Government may from time to time by order in writing appoint in this behalf. In all other cases except as provided in rule 14 of Chapter IV of this Part the licensing authority shall be the Local Government:

Provided that in the case of renewals of existing licenses the Local Government may delegate its powers under this rule to the District Magistrate or to such other authority as the Local Government may from time to time by an order in writing appoint in this behalf.

Refusal of license.

3. The licensing authority may, for reasons to be communicated to the applicant, refuse a license in any case: Provided that the licensing authority shall not refuse a license for the possession of petroleum in a minor installation, unless such authority has first made a reference to the Chief Inspector of Explosives and obtained his concurrence.

Forfeiture of license.

4. Every license granted under these rules shall be liable to be forfeited for any contravention of the Act, or of any rule thereunder, or of any condition contained in such license, or for any other reason deemed by the licensing authority to be good and sufficient, and recorded by him in writing.

Particulars of license.

5. Every license and pass granted under these rules shall be held subject to the conditions endorsed on it, and shall contain all the particulars which are contained in the form prescribed for it by these rules: Provided that in the case of installations and storage sheds in existence before these rules were made, the license may contain in lieu of the particulars contained in the form prescribed for it by these rules, either such particulars as may have been entered in the license granted for such installation or storage shed under the rules heretofore in force, or such particulars as may in each case be approved by the Chief Inspector of Explosives.

Renewal of licenses.

6. (1) Every application for the renewal of a license shall be made in the same manner as an application for an original license.
(2) Every such application shall be made at a date not less than thirty days before the date on which the original license expires, and, if the application is so made, the premises shall be held to be duly

licensed until such date as the licensing authority issues the renewed license or until an intimation that the renewal of the license is refused has been communicated to the applicant.

(3) The same fee shall be charged for the renewal of a license as for a new license.

Supply of rules to licensee.

7. When any license is granted for the possession or transport of petroleum, a copy of the rules contained in Chapter I of this Part in the case of a license for possession, and in Chapter II of this Part in the case of a license for transport, printed in English and the vernacular, shall be given, together with the license, to the licensee.

Procedure on death or disability of licensee.

8. Where a licensee dies or becomes insolvent or becomes mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or forfeiture under the Act or these rules for acting under the license during such time as may reasonably be necessary to allow him to make an application for a new license in his own name for the unexpired portion of the original license.

Loss of license.

9. Where a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted.

CHAPTER IV.- LICENSES FOR THE POSSESSION OF PETROLEUM.

Continuance of license.

1. Save as provided in rules 13 and 14 of this Chapter, every license for the possession of petroleum shall remain in force until the 31st of December next following the date of issue of the license.

Petroleum not in bulk, other than dangerous petroleum.

2. Licenses for the possession of petroleum, not being dangerous petroleum, otherwise than in bulk, may be granted in Form A.

Dangerous petroleum not in bulk.

3. Licenses for the possession of dangerous petroleum, not in bulk, in quantity exceeding forty gallons may be granted in Form B.

Dangerous petroleum not exceeding forty gallons.

4. Licenses for the possession of dangerous petroleum in quantity not exceeding forty gallons may be granted in Form C.

Transfer of certain licenses.

5. (1) The holder of a license in Forms A, B or C, may, at any time before the expiry of the license, apply for permission to transfer his license to another person.
- (2) Such application shall be made to the District Magistrate, who shall, if he approves of the transfer, enter upon the license, under his signature, an endorsement to the effect that the license has been transferred to the person named.
- (3) A fee of Re. 1 shall be charged on each such application.
- (4) The person to whom the license is so transferred shall enjoy the same powers and be subject to the same obligations under the license as the original holder.

Possession of dangerous petroleum in receptacles containing more than forty gallons each.

6. Special licenses for the possession of dangerous petroleum in receptacles containing more than forty gallons, but not more than 500 gallons each, may be granted on such terms as the Local Government may prescribe on the recommendation of the Chief Inspector of Explosives.

Storage in major installations.

7. Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in major installations, in accordance with such specifications and plans as the Local Government, on the recommendation of the Chief Inspector of Explosives, may from time to time, by general or special order, approve, may be granted in Form D.

Storage in minor installations.

8. Licenses for the possession of any stated quantity of petroleum, not being dangerous petroleum, in minor installations, in accordance with such specifications and plans as the Chief Inspector of Explosives may from time to time, by general or special order, approve, may be granted in Form E.

Dangerous petroleum for use on motor-vehicles.

9. (1) Licenses in Form F may be granted free of charge for the possession of dangerous petroleum for use on motor-vehicles and for its transport thereon, for the purpose of use therein.

- (2) The provisions of the ordinary rules relating to the possession of dangerous petroleum shall regulate the possession of dangerous petroleum for use on motor-vehicles, save in so far as these provisions are varied by the conditions of the license.

Particulars to be given in applications for licenses for the possession of petroleum other than licenses under rules 4 and 9.

10. Every application for a license for the possession of petroleum, other than licenses under rules 4 and 9 of this Chapter, shall specify:-

- (a) the description and quantity of petroleum which the applicant desires to keep,
- (b) the name and position of the premises intended to be used for the storage of such petroleum, and whether the said premises fulfil the conditions prescribed by Form A, Form B, Form D, or Form E, as the case may be,
- (c) the amount of petroleum, if any, already licensed to be kept on the same premises.

If the application be made for the first time in respect of any major or minor installation or if the quantity of petroleum to be stored in such an installation is to be increased, the application shall be accompanied by specifications and plans drawn to scale.

Certificate of safety to be furnished.

11. Before petroleum is stored in any major or minor installation for which a license has been granted for the first time, a certificate shall be furnished to the licensing authority to the effect that all enclosure walls and embankments required to be constructed under the conditions of the license are sufficient to ensure safety. The certificate shall be signed by an engineer accepted as qualified for the purpose by the licensing authority. When the license is not granted for the first time but is granted for an increased quantity of petroleum, a certificate shall similarly be furnished to the licensing authority before any quantity of petroleum exceeding the amount which was admissible under the former license is stored in the installation.

Particulars to be given in applications for licenses under rules 4 and 9.

12. Every application for a license under rules 4 and 9 of this Chapter shall specify:-

- (a) whether the applicant is the owner of a motor-vehicle,
- (b) the amount of dangerous petroleum the applicant desires to store,

(c) the exact position and nature of the premises intended to be used for the storage of such dangerous petroleum, and whether the said premises fulfil the conditions prescribed by Form C or Form F, as the case may be.

Storage by port authorities.

13. Licenses for the possession of petroleum in an installation or storage shed may be granted by the Local Government free of charge to the Commissioners for the Port of Rangoon subject to such conditions, and for such period, as the Local Government may direct.

Storage in an installation or storage shed erected on land belonging to port authorities.

14. Licenses for the possession of petroleum in an installation or storage shed erected on land belonging to the Commissioners for the Port of Rangoon may, with the previous sanction of the Local Government, be granted free of charge by the said Commissioners subject to such conditions and for such period as the said Commissioners may direct.

Storage of petroleum in bulk at or near wells.

15. Subject to such conditions as may be prescribed by the Local Government in each case, licenses in Form N may be granted to any person engaged in the extraction of petroleum from wells, for the possession of any quantity of petroleum in any place of storage at or near such wells.

CHAPTER V.- LICENSES FOR THE TRANSPORT OF PETROLEUM.

General licenses for the transport of non-dangerous petroleum.

1. General licenses for the transport of petroleum, other than dangerous petroleum, may be granted for a period of twelve months in Form G.

General licenses for the transport of dangerous petroleum.

2. General licenses for the transport of dangerous petroleum otherwise than in bulk may be granted for a period of twelve months in Form H.

Effect of general license.

3. Licenses granted under rules 1, 2 and 9 of this Chapter may authorise the holders to transport petroleum without restriction as to destination or total quantity.

Pass for transport of petroleum.

4. The holder of a general license granted under rules, 1, 2 or 9 of this Chapter shall, with each consignment of petroleum conveyed under cover of his license, issue to the person who takes charge of the petroleum for the purpose of transporting it, a numbered pass in Form I.

Special licenses for the transport of petroleum other than dangerous petroleum.

5. Special licenses may be granted for the transport of petroleum, other than dangerous petroleum in quantities exceeding five hundred gallons, in Form J.

Special licenses for the transport of dangerous petroleum.

6. Special licenses may be granted for the transport of dangerous petroleum other than in bulk in Form K.
Effect of special license.

7. A special license granted under rules 5 and 6 shall only cover the transport of the particular consignment entered in the license, and shall be valid for such period as may be entered in it.

Particulars to be given in applications for special licenses.

8. Applications for special licenses for the transport of petroleum by rail, by road, by steamer or by barge, or by two or more of these modes of conveyance, shall, specify the description and quantity of petroleum to be transported, and the places from and to which, respectively, the petroleum is to be conveyed, and shall describe the receptacles in which it is to be contained, or, in the case of petroleum to be transported in bulk by water, shall state that the ship in which it is to be carried has been certified as required by rule I of Chapter II of this Part.

Transport of dangerous petroleum by motorists otherwise than on a motor-vehicle.

9. General licenses in Form L to transport dangerous petroleum up to a maximum of sixty gallons at a time, otherwise than on a motor-vehicle, may be granted for a period of twelve months to owners of motor-vehicles holding licenses under rule 9, sub-rule (1), of Chapter IV of this Part, to possess petroleum and use or transport it on a motor-vehicle.

Transport of dangerous petroleum in bulk from places of production to refineries.

10. The Local Government may in its discretion grant licenses for the transport of dangerous petroleum in bulk' otherwise than by a pipe line, on such conditions as it may think fit from the place of production to the refineries of the Myanmar Oil Companies.

<Amendment 18.06.1989>

General licenses for the transport of petroleum by a pipe line.

11. General licenses for the transport of petroleum in bulk, whether dangerous or non-dangerous, by a pipe line, may be granted for a period of 12 months in Form O.

Effect of licenses granted under rule II.

12. Licenses granted under rule II of this Chapter may authorise the holders to transport petroleum along the routes indicated in the license without restriction as to quantity.

CHAPTER VI.- FEES.

Method of levying fees.

1. (1) Where the proceeds of fees leviable for licenses under these rules have been assigned by the Local Government to any local authority, the fees shall be levied in such manner as the local authority may from time to time direct.
- (2) In all other cases the fees shall be paid in cash on receipt of a notice from the licensing authority that a license will be granted.
- (3) The court fee stamp of the value of eight annas representing the fee chargeable under schedule II, Article I (b) of the Court Fees Act on an application for a license presented to a Magistrate should be attached to the application.

Fees for licenses for possession of petroleum.

2. The following fees shall be charged for licenses for the possession of petroleum, namely:-

Non- dangerous petroleum.			
		Ks	
		.	
(a)	When the quantity to be stored exceeds five hundred, but does not exceed one thousand gallons.	12	
(b)	When the quantity to be stored exceeds one thousand, but does not exceed five thousand	12	for the first one thousand gallons plus Ks. 2 for every additional one thousand gallons or part

	gallons.		thereof.
(c)	When the quantity to be stored exceeds five thousand gallons, but does not exceed fifty thousand gallons.	20	for the first five thousand gallons plus Ks. 4 for every additional one thousand gallons or part thereof.
(d)	When the quantity to be stored exceeds fifty thousand gallons.	250	
Dangerous petroleum.			
		Ks.	
(e)	When the quantity to be stored does not exceed forty gallons.	3	
(f)	When the quantity to be stored exceeds forty gallons, but does not exceed five hundred gallons.	8	
(g)	When the quantity to be stored exceeds five hundred gallons.		the same fees as those laid down for non-dangerous petroleum.

Fees for licenses for transport of petroleum.

3. The following fees shall be charged for licenses for the transport of petroleum:-

Non-dangerous petroleum.		
Special license-		Ks.
(a)	When the quantity to be transported exceeds five hundred, but does not exceed five thousand gallons.	1
(b)	For every additional five thousand gallons or	1

	part of five thousand gallons.	
General license for the transport of non-dangerous petroleum by rail, by road, or by water for twelve months.		100
Dangerous petroleum.		
Special license-		Ks.
(i)	When the quantity to be transported does not exceed forty gallons.	2
(ii)	When the quantity to be transported exceeds forty gallons but does not exceed four hundred and eighty gallons.	2 for the first 40 gallons plus 8 annas for every additional forty gallons or part thereof.
(iii)	When the quantity to be transported exceeds four hundred and eighty gallons.	8 for the first four hundred and eighty gallons plus Ks. 2 for every additional four hundred and eighty gallons or part thereof.
General license for the transport of dangerous petroleum by the owner of a motor-vehicle by road, rail or water, up to a maximum of sixty gallons at a time.		5
General license for the transport of dangerous petroleum by dealers by rail, road or water.		50
General license for the transport of dangerous		100

petroleum in bulk, otherwise than by a pipe line, from the place of production to the refineries.		
General license for the transport of petroleum in bulk, whether dangerous or non-dangerous, by a pipe line.	100	

Fee for license granted for unexpired portion of an original license.

4. A fee of one rupee shall be charged for a new license for the unexpired portion of an original license granted to any person applying for the same in accordance with the provisions of rule 8 of Chapter III of this part.

Fee for duplicate licenses.

5. A fee of eight annas shall be charged for a duplicate of a license granted in accordance with the provisions of rule 9 of Chapter III of this Part.

PART III.

Of Importation of Petroleum.

Ports of importation. Rangoon. Moulmein. Akyab. Bassein.

1. The ports mentioned in the margin are hereby declared to be the only ports at which petroleum may be imported.

Declaration by master of ship carrying petroleum or by the ship's Agent.

2. The master of every ship carrying petroleum shall deliver to the pilot before entering any of the ports mentioned in rule I, a written declaration under his signature stating:-
- (a) what quantity of petroleum the ship is carrying;
 - (b) whether any and, if so, what part of it is dangerous petroleum;
 - (c) whether any and, if so, what part of it is certificated petroleum;
 - (d) whether any and, if so, what part of it is petroleum having a flashing-point above 150° of Fahrenheit's thermometer; and
 - (e) what quantity of petroleum (specifying whether any, and if so, what part of it belongs to each of the classes (b), (c) and (d)) it is intended to land at that port or any other port in British India:

Provided that, if, in anticipation of a ship's arrival, the agent for such ship delivers to the Port-officer a written declaration as aforesaid under his signature, no such declaration shall be necessary by the master of the ship.

Delivery of certificate.

3. If the master or agent declares that any petroleum is certificated petroleum which it is intended to land at that port or at any other port in British India, he shall deliver to the pilot or Port-officer as the case may be, along with his declaration, the certificate relating to such petroleum.

Certificate and declaration to be forwarded to Chief Customs-officer.

4. Every certificate and declaration delivered to a pilot under rules 2 and 3 shall be made over by him without delay to the Port-officer, and all certificates and declarations received by the Port-officer shall, with all convenient despatch, be forwarded by him to the Chief Customs-officer.

Delivery of samples.

5. (1) When the master of, or the agent for, a ship has made the declaration required by rule 2, the Chief Customs-officer shall direct an officer to go on board the vessel and obtain samples of all the petroleum on board which it is intended to land at that port. If the importer so desires, he shall also take samples of all the petroleum on board which it is intended to land at any other port in British India.
- (2) The master shall deliver to the officer aforesaid, without charge, samples of every variety of petroleum comprised, in the petroleum of which samples are to be taken under clause (1). Such samples shall, if such officer so require, be taken from the particular receptacles indicated by him and under his personal superintendence, and shall not exceed forty fluid ounces:

Provided that when the petroleum is in cases, samples may be taken as delivery proceeds.

Selection of samples.

6. The minimum number of samples to be selected of each brand or quality contained in the cargo shall be as follows:-
- (a) of certificated petroleum in cases-
- one sample for every fifteen thousand cases or fraction of fifteen thousand cases;
- (b) of certificated petroleum in casks or drums declared to be uniform quality-
- one sample for every one hundred and twenty thousand gallons or part of one hundred and twenty thousand gallons;

(c) of certificated petroleum in bulk or in tanks-

one sample from each group of tanks or tank compartments certified to be of the same brand or quality;

(d) of petroleum other than certificated, in cases-

one sample for every ten thousand cases or fraction of ten thousand cases;

(e) of petroleum other than certificated, in casks or drums declared to be of uniform quality-

one sample for every eighty thousand gallons or part of eighty thousand gallons;

(f) of petroleum other than certificated in bulk or in tanks-

one sample from each tank or tank compartment.

Sealing of samples and forwarding the same to testing officer.

7. When the samples required have been delivered to the officer aforesaid, such officer shall forthwith seal the bottles containing the samples, and shall label them with the name of the ship, the name of the consignee, and such other distinguishing marks as may be necessary. He shall then forward them to the testing officer.

Methods of test.

8. The testing officer shall test the samples thus received in the manner laid down in the first Schedule to the Act.

Averaging results of tests.

9. If more than one sample of any one brand or quality forming the cargo or a portion of the cargo of a ship is sent to the testing officer for report, that officer shall test each sample separately and strike an average of the results. If average flashing-point is not lower than 73° of Fahrenheit's thermometer, and no one test gives a flashing-point below 70° of that thermometer, he shall report the whole of the petroleum represented by the samples to the Chief Customs-officer as non-dangerous.

Procedure when tests show want of uniformity.

10. If the testing officer, after testing samples, considers further tests necessary to satisfy him that none of the petroleum is dangerous, he shall report to the Chief Customs-officer accordingly.

Procedure on report.

11. On receipt of a report under rule 10-

(a) when the consignment is imported in cases, the Chief Customs-officer shall cause the petroleum in question to be landed and stacked in lots of one thousand cases each, or to be discharged into boats

each containing five hundred cases; and the officer referred to in rule 5 shall select and deliver to the testing officer one sample from each lot;

- (b) when the consignment is imported in bulk, the Chief Customs-officer shall forward a second sample and, until receipt of the testing officer's further report, may prevent the landing of any portion of the contents of the tank in question, or may permit it to be landed as provided in rule 18;
- (c) if the petroleum has been already landed and stored under rule 18, it shall be divided into lots, and samples of each lot shall be selected as aforesaid.

Report of testing officer.

12. The testing officer shall, as soon as practicable, and ordinarily within twenty-four hours after receipt of any samples, sign a report certifying that they are, or are not, dangerous petroleum, as the case may be, and shall forward such report to the office of the Chief Customs-officer, where it shall be deposited.

Fee for testing.

13. The fee for testing each sample shall be five rupees:

Provided that the total amount of the fees chargeable under this rule shall not, in the case of any one ship, exceed Ks. 50.

When a ship carrying petroleum may anchor at ordinary anchorage.

14. A ship may proceed to the usual anchorage in any port specified in rule I and there discharge any certificated petroleum not exceeding five thousand gallons in quantity:

Provided that the officer whose duty it is, under rule 5, to select samples of petroleum on board, may at any time take a sample of any such petroleum for the purpose of having it tested.

Exception in respect of petroleum declared dangerous which is not in excess of forty gallons.

15. If the quantity of petroleum declared dangerous on board a ship does not exceed forty gallons and there is no other petroleum on board, or the aggregate quantity of petroleum on board, including petroleum declared dangerous, does not exceed forty gallons, the said petroleum may be forthwith landed.

When a ship carrying petroleum must anchor at a special anchorage.

16. Save as provided in rules 14 and 24, every ship having petroleum on board shall be anchored at such anchorage as the Conservator of the port shall appoint in this behalf, and shall not, except for the purpose of discharge of bulk-oil petroleum as laid down in rule 19, leave such anchorage until so much of the petroleum as it is intended to land at that port has been discharged.

Such anchorage shall in no case be the same as that for vessels laden with explosives, and shall be sufficiently far removed from the anchorage for vessels laden with explosives to prevent the possibility of a fire originating at the former place affecting vessels anchored at the latter.

Petroleum referred to in rule 16, not to be landed until it has been tested.

17. Save as provided in rule 18, no petroleum shall be landed from any ship referred to in rule 16 until the testing officer's report in respect thereof has been received in the office of the Chief Customs-officer.

Landing of petroleum in anticipation of the testing officer's report.

18. (1) The Chief Customs-officer may, in anticipation of the testing officer's report, allow the consignee of any petroleum to discharge the same into boats or to land it.

- (2) Such permission shall be subject to the condition that the boats into which the petroleum is discharged shall remain at such place as may be directed by the Chief Customs-officer, or that the petroleum shall be landed at a landing-place duly appointed for this purpose by the aforesaid officer, and be stored in an installation licensed under rule 13 or 14 of Chapter IV, Part II.

Landing of petroleum in bulk.

19. When petroleum is imported in bulk, its removal from the ship shall be effected by means of a hose and a metal pipe, and it shall be pumped into storage-tanks. The discharge shall be continuous, day and night, until completed, weather and appliances permitting. When working at night, electric light only shall be used; and, when the ship has finished discharging, the pipe to the storage-tanks shall immediately be emptied by means of a supplementary pump on shore. If for any cause the discharge of petroleum is at any time suspended, arrangements must be made by means of a valve for effectually preventing any of the oil left in the pipe from escaping.

Landing of petroleum otherwise than in bulk.

20. When petroleum imported otherwise than in bulk is landed within the port-

- (1) it shall be landed either at jetties provided for the purpose, or in cargo-boats, and except where electric light is exclusively used, only after sunrise and before sunset, and only at such place or places as the Conservator of the port shall direct;
- (2) dangerous and non-dangerous petroleum shall not be conveyed to the shore at the same time on the same cargo-boat;

- (3) no smoking, fire or light of any description (other than lights required by the port or harbour rules), shall be allowed in any cargo-boat during the time that the petroleum is on board the boat.

Transshipment of petroleum.

21. Petroleum may be transhipped from one ship to another for conveyance to any other port, whether within or beyond the limits of British India:

Provided that-

- (a) the petroleum shall not be transhipped between sunset and sunrise except when electric light is exclusively used,
- (b) dangerous and non-dangerous petroleum shall not be conveyed at the same time on any boat which is used for transshipping the petroleum, and
- (c) no smoking, fire or light of any description (other than lights required by the port or harbour rules), shall be allowed on any boat which is being used for transshipping the petroleum from the one ship to the other.

Import-licenses how obtainable.

22. (1) Applications for import licenses under section 5 of the Act shall be submitted to the officer appointed by the Local Government in this behalf, who will, after enquiry, forward the same with his opinion to the Local Government.
- (2) If the application is granted, a license in Form M, signed by a Secretary to Government, shall be forwarded to the applicant through the officer to whom his application was submitted. The license may be granted for a period of twelve months.

Petroleum comprised in ship's stores.

23. Nothing in the foregoing rules in this Part applies to petroleum, other than dangerous petroleum, comprised in a ship's stores and manifested as such, provided it is not of unreasonably large amount. If any question arises as to whether any petroleum manifested as ship's stores is of an unreasonably large amount, the decision thereon of the Chief Customs-officer shall be final.

Petroleum having a flashing point above 150°.

24. Nothing in the foregoing rules in this Part applies to petroleum which has a flashing point above 150° of Fahrenheit's thermometer. If the master of, or agent for, a ship certifies in writing that any petroleum on board is of this description, the Chief Customs-officer shall allow it to be discharged in the same manner

as ordinary cargo; but the Commissioner of Police or District Magistrate, as the case may be, may at any time require a sample of any portion of it to be delivered to him, with a view to having it tested.

----- Footnote -----

[ပင်ရင်း- ၁၆.၁.၁၉၀၉ ရက်နေ့ထုတ် ပြန်တမ်းမှ ကူးယူတင်ပြသည်။]

----- Attachment -----

[ATTACH LIST 1] 01 FORM A. (Rule 2 of Chapter IV of Part II.) License to possess petroleum (other than dangerous petroleum), otherwise than in bulk.

[ATTACH LIST 2] 02 FORM B. (Rule 3 of Chapter IV of Part II.) License to possess dangerous petroleum, otherwise than in bulk, in quantity exceeding forty gallons.

[ATTACH LIST 3] 03 FORM C. (Rule 4 of Chapter IV of Part II.) License to possess dangerous petroleum in quantity not exceeding forty gallons.

[ATTACH LIST 4] 04 FORM D. (Rule 7 of Chapter IV of Part II.) License to possess petroleum, not being dangerous petroleum, in a major installation.

[ATTACH LIST 5] 05 FORM E. [Rule 8 of Chapter IV of Part II.] License to possess petroleum, not being dangerous petroleum, in a minor installation.

[ATTACH LIST 6] 06 FORM F. (Rule 9 of Chapter IV of Part II.) Special license to possess and transport dangerous petroleum for owners of motor vehicles.

[ATTACH LIST 7] 07 FORM G. (Rule 1 of Chapter V of Part II.) General license to transport petroleum other than dangerous petroleum.

[ATTACH LIST 8] 08 FORM H. (Rule 2 of Chapter V or Part II.) General license to transport dangerous petroleum otherwise than in bulk.

[ATTACH LIST 9] 09 FORM I. (Rule 4 of Chapter V of Part II.)

[ATTACH LIST 10] 10 FORM J. (Rule 5 of Chapter V of Part II.) Special license to transport petroleum other than dangerous petroleum.

[ATTACH LIST 11] 11 FORM K. (Rule 6 of Chapter V of Part II.) Special license to transport dangerous petroleum.

[ATTACH LIST 12] 12 FORM L. (Rule 9 of Chapter V of Part II.) General license to the owner of a motor-vehicle to transport dangerous petroleum otherwise than on a motor-vehicle.

[ATTACH LIST 13] 13 FORM M. (Rule 22 (2) of Part III.) General license to import dangerous petroleum in quantities exceeding 40 gallons.

[ATTACH LIST 14] 14 FORM N. (Rule 15 of Chapter IV of Part II.) License to possess petroleum in a place of storage at or near petroleum wells.

[ATTACH LIST 15] 15 FORM O. (Rule 11 of Chapter V of Part II.) General license to transport dangerous or non-dangerous petroleum in bulk by a pipe line.

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