

THE PETROLEUM RULES, 1937

(Amended up to 1st January 1946.)

CHAPTER I

PRELIMINARY

1. Short title and application.- These rules may be called the Petroleum Rules, 1937.
2. Supersession and savings.-(1) All notifications and rules issued, and all appointments made, by local Governments under the Indian Petroleum Act, 1899, and all rules made by the Governor-General in Council under section 8 of that Act are hereby superseded, but-
 - (i) all licences or duplicates granted or renewed and all fees imposed or levied shall be deemed to have been respectively granted, renewed, imposed or levied under these rules; and
 - (ii) all approval given and all powers conferred by or under any notification or rule so superseded shall, so far as they are consistent with the Act and these rules, be deemed to have been given or conferred by or under these rules.

(2). Anything not in conformity with these rules which was permitted to be done by or under any rule in force immediately before the coming into force of these rules, and which, under these rules, may be permitted by the Chief Inspector to be done shall be deemed to have been so permitted by the Chief Inspector, unless the Chief Inspector after such notice of his intention as he considers reasonable, declares that it is not so permitted.

- 3. Definitions. - In these rules, unless there is anything repugnant in the subject or context,-
 - (a) "The Act" means the Petroleum Act, 1934;
 - (b) "Chief Inspector" means the Chief Inspector of Explosives appointed by the President of the Union of Burma;
 - (c) "Conservator of the Port" includes any person acting under the authority of the officer or body of persons appointed to be Conservator of the Port under section 7 of the Ports Act (India Act XV, 1908);
 - (d) "District Authority" means-
 - (i) in Rangoon, the Commissioner of Police; and
 - (ii) in the Yenangyaung, Chauk and Yenangyat Notified Oilfields, the Warden, Burma Oilfields and the Assistant Warden, Burma Oilfields;

(iii) elsewhere, the District Magistrate;

(e) "District Magistrate" includes an "Additional District Magistrate";

(f) "Heavy petroleum" means petroleum which has its flashing-point not below 150°F.;

(g) "Inspector" means an officer authorised by the President of the Union under sub-section (1) of section 13 of the Act;

(h) "Installation" means any premises within which any place has been specially prepared for the storage of petroleum in bulk, but does not include a well-head tank;

(i) "Petroleum in bulk" means petroleum container in a receptacle exceeding two hundred gallons in capacity;

(j) "Protected works" include-

(a) buildings in which persons dwell or assemble, docks, wharves, timber yards and buildings or places where petroleum is stored; and

(b) any public road or other place which the Chief Inspector has by written order declared to be a protected work;

but does not include any building or place which forms part of an installation;

(k) "Sampling officer" means an officer authorized by the President of the Union under sub-section (1) of section 14 of the Act;

(l) "Storage shed" means a building used for the storage of petroleum otherwise than in bulk, whether it forms or does not form part of an installation, but does not include a building used for the storage of petroleum exempt from licence under sections 7, 8 or 9 of the Act;

(m) "Testing officer" means an officer authorized by the President of the Union to test petroleum under section 17 of the Act; and

(n) "Well-head tank" means a tank into which crude petroleum flowing or being pumped from a well is first discharged.

4. Excluded petroleum. - Nothing in these rules, except Chapter IX, applies to petroleum which has its flashing-point not below 200°F.

^{°4A.} Subject to the control of the President of the Union, the Chief Inspector of Explosives may, in case of public emergency, or where special circumstances exist, relax the provisions of these rules to such extent and subject to such conditions as he may deem necessary.

CHAPTER II

IMPORTATION OF PETROLEUM

5. Licence for import of dangerous petroleum.- Save as provided in sections 8,9 and 10 of the Act, dangerous petroleum shall not be imported except under a licence granted under these rules.

6. Petroleum exempted. – (1) Nothing in this Chapter applies to –

- (a) dangerous petroleum, not exceeding 6 gallons in quantity, which is not intended for sale;
- (b) dangerous petroleum contained in any fuel tank incorporated in a motor conveyance;
- (c) non-dangerous petroleum, comprised in a ship's stores and manifested as such, provided it is not of an unreasonably large amount.

(2) 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 Collector of Customs shall be final.

7. Importation by sea. - (a) No petroleum shall be imported by sea except into the ports of Akyab, Bassein, Moulmein and Rangoon.

(b) No petroleum having a flashing-point below 150°F. shall be directly imported by sea except into the port of Rangoon.

8. Declaration by master of ship carrying petroleum or by the ship's agent.- The master of every ship carrying petroleum shall deliver to the pilot, before entering any of the ports mentioned in Rule 7, a written declaration in Form A under his signature:

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

9. Delivery of certificate.- If the master or agent declares that any petroleum which it is intended to land at that port or at any other port in Burma is petroleum certified in accordance with Rule 11 he shall deliver to the pilot or Conservator of the Port, as the case may be, along with his declaration, the certificate relating to such petroleum.

10. Declaration and certificate to be forwarded to Collector of Customs.- Every declaration and certificate delivered to a pilot under Rules 8 and 9 shall be made over by him without delay to the Conservator of the Port, and every declaration and certificate received by the Conservator of the Port under Rule 8 or Rule 9 or this Rule shall be forwarded by him, with all convenient despatch, to the Collector of Customs of the Port.

11. Certified petroleum.- For the purposes of Rules 9 and 156 and Form A, petroleum shall be deemed to be certified if it is accompanied by a certificate in Form B granted at the port of shipment or, subject to the approval of the Collector of Customs, in any other form containing the material particulars required by Form B, and has a flashing -point not below 76°F.:

Provided that the Collector of Customs may refuse to accept any certificate, if he is not satisfied as to its genuineness.

12. Anchorage of ships carrying petroleum.- 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 leave such anchorage without the general or special order of the Conservator of the Port and subject to such conditions as may be specified in such order. Such anchorage shall in no case be the same as that for vessels laden with explosives and shall be at such distance from the anchorage for vessels laden with explosives as to render it impossible for a fire originating at the former anchorage to affect vessels anchored at the latter.

13. Production of certificate and licence for import.- (1) Every person desiring to import petroleum shall furnish personally or through his agent to the Collector of Customs a certificate of storage accommodation in Form C signed by the said person or his agent:

Provided that, where the importer intends to import both dangerous and non-dangerous petroleum, separate Forms shall be furnished for dangerous and non-dangerous petroleum:

Provided further that this sub-rule shall not apply where the quantity of non-dangerous petroleum to be imported by any one consignee does not exceed 500 gallons, or where the quantity of dangerous petroleum to be so imported does not exceed 60 gallons.

(2) Every person desiring to import dangerous petroleum shall produce, personally or through his agent, before the Collector of Customs his licence for the import and storage of such petroleum.

14. Permission of Collector of Customs to land petroleum.- (1) No imported petroleum shall be landed except with the permission of the Collector of Customs.

(2) If the Collector of Customs after receiving-

- (a) the testing officer's report on any petroleum;
- (b) the certificate required by sub-rule (1) of Rule 13; and
- (c) the licence, if required by sub-rule (2) of Rule 13;

and after making such further inquiries as he deems necessary, is satisfied that the petroleum can lawfully be imported and that there is suitable accommodation for it, he shall permit it to be landed.

(3) Nothing in this Rule shall affect the power of the Collector of Customs to detain the petroleum under any other law or rule for the time being in force.

15. Landing of non-dangerous petroleum in anticipation of the testing officer's report.- (1) Notwithstanding anything contained in Rule 14., where the consignee furnishes a guarantee to re-ship the petroleum if the testing officer's report proves unfavourable, the Collector of Customs may, in anticipation of the testing officer's report, permit any petroleum which he believes to be non-dangerous to be discharged into boats or to be landed.

(2) The permission granted under sub-rule (1) shall be subject to the condition that the boats into which the petroleum is discharged shall remain at such place as the Conservator of the Port may appoint or that the petroleum shall be landed at a landing place duly appointed for this purpose by him and stored in an installation licensed under these rules.

16. Unloading of petroleum in bulk.- Subject to the rules in Part II of Chapter III, petroleum imported in bulk shall be discharged into storage tanks on shore either directly or by means of barges or lighters specially constructed for carrying petroleum in bulk and only at such places as the Conservator of the Port may by general or special order direct.

17. Unloading of petroleum otherwise than in bulk.- (1) Subject to the rules in Part II of Chapter III, petroleum imported otherwise than in bulk shall be landed either at jetties provided for the purpose, or in barges or lighters and only at such places as the Conservator of the Port shall direct.

(2) No petroleum contained in casks, drums or other receptacles shall be landed unless such receptacles are free from leakage and of such strength and construction as not to be liable to be broken or to leak except in case of gross carelessness or extraordinary accident:

Provided that petroleum contained in casks, drums or other receptacles which do not satisfy the requirements of this sub-rule may, subject to the rules in Part II of Chapter III and to such conditions as the Conservator of the Port may impose, be landed at a separate landing place approved for the purpose.

18. Transhipment of petroleum.- Petroleum may be transhipped from one ship to another for conveyance to any other port, whether within or beyond the limits of Burma, subject to the rules in Part II of Chapter III.

19. Heavy petroleum.- (1) Nothing in Rules 12 to 18 inclusive applies to heavy petroleum.

(2) Notwithstanding anything contained in the preceding rules, if the master of, or agent for, a ship produces a certificate that any petroleum on board is heavy petroleum the Collector of Customs shall allow it to be discharged in the same manner as ordinary cargo:

Provided that the sampling officer may at any time require a sample of any of the petroleum to be delivered to him, with a view to having it tested.

CHAPTER III

TRANSPORT OF PETROLEUM

Part I. – General

24. Prevention of accidents.- All due precautions shall be taken at all times to prevent accident by fire or explosion.

25. Prevention of escape of petroleum. – All due precautions shall be taken at all times to prevent any escape of petroleum during transport especially into any drain, sewer, harbour, river or water course.

26. Empty receptacles.- All empty tanks or other receptacles which have contained dangerous petroleum or which have contained non-dangerous petroleum in bulk shall, except when they are opened for the purpose of cleaning them and rendering them free from petroleum vapour, be kept securely closed unless they have been thoroughly cleaned and freed from petroleum vapour.

27. Receptacles for dangerous petroleum. – (1) Dangerous petroleum, if not in bulk, shall be contained in gas-tight tinned, galvanized or otherwise externally rust-proofed sheet iron or steel receptacles which shall be fitted with well-made filling apertures and well-fitting screw plugs, or with screw caps or other caps with metal air-tight under-caps. The receptacles shall be kept in proper repair.

(2) No receptacles, other than tanks on tank-carts of a type approved in writing by the Chief Inspector, shall be of more than 65 gallons capacity excluding the air-space prescribed by sub-rule (7).

(3) The receptacles, other than tanks on tank-carts, shall be of a type approved in writing by the Chief Inspector and shall have the following thickness of metal:-

Capacity exclusive of the prescribed air-space -	Not less than
not exceeding a gallons	27 B.G.

exceeding 2 but not exceeding 4 gallons	...	22 B.G.
exceeding 4 but not exceeding 30 gallons	...	18 B.G.
exceeding 30 but not exceeding 45 gallons	...	17 B.G.
exceeding 45 gallons ... 0000	16 B.G.

(4) Where the approval of the Chief Inspector is sought to a type of receptacle not previously approved, three copies of a detailed drawing thereof to scale shall be forwarded to him.

(5) The receptacles shall be so constructed and secured as not to be liable, except under circumstances of gross negligence or extraordinary accident to become defective, leaky or insecure in transit.

(6) The receptacles shall bear a stamped, embossed, painted or printed warning exhibiting in conspicuous characters the words "Petrol" or "Motor Spirit" or an equivalent warning of the dangerous nature of the petroleum.

(7) An air-space of not less than 7(1/2) per cent of its capacity shall be left in each tank, drum or other receptacle containing dangerous petroleum.

(8) Nothing in sub-rules (1), (2), (3), (4) and (6) shall apply to receptacles in the possession of Union of Burma forces.

28. Receptacles for non-dangerous petroleum.- Non-dangerous petroleum, if not in bulk, shall be packed in air-tight tins or drums of steel or iron or in other receptacles not easily broken or in tanks permanently fixed to carts, wagons, boats or other means of carriage and of types approved by the Chief Inspector: Provided that, in the case of an unberthed passenger ship to which Part IV of the Merchant Shipping Act (India Act XXI, 1923) applies, the petroleum shall be packed either in tins enclosed in outer wooden cases or in hermetically sealed iron or steel drums or, if it is heavy petroleum, in sound well-coppered wooden casks of not more than 50 gallons capacity.

29. Restriction on delivery and despatch of petroleum. - (1) No person shall deliver any petroleum to any one other than the holder of a storage licence or his authorized agent or a Port Authority or railway administration.

(2) No person shall despatch any petroleum to any one other than the holder of a storage licence.

(3) Notwithstanding anything contained in sub-rule (2) non-dangerous petroleum not exceeding 3,000 gallons in quantity packed in sealed air-tight tins or drums of steel or iron may be despatched to a

person not holding a storage licence, provided that the person despatching the petroleum has satisfied himself that prior arrangements have been made by the person to whom the petroleum is despatched for the immediate disposal in the original packages of any quantity in excess of 500 gallons.

(4) This Rule shall not apply to the delivery or despatch of petroleum in quantities which are permitted by the Act or these rules to be stored without licence, or to any petroleum in the possession of Union or Burma forces.

Part II. – Transport by Water

30. Conditions of carriage of petroleum in bulk by water.-

Petroleum in bulk shall not be carried by water except in a ship or other vessel certified annually as suitable for the carriage of petroleum in bulk by an officer appointed by the President of the Union in this behalf, and the petroleum shall be stored in such part of the ship or other vessel and in such manner as may be approved by general or special order, by the officer so appointed after consultation with the Chief Inspector:

Provided that-

- (a) nothing in this rule shall apply to ships importing petroleum;
- (b) petroleum in tank-wagons may, with the permission in writing of the Chief Inspector and subject to such conditions as he may specify, be transported across a river by a recognised wagon ferry.

31. Requirements as to construction of vessels.- Every ship or other vessel carrying petroleum in bulk, other than a recognised wagon ferry permitted to transport tank-wagons under proviso (b) to Rule 30, must be of steel or iron well and substantially constructed with scantlings of ample dimensions in proportion to the size of the vessel:

Provided that this Rule shall not apply to open country craft carrying such class of crude petroleum in bulk as the Warden of the Oilfields, Yenangyaung, may specify in writing and subject to such conditions as he may impose.

32. Tank fittings on vessels.- In petroleum tank-ships or other vessels used for the transport of petroleum other than heavy petroleum the following provision shall apply:-

- (a) All tanks shall be fitted with independent approved filling and suction pipes and valves or with stand pipes with blank flanges, all pipes being carried down nearly to the bottom of the tanks, and no petroleum in bulk shall be taken on board or discharged except through such pipes and valves, unless otherwise permitted by the Chief Inspector in writing;

(b) All tanks shall be fitted with manholes having screwdown covers with petroleum-tight joints and, in the case of tanks intended for use with dangerous petroleum, with ventilators or relief valves of approved pattern properly protected with wire gauze of a mesh of not less than 28 to the linear inch; and

(c) ventilators similarly protected shall be fitted to all spaces around tanks:

Provided that the Chief Inspector may, by order in writing, exempt from the provisions of this Rule any vessel which was employed in transporting petroleum in bulk before the 1st April, 1937.

33. Self- propelled barges.- The following conditions shall be observed in self-propelled barges transporting petroleum other than heavy petroleum:-

- (a) The whole of the machinery shall be at the stern of the barge and shall be entirely separated from the cargo by a cofferdam consisting of two transverse petroleum proof bulkheads separated by a space of at least two feet six inches;
- (b) The barge shall be provided with a heavy wood belting; and
- (c) suitable ventilators shall be fitted to the cargo-space:

Provided that condition (a) shall not be applicable to any barge which was employed in transporting petroleum before the 1st April, 1937.

34. Petroleum in bulk on barges or flats. – (1) Petroleum in bulk shall not be transported in a barge or flat unless the barge or flat-

- (a) is self-propelled and carries at least four fire extinguishers, or
- (b) is in tow of, or otherwise attended by, a steamer or tug carrying at least four fire extinguishers.

(2) The fire extinguishers referred to in sub-rule (1) shall be of a pattern approved by the officer appointed under Rule 30 and shall be fitted in positions approved by him.

35. Inflammable cargo, or passengers.- (1) No ship or other vessel shall carry petroleum in bulk if it is carrying passengers, or any inflammable cargo other than petroleum or coal.

(2) This Rule shall not apply to heavy petroleum used as fuel and carried in cellular double bottoms under engine and boiler compartments and under ordinary holds, and in peak tanks, deep tanks or bunkers of approved construction; such oil fuel storage tanks and installations connected therewith shall comply with the provisions of Rules 228 to 243 of the Merchant Shipping (Construction and Survey of Passenger Steamers) Rules, 1935.

36. Restrictions as to inflammable cargo.- (1) No Steamer or tug employed in towing or otherwise attending a barge, flat or lighter carrying petroleum, other than heavy petroleum, in bulk shall at the same time tow or otherwise attend any other vessel carrying an inflammable cargo other than petroleum or coal.

(2) No such steamer or tug shall carry any inflammable cargo other than petroleum or coal.

(3) All such steamers or tugs shall be fitted with efficient spark arresters.

37. Ventilation and cleaning of holds and tanks.- (1) Before any petroleum is discharged from a ship or vessel the holds of such vessel shall be thoroughly ventilated:

Provided that nothing in this sub-rule shall apply to any vessel carrying dangerous petroleum not exceeding six gallons or non-dangerous petroleum not exceeding 500 gallons or heavy petroleum not in bulk.

(2) After all petroleum has been discharged from any such vessel the holds, tanks and bilges of the vessel shall be rendered free from inflammable vapour.

(3) Sub-rule (2) shall not apply to the tanks of a ship importing petroleum which leaves the port without delay after the discharge of cargo or remains only for the purpose of taking on board bunkers stores or ballast or for such other purposes as may be approved by the Conservator of the Port, if the tanks of every such ship are securely fastened down immediately after the discharge of the cargo.

(4) Sub-rule (2) shall not apply to barges or lighters continuously engaged in the transport of petroleum in bulk, if –

(a) an interval of not more than 72 hours is likely to elapse between an operation of unloading or discharging and the next loading operation; and

(b) the tanks are securely fastened down immediately after unloading.

(5) Sub-rule (2) shall not apply to specially constructed steel tank motor-vessels approved by the Chief Inspector which are engaged in transport of petroleum in bulk on such rivers and on such parts thereof as may be approved by him in areas outside port limits, or by the Conservator of the Port within port limits, if the tanks of such vessels are securely fastened down immediately after unloading and the vessels depart not later than 12 hours after completion of discharge for their next place of loading.

(6) All ships or other vessels which by sub-rules (3), (4) or (5) are exempted from the application of sub-rule (2) shall, until their holds and tanks have been rendered free from inflammable vapour, comply with all the rules applicable to ships, or other vessels when carrying petroleum in bulk.

38. Master of vessel specially responsible.- The master or other officer in charge of any ship with petroleum on board or of any vessel certified under Rule 30 shall be responsible that-

- (a) all due precautions are taken for the prevention of accident in the loading or discharge of petroleum;
- (b) so long as there is petroleum or inflammable vapour in a tank, all openings from the tank to the atmosphere, except the gas escape line, are kept closed and locked or otherwise fastened in a manner certified as satisfactory by the officer appointed under Rule 30; and when it is necessary to take dips or samples, the ullage plugs or sighting ports are closed immediately this has been done;

Provided that, subject to the provisions of clause (c), such master or officer in charge may cause the necessary openings to be opened or unlocked for the purpose of taking on board or discharging non-dangerous petroleum for cleaning the tanks, or for other sufficient reason;

- (c) every person entering a tank wears a safety helmet of a description approved by the Chief Inspector, unless a Conservator of the Port or other officer appointed by the President of the Union in this behalf has examined the tank with the aid of a vapour testing instrument and has certified it to be free from dangerous vapour;
- (d) the vessel and any steamer or tug towing or otherwise attending on such vessel exhibits conspicuously-
 - (i) from sunrise to sunset a red flag not less than three feet square with a white circular centre six inches in diameter, if dangerous petroleum is carried, and a red flag not less than three feet square if non-dangerous petroleum is carried ; and
 - (ii) from sunset to sunrise such warning lights as may be required by the Conservator of the Port;
- (e) the vessel, when carrying petroleum in bulk, at all times lies afloat unless otherwise permitted by general or special order in writing of the Chief Inspector or the Conservator of the Port;
- (f) the vessel, when carrying petroleum in bulk, is constantly under the control and personal supervision of a responsible person;
- (g) iron or steel hammers or other instruments capable of causing a spark are not used for the purpose of opening or closing the hatches or tank covers; and
- (h) footwear which exposes any iron or steel, is not worn on the deck of any vessel while the loading or unloading of dangerous petroleum is proceeding.

39. Loading and unloading by night.- (1) Where adequate electric lighting is installed and Rule 105 is complied with, tank-ships and barges may discharge or load non-dangerous petroleum at any time and

tank-ships and barges which have commenced the discharge into storage tanks on shore, or loading into their own tanks, of dangerous petroleum in bulk before sunset may continue the said discharge or loading.

- (2) Should anything occur during discharging or loading dangerous petroleum after sunset which necessitates a repair or disconnection of the plant pipes or connections, such discharging or loading shall be discontinued until after sunrise.
- (3) Save as provided by sub-rule (1), petroleum shall not be discharged or loaded, or landed between the hours of sunset and sunrise.
- (4) This Rule shall not apply to the refueling of aircraft by vessels certified under Rule 30, subject to any conditions which the Chief Inspector may impose in this behalf.

40. Loading and discharge of bulk petroleum.- (1) The loading and discharge of petroleum in bulk shall be by armoured hose and metal pipes.

- (2) All pipes and other appliances used in the landing or loading of petroleum in bulk shall be free from leakage.
- (3) When a ship has finished discharging petroleum other than heavy petroleum, the pipe line shall be immediately emptied of petroleum by pumping water through the line.
- (4) The Chief Inspector, may, by written order, grant exemptions in any particular case from the provisions of sub-rules (1) and (3).

41. Precautions on suspension of loading or discharge.- When the loading or landing of petroleum has been commenced such loading or landing shall proceed with due diligence, and, if it is discontinued, the tanks and holds of the ships or other vessels concerned and all loading or discharge valves shall be closed immediately.

42. Naked lights, fire and smoking on board a vessel prohibited.- No fire, naked light, fuses, matches, or other appliance for producing ignition or explosion and no smoking shall be allowed on board any barge, flat or lighter carrying petroleum in bulk, or on board any such vessel used for the transport of dangerous petroleum otherwise than in bulk or for the transhipment of petroleum to or from any vessel within the limits of any port:

Provided that nothing in this Rule shall prevent the use on a self-propelled barge of the machinery of propulsion.

43. Smoking, fire and light prohibited during loading and unloading.- At all times during the loading or unloading of a ship or other vessel until such time as all petroleum shall have been loaded into or removed from the holds or tanks and the holds or tanks shall have been securely closed down and, in the case of landing, rendered free from inflammable vapour, there shall be no fire or artificial light or smoking on board such ship or other vessel or within 100 feet of the place where the petroleum is being loaded or landed:

Provided that this rule shall not apply to the use of lamps, cookers or other similar apparatus, electric or otherwise, so designed, constructed and maintained as to be incapable of igniting inflammable vapour or, in the case of heavy petroleum, the use of galley fires:

Provided further that this rule shall not apply to the discharging or loading of a ship, under conditions approved by the Conservator of the Port, by means of steam from her own boilers or power generated by electric motors or internal combustion engines placed in a position away from cargo holds and pumprooms or by means of electric motors so designed, constructed and maintained as to be incapable of igniting inflammable vapour and maintained in accordance with Lloyd's or any other approved classification society's requirements.

44. Matches. – No person engaged in landing or loading petroleum shall carry fuses, matches, or any other appliance for producing ignition or explosion.

45. Fire-extinguishing appliances to be ready for use.- Vessels discharging or loading petroleum shall have adequate fire-extinguishing appliances so disposed that they can be put into immediate use, and, if the petroleum is dangerous petroleum, shall have their awnings furled.

46. Restriction on the conveyance of petroleum.- Dangerous and non-dangerous petroleum shall not be simultaneously conveyed to the shore or to another ship on the same vessel.

47. Restriction as to leaky tins.- Leaky tins or other receptacles containing petroleum shall not be discharged into a vessel containing sound tins or other sound receptacles.

48. Transport by sea of petroleum which has not been tested.- Petroleum which has been imported into any port specified in Rule 7 and which has not been tested at such port in accordance with the rules contained in Chapter IX, shall not be transported to any other port otherwise than to a port at which importation is permitted under Rule 7 and in accordance with the provisions of all the rules in Chapter II, except Rule 5, when it arrives at such other port.

49. Transport by sea of petroleum which has been tested.- Petroleum which has been tested at one of the ports specified in Rule 7 may be transported to any other port and the provisions of Rules 8 to 14, 16 and 17 shall apply to such petroleum when it arrives at such other port.

Part III.- Coastwise transport of dangerous petroleum otherwise than in bulk.

51. Application.- (1) The rules in this part apply only to the transport coastwise of dangerous petroleum otherwise than in bulk.

(2) Unless otherwise expressly provided in this part nothing contained in Part II of this Chapter, except Rule 39, shall apply to any petroleum transported in accordance with this part.

52. Maximum quantity allowed to be carried. – Dangerous petroleum may be transported otherwise than in bulk by country craft or steam or motor vessels other than unberthed passenger ships as defined in the Indian Merchant Shipping Act, 1923, subject to the provisions of Rules 53 to 62 inclusive, if the quantity of petroleum does not exceed-

(a) in the case of country craft, the licensed carrying capacity of the vessel after taking into account the weight of the barrels or tins in which the petroleum is carried; or

(b) in the case of steam or motor-vessels, 15 tons.

53. Loading of barrels and drums.- Barrels and drums shall be loaded with the bungs upwards.

54. Carriage below decks.- Dangerous petroleum shall not be carried below decks in decked vessels unless the hold is properly ventilated.

55. Provision of bulkhead.- In all vessels other than country craft a solid gas-tight bulkhead without openings, and in country craft a solid bulkhead without openings, shall be fitted between the hold and the after-deck where the crew are accommodated; and in vessels fitted with a poop the bulkhead shall be placed immediately in front of the poop. In decked vessels the bulkhead shall reach up to the deck; in all other vessels it shall reach to within six inches of the gunwhale.

56. Fire, lights and smoking.- (1) No fire, naked light of any description, and no smoking, shall be allowed on any part of a vessel transporting dangerous petroleum except abaft the solid bulkhead.

(2) The navigation lights on any such vessel, shall be carried abaft the bulkhead.

57. Carriage of other inflammable cargo.- No inflammable cargo other than dangerous petroleum or other petroleum products or the dunnage used for packing purposes shall be carried on a vessel transporting petroleum.

58. Fire buckets.- Buckets containing dry sand shall be placed at convenient points on a vessel transporting petroleum. Not less than two such buckets shall be placed on the after-deck.

59. Construction of steam or motor-vessels.- Steam or motor-vessels not specially constructed for the carriage of petroleum shall not carry petroleum unless they are constructed only of iron or steel.

60. Transport in steam or motor-vessels.- On steam or motor vessels not specially constructed for the carriage of petroleum-

(a) any petroleum shall either be carried in separate compartments which shall be gas-tight and shall be efficiently sealed, or in a hold in which there are efficient ventilators in accordance with clause (b), or on deck in accordance with Rule 61;

(b) half of the ventilators provided in accordance with clause (a) shall extend to the bottom of the space, and the other half only a short distance, below the deck; the short ventilators shall be labelled "Outlet or to Leeward" and the long "Inlet or to Windward"; such ventilators shall have large cowl heads, the openings being covered with double fine brass wire gauze;

(c) dangerous petroleum shall be contained in receptacles complying with the provisions of Rule 27; and

(d) special precautions shall be taken against smoking and the use of lights or fire of any kind while the cargo is being loaded or unloaded, or while the hatches are off, or any deck openings are uncovered; before any lights are used in a compartment which contains petroleum precautions shall be taken to ensure that the space is clear of vapour; all empty receptacles which have contained dangerous petroleum shall be kept securely closed.

61. Transport on deck.- Petroleum may be carried on deck in steam or motor-vessels not specially built for the carriage of petroleum, subject to the following conditions:-

(a) In cargo ships dangerous petroleum shall not occupy more than 50 per cent of the open deck area and shall be so stowed as not to interfere with the navigation of the ship, or make it unseaworthy;

(b) In passenger ships a limited quantity of dangerous petroleum may be carried provided proper precautions are taken regarding stowage and keeping the packages away from passenger's promenade or deck space;

(c) The petroleum shall be protected from the direct rays of the sun by the use of a canvas awning or otherwise; and

(d) Conspicuous notices shall be posted up drawing attention to the danger arising from smoking or striking matches near the deck cargo.

62. Conditions of transport by country craft.- No dangerous petroleum shall be transported in country craft except subject to the following conditions:-

(a) Subject to the provisions of Rule 27, the petroleum shall be carried-

- (i) in 40/65 gallon steel barrels the screw bungs of such barrels being well-fitting and sealed; or
- (ii) in 4-gallon sealed steel drums, not more than three tiers of which may be carried on any single vessel; or
- (iii) in 2-gallon sealed steel tins, not more than six tiers of which may be carried on any single vessel;

(b) all barrels or tins shall be carefully examined and no leaky barrels or tins shall be taken on board the craft; and

(c) no barrels, drums or tins shall be placed within four feet of the after-deck where the crew are accommodated in the case of a undecked vessel or on deck in the case of a decked vessel.

Part IV. – Transport on Land by Vehicles

63. Prohibition of fires and smoking.- (1) No fire or other artificial light capable of igniting inflammable vapour shall be allowed on any vehicle containing petroleum in bulk.

(2) No person shall smoke while on or attending such a vehicle.

(3) No article or substance capable of causing fire or explosion shall be carried on such a vehicle.

Explanation.- For the purposes of this rule any tank or other receptacle which has contained petroleum and which has not been thoroughly cleaned and freed from inflammable vapour shall be deemed to contain petroleum.

64. Filling and discharge of tanks.- (1) Tank-wagons lorries or carts transporting petroleum shall only be filled or discharged by means of metal pipes or armoured hose in which the armouring is electrically continuous throughout.

(2) Tanks, other than fuel tanks on vehicles, containing dangerous petroleum shall not be filled or discharged-

- (i) within 100 feet of any fire, furnace or artificial light capable of igniting inflammable vapour; or
- (ii) at any place where the lorry, wagon or cart is exposed to sparks:

Provided that the distance specified in clause (i) may be reduced to 30 feet when the petroleum is filled or discharged under seal and closed vapour return pipe lines are provided:

Provided further that the distance specified in clause (i) may be reduced to the figure prescribed in the licence in Form K where the petroleum is filled, stored and discharged into a tank in any premises licensed in that Form.

Explanation. - A pipe supplying liquid to a tank is “under seal” to that tank if it is screwed to the tank or otherwise attached so that no liquid or vapour can escape into the air except through an approved vent.

65. Means of extinguishing fire to be carried.- An adequate supply of dry sand or other efficient means of extinguishing fire shall be carried in an easily accessible position on every vehicle transporting petroleum in bulk by road.

66. Prohibition as to public service vehicles.- Petroleum shall not be transported on any public vehicle which is carrying passengers.

67. Vehicles to be constantly attended. – (1) Every vehicle while engaged in the transport of petroleum by road shall be constantly attended by at least one person:

Provided that such vehicles may be left unattended in places previously approved by the Chief Inspector.

(2) Every vehicle on which more than 1,000 gallons of petroleum is being transported by road, or which, while transporting any petroleum by road is being trailed by another vehicle, shall so long as it is in motion, be attended by at least two persons.

68. Trailers attached to vehicles transporting petroleum by road.- (1) A trailer not exclusively used for transporting petroleum shall not be attached to any vehicle transporting petroleum.

(2) A trailer transporting petroleum shall not be attached to any vehicle other than a vehicle used for transporting petroleum, and not more than one trailer shall be so attached.

(3) A trailer shall have two axles.

(4) When a trailer is attached to a vehicle, the total quantity of petroleum transported on the trailer and the vehicle combined shall not exceed 2,000 gallons.

(5) If a trailer transporting dangerous petroleum is attached to a vehicle transporting non-dangerous petroleum, the vehicle shall comply with all the provisions of these rules relating to vehicles transporting dangerous petroleum.

(6) A trailer other than a tank trailer shall not be attached to a tank-wagon. The capacity of a tank trailer shall not exceed 500 gallons, and no trailer shall be attached to a tank-wagon of greater capacity than 1,500 gallons.

(7) No trailer attached to a tank-wagon shall be employed within any thickly populated area without the permission in writing of the District Authority.

69. Tank capacity.- In these rules the tank forming part of a tank-wagon or tank trailer shall be deemed to include any number of tanks on the same chassis and any limitation herein prescribed on the capacity of a tank shall be construed so as to permit of the tank containing the amount specified under varying degrees of temperature.

70. Employment of electric light. – If electric lighting is employed on any vehicle, including a trailer, used in the transport of petroleum other than heavy petroleum by road, the following conditions shall be complied with -

- (i) the pressure shall not exceed sixteen volts;
- (ii) the circuit shall be heavily insulated and shall be independent of the chassis, and the wiring shall be so fixed and protected as to reduce as far as possible the risk of damage;
- (iii) the generator, battery, switches and fuses shall be carried in front of the fire-resisting screen and battery shall be in an easily accessible position; and
- (iv) means of cutting off the current close to the battery by a double-pole switch or other suitable method shall be provided.

71. Fuelling from vehicles.- (1) No motor conveyance other than aircraft shall fill or replenish its fuel tanks with petroleum other than heavy petroleum directly from vehicles carrying petroleum in bulk.

(2) Aircraft may receive fuel by means of specially constructed tank lorries or wagons only if these are of a type approved by the Chief Inspector for this purpose.

(3) During the fuelling of aircraft used for the conveyance of passengers no passenger shall be allowed to remain in the machine.

(4) No person shall be allowed to smoke within 100 feet of any aircraft while it is being, or is about to be, fuelled.

(5) All aircraft engines within the distance specified in sub-rule (4) shall be stopped so long as fuelling is in progress.

(6) Nothing in sub-rules (2) and (5) shall apply to military aircraft fuelling on military aerodromes.

72. Owner responsible for observance of rules.- The owner of a vehicle used for the transport of petroleum who employs any person in connection with such transport, shall be responsible that all necessary

measures have been taken ensure that such person is acquainted with and carries out the provisions of these rules.

73. Precautions to be observed during filling or emptying tank-wagons.- During the filling, discharging or emptying of any tank-wagon or trailer transporting petroleum in bulk other than heavy petroleum the following precautions shall be observed:-

- (i) If the vehicle is mechanically-driven the engine shall be stopped so long as the filling, discharging or emptying is in progress and shall not be restarted until all tanks and valves have been securely closed: Provided that the condition may be dispensed with in the case of vehicles approved under sub-rule (2) of Rule 71, which are supplying aircraft;
- (ii) Adequate provision shall be made to prevent the accumulation of a dangerous static charge of electricity;
- (iii) If the wagon is drawn by an animal or animals, they shall be removed from the wagon and the wheels securely scotched before the filling, discharging or emptying of any dangerous petroleum is begun; and
- (iv) The vehicle shall be constantly attended by a competent person.

74. Composite vehicles.- Petroleum in cans or other receptacles shall not be transported by road on any tank-wagons used for the transport of petroleum unless the wagon is so constructed as to comply with the conditions applicable to transport on wagons other than tank wagons as well as with the conditions applicable to transport on tank-wagons.

75. Filling and dipping pipes to be kept closed.- Except during the operations of filling or emptying a tank-wagon the filling and dipping pipes shall be kept securely closed. Where the filling pipes are not provided with a liquid seal, the covers shall be kept locked or properly sealed except during the operation of filling a tank-wagon, and the keys shall not be carried on the wagon.

76. Filling and emptying by night.- Except where approved electric lighting as specified in Rule 105 is exclusively used, the filling, discharging and emptying of tank-wagons shall be performed between the hours of sunrise and sunset.

77. Approval of vehicles for transport in bulk necessary.-

- (1) Petroleum in bulk shall not be transported by land except in a vehicle of a type approved in writing by the Chief Inspector.

(2) All such vehicles other than those exclusively used for the transport of heavy petroleum shall have a stamped, embossed, painted or printed warning exhibiting in conspicuous characters the words "Petrol," "Motor Spirit" "Kerosene" or an equivalent warning of the nature of the contents.

(3) Every such vehicle and its fittings shall be maintained in good condition.

78. Vehicles for transport other than in bulk,- (1) Every vehicle on which petroleum not in bulk is transported shall be strongly constructed and with sides and back of adequate height and shall be maintained in good condition.

(2) In the case of an animal-drawn vehicle the requirement in sub-rule (1) regarding the sides and back of the vehicle shall not apply if the load is securely fastened to the vehicle.

(3) All receptacles shall be so packed as not to project beyond the sides or back of the vehicle.

79. Engines of mechanically-driven vehicles.- (1) In every mechanically-driven vehicle used for the transport by road of petroleum other than non-dangerous petroleum not in bulk or heavy petroleum-

(a) the engine shall be of an internal combustion type;

(b) the engine fuel tank and electric batteries shall be effectively screened from the body of the vehicle by a fire-resisting shield carried up above the height of the load and down to within twelve inches of the ground; and

(c) the exhaust shall be wholly in front of the fire-resisting shield.

(2) If windows are provided in the fire-resisting shield they shall be fitted with wired glass.

(3) The fuel tank of every such vehicle other than an articulated vehicle may be behind the fire-resisting shield if -

(a) a fuel feed apparatus placed in front of the shield, is used to lift the contents from the fuel tank ; and

(b) the fuel tank is protected from blows by the frame or by stout steel guards, and the filling hole cover is provided with a lock.

(4) The fuel tank of any vehicle may be behind the fire-resisting shield if the fuel used in the engine is heavy petroleum.

(5) A quick action cut-off valve shall be fitted to the fuel feed pipe of every such vehicle in an easily accessible position, which shall be clearly marked.

80. Speed limit for vehicles.- Without prejudice to the operation of any other provision of law for the time being in force whereby a lower limit of speed is imposed, the speed of a motor tank-wagon, or a motor

lorry transporting petroleum in receptacles shall not exceed 30 miles per hour if fitted with pneumatic tyres and 15 miles per hour if fitted with solid tyres.

81. Exemptions.- (1) If the Chief Inspector is satisfied that in respect of any class of vehicle any of the requirements of Rule 68, 70, 78, and 79 may be safely suspended or relaxed, he may authorize such suspension or relaxation for such period and under such conditions as he may think fit.

(2) Nothing in Rules 68, 70, 77, 78 and 79 shall apply to vehicles and trailers in the possession of Union of Burma forces.

82. Special provision for motor conveyances.- (1) Rules 63 to 80 shall not apply to the conveyance of petroleum in any motor vehicle for use only in the propulsion of such vehicle.

(2) No motor conveyance carrying passengers on hire shall carry any petroleum other than-

- (i) petroleum in the fuel tank incorporated in the conveyance, and
- (ii) petroleum not exceeding 20 gallons in quantity intended to be used to generate motive power for the conveyance and kept in the manner provided in sub-section (2) of section 8 of the Act.

(3) During the filling or replenishment of the fuel tank of a vehicle licensed for the conveyance of more than six passengers on hire, no passengers shall be allowed to remain in the vehicle.

(4) All petroleum tins carried in a vehicle carrying passengers for hire shall be securely closed and shall be carried in a specially prepared receptacle which is not accessible to passengers in the vehicle, and is not on the roof.

Part V.- Transport by Pipe Lines

83. Application.- The rules in this part apply only to the transport of petroleum by means of pipe lines other than those in any area in which operations for the winning of natural petroleum or natural gas or both are carried on or within the limits of refineries and installations.

84. Casings.- (1) An approved casing shall be put over the pipe line where it passes under any railway or public road and an approved protective casing shall be constructed round the pipe where it crosses over any railway or protected work:

Provided that the Chief Inspector may waive this rule in the case of any specified road or roads, if he is satisfied that the safety of the public is not likely to be endangered thereby.

(2) The Chief Inspector may require an extra casing to be put over the pipe line where it crosses any stream, road, railway or protected work.

85. Patrol.- The whole of every pipe line shall be efficiently patrolled.

86. Prevention of excessive pressure.- As a precaution against excessive pressure in the pipe line, an automatic bypass relief valve and a reliable pressure gauge shall be placed on the common discharge pipe at pumping stations.

87. Telegraph and Telephone.- A telephone or telegraph line shall be provided with connections at frequent intervals along the pipe line. One telephone or telegraph line shall suffice for a series parallel pipe lines: Provided that this rule shall not apply to a pipe line connecting railway sidings with installations if the length of such pipe line does not exceed one mile.

88. Gate valves.- Gate valves shall be provided at reasonable intervals.

89. Checking of tank gauges.- Tank gauges shall be checked between stations at frequent intervals.

CHAPTER IV

STORAGE OF PETROLEUM REQUIRING LICENCE

90. Licence for storage.- Save as provided in sections 7, 8 and 9 of the Act and by Rule 109 no one shall store any petroleum except under a licence granted under these rules: Provided that no licence shall be necessary for storage in a well-head tank.

91. Precautions against fire.- (1) No person shall smoke in any installation or storage shed.

(2) No person shall carry matches, fuses or other appliance for producing ignition or explosion in any installation or storage shed which is used for the storage of dangerous petroleum.

(3) No fire, furnace or other source of heat or light capable of igniting inflammable vapour shall be allowed in any licensed installation or storage shed save in places specially authorized by the licensing authority for the purpose.

(4) An adequate supply of dry sand or earth together with the necessary implements for its convenient application, or other efficient means of extinguishing petroleum fires, shall always be kept in every installation and in or adjacent to every storage shed.

92. Supervision of operations within an installation or storage shed.- All operations within an installation or storage shed shall be conducted under the supervision of an experienced responsible agent or supervisor.

93. Cleanliness of installation or storage shed.- The ground in the interior of an installation, and the protected area surrounding any storage shed or installation, shall be kept clean and free from all inflammable material, waste, vegetation and rubbish.

Explanation.- In this rule “protected area” means the area necessary for the maintenance of the distances required under the conditions of the licence to be kept clear between any installation or storage shed and any protected work.

94. **Drainage.**-(1) All enclosures surrounding tanks or buildings belonging to an installation or storage shed shall be kept drained and no water shall be allowed to accumulate in the enclosure.

(2) Where drainage is effected by means of a pipe, the pipe shall be fitted with a valve actuated from the outside of the enclosure:

Provided that this sub-rule shall not apply to storage sheds which are not required under these rules or the terms of the licence to be provided with an enclosure wall or embankment.

(3) All valves and other openings for draining off water shall be kept closed except when water is being drained off.

(4) The nature of the drainage arrangements shall be shown in the plan submitted with the application for a licence.

95. **Exclusion of unauthorized persons.**-(1) Every installation shall be surrounded by a wall or fence of at least six feet in height:

Provided that nothing in this sub-rule shall apply to an installation licensed under the rules in force immediately before these rules come into operation unless its fencing is considered by the licensing authority to be unsatisfactory.

(2) Precautions shall be taken to prevent unauthorized persons from having access to any storage shed or installation.

96. **Children.**- No person under the age of 15 years shall be employed in or allowed to enter any premises licensed under these rules.

97. **Receptacles for petroleum.**- The provisions of Rules 26, 27 and 28 shall apply to petroleum stored under licence.

98. **Petroleum only to be stored.** - No installation or storage shed shall without permission in writing from the Chief Inspector be used for any purpose other than the storage and distribution of petroleum and purposes directly connected therewith.

99. **Marking of capacity of tanks.**- The capacity in gallons of every tank in an installation shall be conspicuously marked on the tank.

100. Construction of tanks.- (1) Every tank or other receptacle used for the storage of petroleum in bulk other than a well-head tank shall be constructed of iron or steel properly erected and designed according to sound engineering practice; and together with all pipes and fittings, shall be so constructed and maintained as to prevent any leakage of petroleum.

(2) The height of a storage tank shall not exceed its diameters:

Provided that, in the case of tanks of less than 30,000 gallons capacity, the height may extend to one and half times the diameter.

(3) No tank shall be more than 50 feet in height.

101. Testing of tanks.- (1) Storage tanks or other receptacles for the storage of petroleum in bulk other than well-head tanks, after being placed in a final position and before being brought into use, shall, unless they were in use before 1 st April 1937, be tested by water pressure by the licensee in the presence of an Engineer accepted as qualified for the purpose by the licensing authority.

(2) The water used for testing shall be free from petroleum and shall not be passed through any pipes or pumps ordinarily used for the conveyance of petroleum:

Provided that, where the licensing authority is satisfied that it is not reasonably possible to convey water by pipes or pumps other than those ordinarily used for the conveyance of petroleum, he may permit the use of a petroleum-pipe or pump for the conveyance of water subject to such conditions as he may impose.

(3) The test referred to in sub-rule (1) shall also be made before any receptacles for the storage of petroleum in bulk are brought into use after being repaired.

102. Earthing of tanks.- All tanks or other receptacles for the storage of petroleum in bulk, other than well-head tanks or tanks or receptacles of less than 10,000 gallons capacity, containing heavy petroleum, shall be electrically connected with the earth in an efficient manner by means of not less than two separate and distinct connections placed at opposite extremities of such tank or receptacle. The roof and all metal connections of such tank or receptacle shall be in efficient electrical contact with the body of such tank or receptacle.

103. Inspection of earth connections. - (1) The connections and contacts required by Rule 102 shall be inspected and tested at least once in every year by the licensee of the tank or receptacle in the manner prescribed by the Chief Inspector.

(2) A record of such inspections and tests shall be maintained by such licensee, and shall be produced on demand by any Inspector.

104. Night working.- No installation or storage shed shall be open, and no work in any installation or storage shed shall be permitted, between sunset and sunrise except where approved electric lighting as specified in Rule 105 is exclusively used.

105. Electric apparatus.- (1) All electric wires installed at less than 15 feet from the ground in any petroleum installation or situated within 20 feet of any building or tank containing dangerous petroleum shall consist of insulated cables, enclosed in metallic coverings which shall be gas-tight, electrically and mechanically continuous throughout, and effectively earthed outside the building.

(2) No electric wire shall pass over any petroleum tank, filling, painting or storage shed.

(3) In filling, painting and storage sheds and pump rooms used for -

(a) dangerous petroleum-

(i) all electric meters, distribution boards, switches, fuses, plugs and sockets shall be placed outside the building and shall be of flame-proof construction satisfying the requirements of the British Standard Specification No. 229, and the frames shall be effectively earthed;

(ii) all electric fixed lamps shall be enclosed in a well glass flame-proof fitting, either doubly enclosed with an inner and an outer well glass or singly enclosed with substantial metal protection; such lamps shall be installed at 12 feet where possible, but in no case less than 8 feet, above the floor level;

(iii) all electric portable hand lamps of the self-contained pattern shall be of a type approved by the Chief Inspector;

(iv) for the examination of cans and other containers, electric torches employing a separate battery may be used; these torches shall be fitted with substantially protected flame-proof globes and shall be supplied through a cable of cab-tyre or other suitable sheathing and properly constructed flame-proof connectors; and

(v) no single fixed lamp shall exceed 150 watts, [unless otherwise permitted by the Chief Inspector in writing.]

(b) non-dangerous petroleum-

- (i) all electric meters, distribution boards, switches, fuses, plugs and sockets shall be enclosed in iron-clad, gas-tight cases and shall be fixed at least 5 feet above the floor level in well ventilated positions close to the door;
- (ii) all electric fixed lamps shall be enclosed in a gas-tight well glass fitting provided with substantial metal protection;
- (iii) all electric portable hand lamps shall be fitted with substantially protected gas-tight globes and supplied through a flexible cab-tyre or other suitable sheathing and properly constructed gas-tight connectors; and
- (iv) no single fixed lamp shall exceed 200 watts and no hand lamp shall exceed 30 watts *[unless otherwise permitted by the Chief Inspector in writing.]

106. Pumping.- No internal combustion engine or electric motor shall be used for driving pumps for pumping petroleum save in a pump house specially constructed for the purpose and under such conditions as may be approved by the Chief Inspector;

Provided that this rule shall not apply where the motor, control switch gear and starting apparatus are of flameproof construction satisfying the requirements of the British Standard Specification No. 229.

107. Posting up of rules and conditions.- Copies of the preceding rules in this Chapter and of the conditions of the licence shall be exhibited in a conspicuous place in every licensed installation and storage shed.

108. Petroleum in possession of Union of Burma Forces.- Nothing in Rules 90, 95, 98, 101 and 104 shall apply to petroleum in the possession of Union of Burma Forces.

CHAPTER V

STORAGE OF PETROLEUM NOT REQUIRING LICENCE

109. Exemption of heavy petroleum.- (1) Notwithstanding anything contained in these rules, it shall be permissible to store without licence subject to the conditions of this Chapter, heavy petroleum in quantities not exceeding 10,000 gallons, which is not stored in the same installation or storage shed as other petroleum.

(2) The provisions of Chapter IV shall not apply to petroleum so permitted to be stored without licence under sub-rule (1).

110. Storage of exempted heavy petroleum in bulk.- (1) Heavy petroleum in bulk, if stored otherwise than under a licence, shall be stored in a tank constructed of iron or steel properly erected and designed and

the tank with all pipes and fittings shall be so constructed and maintained as to prevent any leakage of petroleum.

(2) All tanks of a capacity exceeding 1,000 gallons shall be surrounded by a bank or wall, or sunk in a pit, so constructed and maintained as to be able to contain without leakage the whole of the petroleum liable to be present at any one time in the tank.

(3) A distance of not less than ten feet shall be kept clear between protected works and the enclosure walls or banks.

(4) Nothing in this rule shall apply to petroleum in the possession of Union of Burma Forces.

111. Storage of exempted heavy petroleum not in bulk.- Heavy petroleum which is not in bulk, if stored otherwise than under a licence, shall, if the quantity exceeds 500 gallons, be stored in a storage shed of which either-

(a) the doorways and other openings shall be built up to a height of one foot above the level of the floor ; or
(b) the floor shall be sunk to a depth of one foot.

112. Prior report of storage of exempted heavy petroleum.- Every person intending to store heavy petroleum in quantity exceeding 1,000 gallons otherwise than under a licence shall send to the Chief Inspector a prior report stating the situation of the premises on which such petroleum is to be stored.

113. Garages and hangars.- (1) Every garage or hangar used for housing any motor conveyance containing dangerous petroleum in bulk in any tank incorporated in the conveyance, whether such petroleum is intended to be used to generate motive power for the conveyance or not, shall be constructed of uninflammable material and be effectively and safely ventilated to the open air.

(2) Every such garage or hangar shall be in charge of a competent person who shall be responsible for taking all proper precautions against fire and shall prevent unauthorized persons from having access to the building.

CHAPTER VI

LICENCES

114. Application for licence.- (1) A person wishing to obtain or to renew a licence prescribed under these rules shall submit an application in writing to the authority empowered to grant such a licence.

(2) Every application for the grant or renewal of a licence to store or to import and store petroleum shall be in Form D.

115. Grant of licence.- (1) Licences for importation and storage may be granted by the licensing authorities set forth in Schedule I in the forms; for the purposes, and on payment of the fees, specified therein.

(2) A licence in Form H may be granted for such period as the licensing authority may deem necessary subject to a maximum of twelve months, Every other licence granted or renewed under these rules shall remain in force until the 31st day of December of the year for which the licence is granted or renewed.

(3) Where the licensing authority is the Chief Inspector, an applicant for a new licence may apply to the District Authority for a certificate to the effect that there is no objection to the applicant receiving a licence for the site proposed and the District Authority shall, if he sees no objection, grant such certificate to the applicant who may forward it to the Chief Inspector with his application in Form D.

(4) The Chief Inspector may refer an application not accompanied by a certificate granted under sub-rule (3), to the District Authority for his observations.

(5) If the District Authority, either on a reference being made to him or otherwise, intimates to the Chief Inspector that any licence which has been applied for should not in his opinion be granted, such licence shall not be issued without the sanction of the President of the Union.

(6) No licence in Form H shall be granted except to a person holding a licence in Form I.

(7) In the case of a licence granted for storage one copy of the plan or plans of the storage premises signed in token of approval by the licensing authority shall be attached to the licence and one copy shall be filed for record in the office of the licensing authority.

116. Particulars of licence.- Every licence 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.

117. Power of licensing authority to alter conditions.-

(1) Notwithstanding anything contained in Rule 116 the licensing authority, at the time of issuing a licence, may omit, alter or add to any of the conditions specified in the prescribed form of licence.

(2) The power conferred by sub-rule (1) shall not be exercised by the District Authority without the prior concurrence of the Chief Inspector.

118. Amendment of licence.- (1) Any licence granted under these rules may be amended by the authority granting such a licence:

Provided that the amendments shall not be inconsistent with any rule in this Chapter.

(2) A licensee who desires to have his licence amended shall submit it to the licensing authority with an application stating the nature of the amendment and the reasons therefor.

(3) The fee for the amendment of a licence shall be one kyat plus the amount (if any) by which the fee that would have been payable if the licence had originally been issued in the amended form exceeds the fee originally paid for the licence.

119. Renewal of licence.- (1) A licence may be renewed by the authority empowered to grant such a licence.

(2) Every application for the renewal of a licence shall be made not less than 30 days before the date on which the licence expires, and if the application is so made, the premises shall be held to be duly licensed until such date as the licensing authority renews the licence or until an intimation that the renewal of the licence is refused has been communicated to the applicant.

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

120. Refusal of licence.- (1) A licensing authority refusing to grant, amend or renew a licence, shall record his reasons for such refusal in writing.

(2) A copy of the order containing the reasons for such refusal shall be given to the applicant on payment of a fee of one kyat.

121. Cancellation of licence.- (1) Every licence granted under these rules shall be liable to be cancelled by order of the licensing authority for any contravention of the Act or of any rule thereunder, or of any condition contained in such licence.

(2) A licensing authority cancelling a licence shall record his reasons for so doing in writing.

(3) A copy of the order containing the reasons for the cancellation of a licence shall be given to the holder of the licence on payment of a fee of one kyat.

122. Appeals.- (1) Any person may appeal to the President of the Union from an order of the Chief Inspector refusing to grant, amend or renew a licence or cancelling of licence.

(2) Any person may appeal to the immediate official superior of the District Authority from an order of the District Authority refusing to grant, amend or renew a licence or cancelling a licence.

(3) Every appeal shall be in writing and shall be accompanied by a copy of the order against which the appeal is made.

(4) The appeal shall be presented within 30 days when the order appealed against has been passed by the District Authority and within 60 days when the order has been passed by the Chief Inspector.

123. Supply of rules.- With every licence granted for the storage of petroleum, a copy of Rules 90 to 107 in Chapter IV, shall be given free of charge to the licensee.

124. Certificates of safety.- (1) Before petroleum is stored in any installation for which a licence is being granted for the first time , a certificate shall be furnished to the licensing authority to the effect that all enclosure walls and embankments constructed in accordance with the conditions of the licence are of such a nature as to ensure safety.

(2) The certificate shall be signed by an Engineer accepted as qualified for the purpose by the licensing authority.

(3) When the licence is not granted for the first time, but is being 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 licence is stored in the installation.

125. Transfer of licence for storage.- (1) The holder of a licence for the storage of petroleum may, at any time before the expiry of the licence, apply for permission to transfer his licence to another person.

(2) Such application shall be made to the licensing authority who shall, if he approves of the transfer, enter upon the licence, under his signature, an endorsement to the effect that the licence has been transferred to the person named.

(3) A fee of one kyat shall be charged on each such application.

(4) The person to whom the licence is so transferred shall enjoy the same powers and be subject to the same obligations under the licence as the original holder.

126. Procedure on death or disability of licensee. - (1) If a licensee dies or becomes insolvent or mentally incapable or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or confiscation under the Act, or these rules for exercising the powers granted to the licensee by the licence during such time as may reasonably be required to allow him to make an application for a new licence in his own name for the unexpired portion of the original licence.

(2) A fee of one kyat shall be charged for a new licence for the unexpired portion of an original licence granted to any person applying for it under this rule.

127. Loss of licence.- Where a licence granted under these rules is lost or accidentally destroyed, a duplicate may be granted on payment of a fee of one kyat.

128. Payment of fees.- (1) Every application for the grant or renewal of a licence shall be accompanied by the fee payable thereon. If the licence is not granted or renewed, the fee shall be refunded.
(2) The payment of all fees under these rules shall be made by Treasury Chalan.

129. Power to exempt from payment of fees.- The President of the Union may, by general or special order, grant exemption from, or reduction of, any fee payable under these rules.

130. Production of licence on demand.- (1) Every person holding or acting under a licence granted under these rules shall produce it, or an authenticated copy of it, at the place to which the licence applies, when called upon to do so by any Inspector.
(2) Copies of any licence may, for the purposes of this rule, be authenticated free of charge by the authority which granted the licence.

131. Procedure on reports of infringements.- The District Authority shall inform the Chief Inspector of the action taken by him on any reports of infringements of the Act or of these rules which the Chief Inspector may make to him.

CHAPTER VII

REFINING AND BLENDING OF PETROLEUM

132. Approval of refinery.- (1) No person shall refine or blend petroleum unless the plans showing the general arrangement of tanks, stills, fencing, gates and all plant and buildings at the place where it is proposed to refine or blend petroleum (hereinafter in this Chapter referred to as the refinery) have been approved by the Chief Inspector.
(2) The Chief Inspector on receiving an application under sub-rule (1) may require the submission of such particulars as he may specify regarding the materials used or to be used in the construction of stills, condensing pipes and tanks, and the method of their erection.

133. Retention of plans.- A copy of the approved plans, which shall incorporate any alterations sanctioned under Rule 135 from time to time shall be kept at the refinery.

134. Application of Rules.- Rules 135 to 147 inclusive apply only to refineries.

135. Alterations.- No alterations in a refinery involving the general arrangement of tanks, stills, any other plant and buildings or the materials used in the construction or the method of erection of the stills,

condensing pipes and tanks shall be carried out without the previous sanction in writing of the Chief Inspector.

136. Use of fire-proof materials.- All buildings in which petroleum is handled shall be built of fire-proof materials.

137. Situation of Storage tanks.- No Storage tank, the capacity of which exceeds 50,000 gallons, shall be situated nearer than 300 feet to any still, boiler or furnace.

138. Size of service tanks.- Unless specially permitted by the Chief Inspector service tanks (i.e., tanks which contain fuel for boiler and still fires) shall not be larger than is necessary to conserve 24 hours fuel for the fire which they serve.

139. Drainage.- Suitable arrangements shall be made for the proper carrying off and fire-trapping of all drainage and possible leakage from a still or bench of stills.

140. Fires and smoking.- (1) No fire, furnace or source of heat or light capable of igniting inflammable vapour shall be allowed except in the firing spaces of stills or boilers.

(2) No smoking shall be allowed except in spaces or buildings specially approved for the purpose by the Chief Inspector.

141. Supply of sand or earth.- (1) An adequate quantity of dry sand or earth together with the necessary implements for its convenient application or other efficient means of extinguishing petroleum fires shall always be kept readily accessible near tanks and stills.

(2) The Chief Inspector may specify the quantity of dry sand or earth which shall be deemed to be adequate for the purposes of this rule.

142. Hydrants and hoses.- (1) In a refinery with a still capacity exceeding on an average 1,000 gallons daily, hydrants with a minimum pressure of 40 lbs. with the necessary hose, shall be provided at suitable points. Their location shall be shown in the approved plans of the refinery.

(2) All hydrants and hose shall be kept in an efficient condition.

143. Pumping of dangerous Petroleum.- All dangerous petroleum as it leaves the stills, with exception of such quantities as may be pumped direct to service tanks, for fuel, shall be at once pumped out of the refinery to storage tanks, and shall not be stored in the immediate neighbourhood of stills and boilers: Provided that the Chief Inspector may permit dangerous petroleum to be disposed of otherwise.

144. Prevention of danger from electricity.- Adequate provision shall be made to prevent the accumulation of dangerous static charges of electricity.

145. Plans.- Fire walls and efficient separators for drainage shall be shown in the plans referred to in Rule 132 and may be required to be erected when deemed necessary by the Chief Inspector.

146. Reports of fires.- The occurrence of any fire at a refinery shall be reported immediately by the person in charge of the refinery for the time being to the nearest Police-station and to the Chief Inspector.

147. Closing of refinery.- If a refinery is closed down, the area within the fence surrounding it shall be cleared of all petroleum having a flashing point below 200°F. as soon as possible.

CHAPTER VIII

TETRA ETHYL LEAD MIXTURES

148. Addition of tetra ethyl lead.- Tetra ethyl lead shall not be added to petroleum in such quantity as to render the proportion of tetra ethyl lead to petroleum in excess of one part in 1,000 parts by volume or one part in 450 parts by weight.

149. Importation, transport and storage.- No person shall import, transport or store any petroleum containing tetra ethyl lead in which the proportion of tetra ethyl lead exceeds one part in 1,000 parts by volume or one part in 450 parts by weight.

150. Power to increase proportion.- The Chief Inspector may by an order in writing in special cases permit the proportions of tetra ethyl lead prescribed in Rules 148 and 149 to be increased.

151. Colouration.- Every mixture of petroleum and tetra ethyl lead shall be distinctively coloured before being sold to the public.

152. Marking of receptacles.- All receptacles containing a mixture of petroleum and tetra ethyl lead shall unless they are in the possession of Union of Burma Forces bear a warning in the following terms:-

“Warning

This spirit contains lead and should be used as a motor fuel only.”

CHAPTER IX

TESTING OF PETROLEUM

153. Drawing of samples.- (1) In all cases the sampling officer shall personally superintend the drawing of the sample. Where the sample is drawn from an original unopened receptacle containing petroleum not in bulk the opening shall be sufficient to admit of the sample being rapidly transferred from the receptacle.

(2) Two bottles, each of the capacity of about 40-fluid ounces, shall be filled to three-quarters of their capacity with the sample and corked. The corks shall be driven home and cut off level with the neck; and melted sealing wax shall be worked into the corks and the bottles shall be efficiently sealed.

(3) In the case of petroleum imported by sea the bottles containing the sample shall, after being sealed, be labelled with the name of the ship, the name of the consignee, and such other distinguishing marks as may be necessary.

154. Forwarding and retention of samples.- One of the bottles referred to in sub-rule (2) of Rule 153 shall be preserved for reference in case of need and the other shall be forwarded to the testing officer.

155. Procedure for delivery of samples from ship's cargo.- (1) When the master of, or the agent for, a ship has made the declaration required by Rule 8, the sampling officer shall go on board the vessel and obtain samples of all the petroleum on board which it is intended to land at the port. If the importer so desires the sampling officer shall also take samples of all the petroleum on board which it is intended to land at any other port in Burma:

Provided that no sample need be taken of petroleum which is declared to be dangerous.

(2) The master shall deliver to the sampling officer, without, charge, samples of every variety of petroleum comprised in the petroleum of which samples are to be taken under sub-rule (1). Such samples shall, if the sampling officer so requires, be taken from the particular receptacles indicated by him:

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

156. Selections of sample from ship's cargo.- The minimum number of samples to be selected of each brand or quality contained in the cargo shall be as follows:-

(a) of petroleum certified in accordance with Rule 11 –

- (i) in cases-one sample for every 15,000 cases or part thereof;
- (ii) in casks or drums, declared to be of uniform quality-one sample for every 120,000 gallons or part thereof;
- (iii) in bulk or tanks- one sample from each group of tanks or tank compartments certified to be of the same brand or quality.

(b) of other petroleum-

- (i) in cases-one sample for every 10,000 cases or part thereof;
- (ii) in casks or drums, declared to be of uniform quality-one sample for every 80,000 gallons or part thereof;

(iii) in bulk or in tanks-one sample from each tank or tank compartment.

157. Standard Test Apparatus.- (1) The Standard Test Apparatus and thermometers shall-

(a) agree in every respect with the specifications laid down in Schedule III; and

(b) have been tested and certified by the Board of Trade or the National Physical Laboratory, London, and marked with the year of test.

(2) The standard thermometers shall be replaced at least once in every three years.

158. Certification of apparatus.- (1) When any apparatus for determining the flashing-point of petroleum is submitted to the officer appointed under sub-section (1) of section 15 of the Act for comparison with the Standard Test Apparatus, that officer shall examine the apparatus including the thermometers and the barometers or aneroids.

(2) No certificate shall be granted under section 16 of the Act if-

(a) the apparatus is in any respect outside the tolerances laid down in Schedule III to these rules or is otherwise defective; or

(b) any thermometer shows readings varying by more than 1°F. at temperatures of 76°F. and 123°F as given by the Standard Test Apparatus; or

(c) any barometer or aneroid shows a variation of more than half an inch from the pressure given by the Standard Test Apparatus.

(3) A certificate in Form E shall be granted in respect of any apparatus which has been found to agree with the Standard Test Apparatus within the limits mentioned in sub-rule (2)

(4) A certificate granted under this rule shall be valid for a period of three years.

159. Register of certificates. -A register of all certificates granted under Rule 158 shall be maintained in Form F by the officer appointed under sub-section (1) of section 15 of the Act.

160. Methods of test.- (1) The testing officer shall test the samples in the manner laid down in Schedule III to these rules.

(2) In all cases at least three samples shall be separately tested, the average of the three readings being corrected for the thermometer correction, if any, and for the barometric correction in case of dispute.

(3) If the average flashing-point is not lower than 79°F. and no one test gives a flashing-point below 73°F. the whole of the petroleum represented by the samples shall be deemed to be non-dangerous petroleum.

161. Procedure when tests show want of uniformity.- (1) If the testing officer, after testing samples taken from a ship's cargo, considers further test necessary to satisfy himself that none of the petroleum is dangerous, he shall report to the Collector of Customs accordingly.

(2) On receipt of a report under sub-rule (1) –

- (a) when the consignment is imported in cases or casks or drums, the Collector of Customs shall cause the petroleum in question to be landed and stacked in lots of not more than 1,500 cases or casks or drums each, or to be discharged into boats each containing not more than 1,500 cases or casks or drums and the sampling officer shall select and deliver to the testing officer one sample from each lot;
- (b) when the consignment is imported in bulk, the sampling officer shall forward a second sample and the Collector of Customs may, until the receipt of the testing officer's further report, 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 15;
- (c) if the petroleum has been already landed and stored under Rule 15-
 - (i) if it is not in bulk it shall be divided into lots and samples of each lot shall be selected as provided in clause (a) ;
 - (ii) if it is in bulk samples it shall be drawn from each separate storage tank containing the petroleum.

162. Certificate of tests- (1) The testing officer shall as soon as practicable, and ordinarily within twenty-four hours after receipt of any samples make out a certificate in Form G and shall forward it in the case of samples of petroleum taken on board a ship to the Collector of Customs and in the case of other samples to the officer submitting the sample.

(2) The testing officer shall, at the request of any person concerned, furnish him with a certified copy of the certificate in Form G on payment of a fee of one kyat.

163. Fees for Inspection and Comparison.- (1) The fee for each inspection of the Standard Test Apparatus shall be one kyat.

(2) The fees for comparing a privately-owned test apparatus with the Standard Test Apparatus shall be as follows:-

Rs.

abel Flash Point Apparatus	...	30
or	...	
Pensky-Martens Apparatus	...	
Barometer	...	10
Thermometer	...	10

164. Fees for Testing. -(1) The fee for testing each sample of imported petroleum shall be five kyats.

Provided that the aggregate fees chargeable under this sub-rule shall not, in the case of any one ship, exceed K. 50.

(2) The fees for re-testing each sample under section 20 of the Act shall be five kyats. It shall be refunded if the original test is proved to be erroneous.

----- Footnote -----

- (1) Rule 3.(d) (ii) = Judicial Department Notification No. 203 of 7th June 1939.
- (2) Rule 4A. = Added by Judicial Department Notification No. 164 of 3rd April 1939.
- (3) Rule 7. by sea. = As amended by Judicial Department Notification No. 280 of 7th June 1930.
- (4) Rules 20-23 =20 Rules 10 to 23 are omitted as they are not applicable to the Union of Burma.
- (5) Sec 105. (3) (a) (v) 105 (3) (b) (iv), [unless ... in writing.] = Added by the Ministry of Industry and Mines Notification No. 63 of 11 th September 1948.
- (6) Sec 128. (2) = Judicial Department Notification No. 170 of 17th September 1937.
- (7) page 59, Schedule I, Licenses (vide Rule 116) = Added by Department of Public Work and Health Notification No. 177, dated 15th June 1940.

----- Attachment -----

[ATTACH LIST 1] 01 SCHEDULE I. LICENCES (vide Rule 116.)

[ATTACH LIST 2] 02 SCHEDULE II. FORMS. Form A. [See Rule 8.] Declaration to be made by the master of a ship carrying petroleum before entering a port or by the ship's agent.

[ATTACH LIST 3] 03 Form B. [See Rule 11.] Certificate of Imported Petroleum. Certificate of Imported Petroleum.

[ATTACH LIST 4] 04 Form C. [See Rule 13.] Certificate of Storage Accommodation. Certificate of Storage Accommodation.

[ATTACH LIST 5] 05 Form D. [See Rule 114 (2).] Application for the grant renewal of a licence to store or to import and store petroleum.

[ATTACH LIST 6] 06 Form E. [See Rule 158 (3).] Certificate of Apparatus. Certificate of Apparatus.

[ATTACH LIST 7] 07 Form F. (See Rule 159.) Register of Certificates of Apparatus.

[ATTACH LIST 8] 08 Form G. (See Rule 162.) Certificate of Tests of Petroleum.

[ATTACH LIST 9] 09 Form H. (Article 1 of Schedule I.)

[ATTACH LIST 10] 10 Form I. (Article 2 of Schedule I)

[ATTACH LIST 11] 11 Form J. (Article 3 of Schedule I.)

[ATTACH LIST 12] 12 Form K. (Article 4 of Schedule I.)

[ATTACH LIST 13] 13 Form L. (Article 5 of Schedule I.)

[ATTACH LIST 14] 14 Form M. (Article 6 of Schedule I.)

[ATTACH LIST 15] 15 SCHEDULE III. METHODS OF TESTING PETROLEUM.Determination of Flashing-point.

(See Rules 157 and 160.) I. Apparatus to be used.