

THE STATUTES OF THE REPUBLIC OF SINGAPORE

PETROLEUM ACT

(CHAPTER 229)

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Amended by

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Petroleum Act

ARRANGEMENT OF SECTIONS

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An Act relating to the carriage and storage of petroleum.

[26th November 1909]

Short title.

1. This Act may be cited as the Petroleum Act.

Interpre-
tation.

2. In this Act and in any rules made under it —

“case” means a receptacle containing not more than 36 litres, and when used of petroleum in bulk means 36 litres;

“dangerous petroleum” means petroleum which has a flashing point below 23° Celsius, or such standard as is fixed by the Minister to be ascertained as provided in this Act;

“dangerous petroleum anchorage” means any place prescribed for ships carrying dangerous petroleum;

“dwelling-house” includes all buildings and open spaces appurtenant thereto;

“export”, with its grammatical variations and cognate expressions, means to take or cause to be taken out of Singapore by sea or land;

“import”, with its grammatical variations and cognate expressions, means to bring or cause to be brought into Singapore by sea or by land;

“licensed store” means a place licensed for the storage of petroleum or dangerous petroleum under sections 18 and 19;

“local trade ship” has the meaning given to that expression in the Merchant Shipping Act;

“passenger ship” means a Singapore ship carrying more than 12 passengers from any place or between any places in Singapore;

“petroleum” includes the liquids commonly known by the names of rock oil, Rangoon oil, Burma oil, kerosene, paraffin oil, petrol, gasoline, benzol, benzoline, benzine, naphtha and any like inflammable liquid, whether a natural product or one that is made from petroleum, coal, schist, shale or any other bituminous substance, or from any products thereof;

“petroleum in bulk” means petroleum in any vessel or receptacle having a capacity of 1,364 litres or more;

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“place” includes houses, yards and open spaces appurtenant thereto, buildings, footways, quays, landing stages, sea-walls, sea-beach and the banks of any river, canal or creek;

“port” means any port or place declared by rule under this Act to be a port for the purposes of this Act;

“Port Master” includes a Deputy Port Master;

“transport” means to remove from any place or vessel to any other place or vessel within Singapore;

“vessel” includes every kind of steam or sailing vessel, hulk, junk, boat, sampan or any kind of craft used for the conveyance of persons or things by water or for storage.

Import and export of petroleum

3. No petroleum or dangerous petroleum shall be imported except at a port or at such other place as is appointed for that purpose by the Minister by a notification in the *Gazette*. Petroleum to be imported and exported at appointed places.

4.—(1) No person shall import or export petroleum or dangerous petroleum except under and in accordance with this Act or any rules made thereunder. Petroleum to be imported and exported only in accordance with this Act.

(2) No petroleum or dangerous petroleum contained on board any vessel in properly constructed bunkers or receptacles and used solely as the propelling power of the vessel shall be deemed to have been imported or exported contrary to this Act.

5.—(1) No vessel having dangerous petroleum on board as cargo shall enter the limits of any port, except for the purpose of proceeding direct to the dangerous petroleum anchorage or to some place exempted from this section under section 26 (2), without the permission previously obtained in writing of the Port Master. Vessels carrying dangerous petroleum to obtain permission to enter port limits.

(2) The Port Master's permit under this section shall contain such conditions as in the circumstances of the case appear to him to be reasonable, and shall state the hours during which the vessel may remain within the limits of the port.

(3) The hours shall be such as permit of the dangerous petroleum being landed and stored before 7 p.m. of the day on which the vessel enters the limits of the port.

Penalty.

(4) The master of a vessel that enters any port in contravention of this section, or commits a breach of the conditions of a permit, shall be guilty of an offence and shall be liable on conviction to a fine of \$2,000 and the dangerous petroleum on board the vessel may be seized and forfeited.

Notice of
arrival of
vessels to be
given.

6.—(1) The master of any vessel carrying petroleum or dangerous petroleum, or the importer, consignee or owner of any petroleum or dangerous petroleum carried in any vessel as cargo shall, on arrival of the vessel, except where the owner or agent of the vessel has previously so done, notify the Port Master of the name of the vessel, together with such other particulars as enable the petroleum or dangerous petroleum to be properly inspected.

Penalty.

(2) If any breach of this section is committed, the master, owner and agent of the vessel shall each of them be guilty of an offence, and for each such offence shall be liable on conviction to a fine not exceeding \$500.

Permit to
land
petroleum.

7.—(1) No petroleum or dangerous petroleum shall be taken out of any vessel until a permit therefor has been granted by the Port Master, or landed except in accordance with the conditions set forth in the permit and at the place stated in the permit.

(2) No such permit shall be given until the petroleum has been tested and, provided that the inspector thinks it necessary, the receptacles containing the dangerous petroleum inspected and passed in accordance with this Act or any rules made thereunder.

(3) In the case of dangerous petroleum, the permit shall not be granted until the licence to store it, required by this Act or any rules or by-laws made thereunder, has been produced.

Penalty.

(4) Any person who takes or lands any petroleum or dangerous petroleum in contravention of this section, or permits the petroleum or dangerous petroleum to be so taken or landed, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

Presumption.

(5) For the purposes of this section the master of any vessel from which any petroleum or dangerous petroleum is taken shall be deemed to have permitted it to be so taken.

8. All petroleum which on being examined and tested as provided by the rules made under this Act is found to have a flashing point higher than 66° Celsius shall thereupon cease to be subject to this Act.

Certain petroleum not subject to this Act.

9.—(1) All petroleum or dangerous petroleum referred to in section 7 shall be landed and stored in licensed premises as soon as possible after the granting of the permit therein referred to.

Petroleum not to be landed after 7 p.m. and before 7 a.m.

(2) No petroleum or dangerous petroleum shall be landed after 7 p.m. and before 7 a.m. except in the case of loading or discharging petroleum in bulk into or from tank steamers.

(3) Any person who commits a breach of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

Penalty.

10.—(1) Any vessel having petroleum on board as cargo, whether it is intended to be discharged or transhipped or is merely passing through a port or has been loaded in the port, shall, on being so ordered by the Port Master, proceed to such anchorage as the Port Master directs, whether within or without the limits of the port.

Anchorage of vessels carrying petroleum.

(2) In default of compliance with any such order the master of the vessel shall be liable on conviction to a fine not exceeding \$1,000.

Penalty.

11.—(1) No vessel shall load or carry petroleum or dangerous petroleum, whether in the hold or on deck, except under the conditions and restrictions imposed by this Act or any rules made thereunder.

Carriage of petroleum in ships.

(2) If any petroleum or dangerous petroleum is loaded or carried in any vessel in contravention of this section, the owner, charterer, master and chinchew of the vessel shall each of them be guilty of an offence and shall be liable on conviction to a fine not exceeding \$4,000.

Transport

12. No person shall transport any petroleum or dangerous petroleum except under and in accordance with this Act or any rules or by-laws made thereunder.

Transport of petroleum to be in accordance with this Act.

Port Master's permit to transport required.

13.—(1) No person shall transport dangerous petroleum in a larger quantity than 18 litres within the limits of a port without the Port Master's written permit.

Penalty.

(2) Any person who transports dangerous petroleum in contravention of subsection (1) or in breach of the conditions of that permit shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Restriction on transport of petroleum.

14.—(1) No person shall transport dangerous petroleum or more than 5 cases of petroleum after 7 p.m. and before 7 a.m. without the express permission (which may be general or special) of the Minister.

(2) Nothing in this section shall apply to dangerous petroleum carried in the supply tank or a spare container of a motor vehicle for use in the propulsion thereof, or to any vessel, having petroleum on board as cargo, lying in any river, canal or creek waiting for daylight to proceed.

Penalty.

(3) Any person who contravenes this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

Provisions regarding vessel remaining in port, river, etc.

15.—(1) No vessel shall remain in any port except at a dangerous petroleum anchorage or at a place exempted under section 26 (2), or in any river, canal or creek, which has on board as cargo, whether for transport or storage, any dangerous petroleum for a longer time than is reasonably necessary for loading or unloading, and in no case after 7 p.m. and before 7 a.m.

(2) No vessel shall remain in any river, canal or creek which has on board, either as cargo or otherwise, more than 5 cases of petroleum for a longer time than is necessary for loading or unloading.

(3) Ships, the propelling power of which is obtained by dangerous petroleum, shall not be subject to this section if the receptacles for the storage of such dangerous petroleum are approved by a Government surveyor of ships.

Penalty.

(4) Any person who commits a breach of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

16.—(1) No person shall place or permit to remain on any quay, bank or other place any petroleum or dangerous petroleum for a longer time than is reasonably necessary for the loading or unloading thereof in connection with its transport, and in no case after 7 p.m. and before 7 a.m. Petroleum not to be permitted to remain on quay.

(2) Any person who commits a breach of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000. Penalty.

Storage

17. No person shall store or keep any petroleum or dangerous petroleum in any place except under and in accordance with this Act or any rules or by-laws made thereunder. Storage of petroleum to be in accordance with this Act.

18.—(1) Without a licence, no person shall in or about any place that is situated within 30 metres of any house or building keep any larger quantity of petroleum than 5 cases, or keep in or about any other place any larger quantity than 20 cases. Licence to store petroleum.

(2) The occupier of any place in which any petroleum is kept in contravention of this section or the conditions of any licence shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$200 for every day or part of a day during which the petroleum is so kept. Penalty.

19.—(1) Without a licence, no person shall keep — Licence to store dangerous petroleum.

(a) any dangerous petroleum in or about any place situate within 30 metres of any house or building; or

(b) in or about any other place any larger quantity of dangerous petroleum than 291 litres.

(2) The occupier of any place in which any dangerous petroleum is kept in contravention of this section or the conditions of any licence shall be guilty of an offence and shall be liable on conviction to a fine of \$500 for every day or part of a day during which the dangerous petroleum is so kept. Penalty.

20.—(1) The Minister may, at his discretion, grant licences for keeping larger quantities than are mentioned in sections 18 and 19. Power of licensing authorities.

(2) Licences under subsection (1) may be granted subject to such conditions as the Minister thinks fit.

(3) Every licence shall set out the quantity of petroleum or dangerous petroleum which may be kept and the conditions on which the licence is granted.

(4) The places licensed by the Minister shall be subject to such rules as are made by the President.

7/78.

(5) Every licence shall, unless previously cancelled, be valid for such period of not more than 12 months as may be specified in the licence.

(6) Fees for licences shall be paid to the Minister according to such scale as is prescribed.

(7) If at any time it appears to the Minister that the place licensed has become unfit for the purpose for which it was licensed by reason of the increase of building or of population in its neighbourhood, or that from any other cause any licence should for the public safety be cancelled, or if the person to whom the licence was granted commits a breach of any of the conditions of the licence, the Minister may cancel the licence without notice and without compensation.

(8) The power of granting licences vested in the Minister by this Act may be exercised by any person or persons thereunto authorised by him in writing.

(9) Any person aggrieved by any decision of the Minister in giving, refusing or cancelling any licence may appeal to the President, who may vary, amend or disallow the decision, and in the case of a refusal to grant a licence may direct a licence to be granted.

General

Appointment
of inspectors.

21.—(1) The President may appoint, either permanently or temporarily, inspectors under this Act.

Cap. 224.

(2) Such inspectors shall be deemed to be public servants within the meaning of the Penal Code.

Powers of
inspectors.

22.—(1) Any inspector appointed under this Act may —

(a) board any vessel having petroleum or dangerous petroleum as cargo;

(b) inspect, examine and test all petroleum or dangerous petroleum on board the vessel;

- (c) in like manner inspect, examine and test all petroleum and dangerous petroleum stored on land;
- (d) for such purposes take samples thereof; and
- (e) enter any place where he has reason to believe that petroleum or dangerous petroleum is kept in excess of the quantities allowed by this Act.

(2) The Port Master or any police officer not below the rank of sergeant may board any ship or vessel for the purpose of ascertaining whether any breach of this Act is being committed.

23.—(1) Any person who refuses the Port Master or an inspector or police officer access to any place or vessel, or otherwise hinders them in the performance of their duty, or refuses or neglects to give any information which is reasonably required of him and which he has it in his power to give or which he is required by this Act to give, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$250.

Obstructing officers in the execution of their duty.

(2) Any person who furnishes as true information which he knows or has reason to believe to be false shall be guilty of an offence under section 177 of the Penal Code.

Cap. 224.

24.—(1) When any place liable to inspection is closed, any person residing in or being in charge of the place shall on demand by any inspector appointed under this Act allow him free ingress thereto and afford all reasonable facilities for a search therein.

Inspector may make forcible ingress.

(2) If ingress to such a place cannot be obtained any inspector may —

- (a) break open any outer or inner door or window of any place;
- (b) forcibly enter the place and every part thereof;
- (c) remove by force any obstruction to the entry or search.

(3) Any person who refuses any such ingress or in any way prevents or obstructs it or any inspector in effecting an entrance or search under this section shall be guilty of an offence and shall be liable on conviction to a fine not

Penalty.

exceeding \$2,000 or to imprisonment for a term which may extend to 3 months or to both, and may be arrested by the inspector making or desiring to make such search without warrant.

Adulteration
of petroleum
prohibited.

25.—(1) No person shall sell or expose for or have in his possession for sale any petroleum or dangerous petroleum which is adulterated in any way so as not to conform to such standard as is prescribed.

(2) Any person who commits a breach of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

(3) Any stock of petroleum or dangerous petroleum in respect of which such an offence has been committed may be seized and, by order of a Magistrate's Court, destroyed.

Power of
Minister to
make orders.

26.—(1) The Minister may make orders directing this Act or any part thereof to apply to any inflammable oil or liquid, and specifying the quantity which may be kept or stored without a licence, and thereupon this Act or the part thereof specified in the order shall during the continuance of the order apply to that inflammable oil or liquid.

(2) The Minister may make orders exempting either conditionally or absolutely any ship or place from all or any of the provisions of this Act.

Arrest
without
warrant.

27.—(1) Any inspector appointed under this Act or police officer may arrest without warrant any person offending in his view against any of the provisions of this Act.

(2) All offences under this Act shall be tried by a District Court or a Magistrate's Court.

Power to
make rules.

28.—(1) The President may make rules for the purpose of carrying out the provisions of this Act.

(2) Rules made under subsection (1) may, amongst other things, be in respect of the following purposes:

- (a) the tests to be applied to all petroleum or dangerous petroleum to ascertain its flashing point and the methods of applying the same;
- (b) to determine the standard of petroleum or dangerous petroleum or any of the various liquids referred to in section 2;

- (c) to provide for the issue of permits under sections 5, 7 and 13;
- (d) to provide for the licensing of tongkangs and lighters to carry petroleum and dangerous petroleum within port limits;
- (e) to regulate the licensing and management of places for storing petroleum and dangerous petroleum;
- (f) to regulate the discharging and landing of petroleum and dangerous petroleum;
- (g) to regulate the transport of petroleum and dangerous petroleum;
- (h) to determine the quantity of, mode of storage of, and the receptacles in which, petroleum or dangerous petroleum may be carried in any vessel, cart or other vehicle, and the quantities to be contained in those receptacles;
- (i) to determine the construction and materials of any place in which petroleum or dangerous petroleum may be stored;
- (j) to regulate the method in which petroleum or dangerous petroleum shall be stored in any place;
- (k) to determine the materials and appliances to be used for preventing or extinguishing fire;
- (l) to make provision for the protection of premises adjacent to licensed places;
- (m) to determine the conditions and restrictions to be imposed upon vessels arriving at a port after having carried petroleum or dangerous petroleum as part or whole of their last cargo;
- (n) to fix fees for the licences and permits issuable under this Act;
- (o) to declare any port or place to be a port under this Act;
- (p) to prescribe the dangerous petroleum anchorage in any port.

(3) By any rules made in pursuance of this section a fine may be imposed for the breach of any such rules not exceeding \$2,000 for each offence, or in the case of a continuing offence \$100 for every day during which the offence continues.

(4) Nothing in subsection (2) shall in any way restrict or be construed to restrict the generality of the powers conferred on the President by subsection (1), but those powers shall extend to all matters whether similar or not to those mentioned in subsection (2) as to which it is expedient to make rules for the better carrying into effect the objects of this Act.

(5) All rules made by the President under this Act shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication.

(6) Such rules shall remain in force until disapproved or altered by a resolution of Parliament.

(7) Any rule altered by a resolution of Parliament shall come into force as altered from the date of the passing of the resolution, and shall have the same force and effect as if enacted in this Act.

Penalty
where not
otherwise
provided.

29. Any person who commits a breach of any of the provisions of this Act, for which no penalty is specially provided shall be liable on conviction by a Magistrate's Court to a fine not exceeding \$2,000.