

STATUTORY INSTRUMENTS

S.I. No. 630 of 2006

**Dangerous Substances (Retail and Private Petroleum Stores) (Amendment)
Regulations 2006**

PUBLISHED BY THE STATIONERY OFFICE
DUBLIN

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(Prn. A6/2160)

Price: € 1.27

I, Tony Killeen, Minister of State at the Department of Enterprise, Trade and Employment, in exercise of the powers conferred on me by sections 36 and 37(3) of the Dangerous Substances Act 1972 (No. 10 of 1972) and the Enterprise, Trade and Employment(Delegation of Ministerial Functions) Order 2005 (S.I. No. 316 of 2005), hereby make the following regulations:

1. (1) These Regulations may be cited as the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2006.

(2) These Regulations shall come into operation on 1 January 2007.

2. The Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 to 2004 and these Regulations may be cited as the Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 to 2006 and shall be read together as one.

3. In these Regulations -

“Principal Regulations” means the Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 (S.I. No. 311 of 1979);

“Regulations of 1988” means the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 1988 (S.I. No. 303 of 1988);

“Regulations of 2004” means the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations (S.I. No. 860 of 2004).

4. The Principal Regulations are amended -

(a) in Regulation 4 (substituted by Regulation 3(f) of the Regulations of 1988) by substituting the following for paragraph (2) (inserted by Regulation 4(a) of the Regulations of 2004):

“(2) Paragraph (1)(i) of this Regulation shall apply from 1 January 2007 to 31 December 2008”,

and

(b) by substituting the following for Schedule 7 (substituted by Regulation 4(b) of the Regulations of 2004):

“SCHEDULE 7

Regulation 4

FORM OF LICENCE TO KEEP PETROLEUM CLASS I AT RETAIL STORE OR PRIVATE STORE

Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 to 2006

Register No.

Total quantity authorised

Fee paid

Licence to keep petroleum Class I at Retail Store/Private Store

Name of Licensing Authority
.....

Address of Licensing Authority
.....
.....

Licensee's Name
.....

Licensee's Trade or Business
.....

Licensee's Address
.....

Location of proposed petroleum Retail Store/Private Store
.....
.....

The, being the licensing authority under the Dangerous Substances Act 1972, grants this licence authorising petroleum Class I (petroleum spirit) to be kept for the period not exceedingfrom 20., at the petroleum retail store/private store at the above-named location, subject to that Act and any orders and regulations made under or continued by that Act and in force for

the time being, and subject also to any applicable bye-laws and to the conditions annexed hereto.

Signed –

Date –

Conditions of issue of this licence -

(1) This store will not be eligible for a licence after 31 December 2008 unless it meets fully the requirements of the Dangerous Substances Act 1972, the Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 to 2006 and any subsequent Regulations amending those Regulations.

(2) The following conditions must be observed -

- a.
- b.
- c.
- d.
- e.
- ”.

GIVEN under my hand,

18 December 2006

Tony Killeen,
Minister of State at the Department of
Enterprise, Trade and Employment

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations provide for the amendment of the Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979, as previously amended by the Dangerous Substances (Retail and Private Petroleum Stores)(Amendment) Regulations 1988, the Dangerous Substances (Retail and Private Petroleum Stores)(Amendment) Regulations 1999, the Dangerous Substances (Retail and Private Petroleum Stores)(Amendment) Regulations 2002 and the Dangerous Substances (Retail and Private Petroleum Stores)(Amendment) Regulations 2004 (S.I. No. 860 of 2004).

Under the Regulations, as adapted by section 4(4) of the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005), a retail and private petroleum store requires to be licensed by the local or harbour authority or, where the store is owned by such authority, by the Health and Safety Authority.

The Regulations as amended, inter alia, provide for safety requirements in certain circumstances for petrol filling stations, constructed before the 1979 Regulations commenced, to enable them to be licensed to operate until 31 December 2008.

Safety controls on management and operations are maintained.