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**FIRE SAFETY ACT
(CHAPTER 109A)**

**FIRE SAFETY
(PETROLEUM AND FLAMMABLE MATERIALS)
(AMENDMENT) REGULATIONS 2013**

In exercise of the powers conferred by section 61 of the Fire Safety Act, the Minister for Home Affairs hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Fire Safety (Petroleum and Flammable Materials) (Amendment) Regulations 2013 and shall, with the exception of regulations 5, 45(b) and 25, come into operation on 1st September 2013.

(2) Regulations 5 and 45(b) shall come into operation on 1st November 2013.

(3) Regulation 25 shall come into operation on 1st March 2014.

Amendment of regulation 2

2. Regulation 2 of the Fire Safety (Petroleum and Flammable Materials) Regulations (Rg 7) (referred to in these Regulations as the principal Regulations) is amended —

(a) by deleting the definition of “approved code of practice” in paragraph (1) and substituting the following definitions:

““accepted code of practice” means any code of practice, standard, guide or manual that is accepted by the Commissioner for the purpose of providing practical guidance to persons engaged in the storage, keeping, transport or

dispensing, or conveyance by pipeline, of any class of petroleum or flammable material;

“affected areas” includes off-site affected areas;”;

(b) by inserting, immediately after the words “transport of” in the definition of “approved inspector” in paragraph (1), the words “, or pipeline used or to be used to convey,”;

(c) by deleting the definition of “Class III petroleum” in paragraph (1) and substituting the following definitions:

““Class O petroleum” means liquefied petroleum gas;

“Class I petroleum” means any petroleum having a flashpoint below 23°C but does not include Class O petroleum;

“Class II petroleum” means any petroleum having a flashpoint between 23°C and 60°C (both inclusive);

“Class III petroleum” means any petroleum having a flashpoint above 60°C but not above 93°C;”;

(d) by inserting, immediately after the word “materials” in the definition of “cylinder” in paragraph (1), the words “under pressure”;

(e) by inserting, immediately after the definition of “dealer” in paragraph (1), the following definition:

““eating place” has the same meaning as in the Fire Safety (Petroleum and Flammable Materials — Exemption) Order (O 4);”;

(f) by inserting, immediately after the words “regulation 27” in the definition of “Emergency Response Plan” in paragraph (1), the words “or 29G”;

(g) by deleting the definitions of “label” and “licence” in paragraph (1) and substituting the following definitions:

““licence” means a licence required under Part VI of the Act or these Regulations;

“licensed vehicle” means a vehicle licensed to carry petroleum and flammable materials under regulation 5;”;

- (h) by inserting, immediately after the definition of “licensee” in paragraph (1), the following definitions:

““LPG centralised store” means any licensed premises used by a supplier to store LPG cylinders for distribution to dealers;

“LPG cylinder” means a cylinder used to store liquefied petroleum gas;”;

- (i) by inserting, immediately after the definition of “multi-load” in paragraph (1), the following definitions:

““permitted times”, in relation to the transport of petroleum or flammable materials, means the periods specified in the Fifth Schedule corresponding to such transport;”;

- (j) by inserting, immediately after the definition of “personal identifier” in paragraph (1), the following definitions:

““pipeline licensee” means the holder of a valid pipeline licence;

“pipeline marker” means a warning sign securely anchored to the ground and placed not more than 200 metres apart to indicate the location of buried relevant pipelines;

“pipeline user”, in relation to a section of a licensed pipeline, means a person, not being the pipeline licensee —

(a) who owns or leases that section of the licensed pipeline; and

(b) who uses that section of the licensed pipeline for the conveyance of any class of petroleum or any flammable material;”;

(k) by inserting, immediately after the definition of “professional engineer” in paragraph (1), the following definitions:

““relevant pipeline” and “relevant pipeline works” have the same meanings, respectively as in the Act;

“restaurant” has the same meaning as in the Fire Safety (Petroleum and Flammable Materials — Exemption) Order;

“storage licensee” means the holder of a valid storage licence;”;

(l) by deleting the definition of “supplier” in paragraph (1) and substituting the following definition:

““supplier”, except in regulations 52, 53 and 54, means a person or company engaged in the business of distributing any class of petroleum or any flammable materials to dealers or to the public;”;

(m) by deleting the words “450 litres or above” in the definition of “tank” in paragraph (1) and substituting the words “250 litres or more”;

(n) by inserting, immediately after the words “250 litres” in the definition of “transport of petroleum or flammable materials in package” in paragraph (1), the word “of”;

(o) by deleting the words “approved code” in paragraph (2)(b) and substituting the words “accepted code”; and

(p) by inserting, immediately after paragraph (2), the following paragraphs:

“(3) For the purposes of the Act —

(a) the classes of petroleum shall be Class O petroleum, Class I petroleum, Class II petroleum and Class III petroleum, as defined in paragraph (1); and

(b) flammable materials shall be as specified in the Fourth Schedule.

(4) For the purposes of regulations 52, 53 and 54, any reference to a supplier of Class O petroleum is a reference to a person or company engaged in the business of bottling Class O petroleum into cylinders for distribution to dealers or to the public.”.

Deletion and substitution of regulation 3

3. Regulation 3 of the principal Regulations is deleted and the following regulation substituted therefor:

“Application for licences and permits

3.—(1) Every application for a licence or permit, the renewal, amendment or replacement of a licence or permit, the issue of an additional copy of a licence or the transfer of a licence shall be —

- (a) made in such form as the Commissioner may require; and
- (b) accompanied by such documents and information as may be required by these Regulations as regards that licence or permit.

(2) Unless otherwise provided, these Regulations shall apply to an application for the renewal or transfer of a licence or an application for the renewal of a permit as they apply to an application for such licence or permit, respectively.”.

Amendment of regulation 4

4. Regulation 4 of the principal Regulations is amended —

- (a) by deleting the words “quantity and class” in paragraph (3)(b)(ii) and substituting the words “inventory listing each type and the respective quantity”;
- (b) by inserting, immediately after the words “tests report” in paragraph (3)(c)(i), the words “or any equivalent test report of the tank”;