



STATUTORY INSTRUMENTS

S.I. No. 593 of 2008

DANGEROUS SUBSTANCES (RETAIL AND PRIVATE PETROLEUM
STORES) (AMENDMENT) REGULATIONS 2008

(Prn. A8/2075)

DANGEROUS SUBSTANCES (RETAIL AND PRIVATE PETROLEUM STORES) (AMENDMENT) REGULATIONS 2008

I, BILLY KELLEHER, 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) (as adapted by the Labour (Transfer of Departmental Administration and Ministerial Functions) Order 1993 (S.I. No. 18 of 1993) and the Enterprise and Employment (Alteration of Name of Department and Title of Minister) Order 1997 (S.I. No. 305 of 1997)), and the Enterprise, Trade and Employment (Delegation of Ministerial Functions) (No. 3) Order 2008 (S.I. No. 289 of 2008), make the following regulations:

1. (1) These Regulations may be cited as the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2008.

(2) These Regulations shall come into operation on 1 January 2009.

2. The Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 to 2006 and these Regulations may be cited as the Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 to 2008 and shall be construed together as one.

3. In these Regulations, “Regulations of 2006” means the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations (S.I. No. 630 of 2006).

4. The Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 (S.I. No. 311 of 1979) are amended—

(a) in Regulation 4 (inserted by Regulation 3(f) of the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations (S.I. No. 303 of 1988)), by substituting the following for paragraph (2) (inserted by Regulation 4 (a) of the Regulations of 2006):

“(2) Paragraph (1)(i) of this Regulation shall apply from 1 January 2009 to 31 December 2010”, and

(b) by substituting the following for Schedule 7 (inserted by Regulation 4(b) of the Regulations of 2006):

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 6th January, 2009.

“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 2008

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 2010 unless it meets fully the requirements of the Dangerous Substances Act 1972, the Dangerous Substances (Retail and Private Petroleum Stores) Regulations 1979 to 2008 and any subsequent Regulations amending those Regulations.

(2) The following conditions must be observed—

- a.
- b.
- c.
- d.
- e. ”.

GIVEN under my hand,
24 December 2008

BILLY KELLEHER.

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, the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2004 (S.I. No. 860 of 2004) and the Dangerous Substances (Retail and Private Petroleum Stores) (Amendment) Regulations 2006 (S.I. No. 630 of 2006).

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 2010.

Safety controls on management and operations are maintained.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
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