1992 No. 396

HEALTH AND SAFETY

Health and Safety (Petroleum-Spirit Licence Fees) (Modification) Regulations (Northern Ireland) 1992

Made . . . . . *14th September 1992*

Coming into operation . . *2nd November 1992*

The Department of the Environment and the Department of Economic Development, acting jointly as the Department concerned(**a**), in exercise of the powers conferred by Articles 17(1) and (3), 40(2) and (3), 54(1) and (2), and 55(2) of the Health and Safety at Work (Northern Ireland) Order 1978(**b**) and of every other power enabling them in that behalf, after consultation as required by Articles 46(1) and 54(5) of that Order with the Health and Safety Agency for Northern Ireland and such other bodies as appear to them to be appropriate, make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Health and Safety (Petroleum-Spirit Licence Fees) (Modification) Regulations (Northern Ireland) 1992 and shall come into operation on 2nd November 1992.

Modification and repeal of statutory provisions

2. The statutory provisions specified in column 1 of Schedule 1 (which relate to fees payable in respect of the matters described in the corresponding entry in column 2) are modified or repealed, as the case may be, to the extent specified in the corresponding entry in column 3.

Fees

3. The fee payable under each provision in column 1 of Schedule 2 for a purpose described in the corresponding entry in column 2 shall be that specified in the corresponding entry in column 3.

Date from which fees are payable

4. Notwithstanding the provisions of section 4 of the Petroleum (Consolidation) Act (Northern Ireland) 1929(**c**) or section 1(4) of the Petroleum (Transfer of Licences) Act (Northern Ireland) 1937(**d**) the fees for

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(**a**) *See* definitions of "the Department concerned" and "regulations" in Article 2(2) of S.I. 1978/1039 (N.I. 9); in relation to "the Department concerned" *see* S.R. & O. (N.I.) 1973 No. 504 Schedule 2 Part II and S.R. 1984 No. 177 regulation 7(2)

(**b**) S.I. 1978/1039 (N.I. 9)

(**c**) 1929 c. 13 (N.I.); relevant amending Regulations are S.R. 1988 No. 382 and S.R. 1989 No. 251

(**d**) 1937 c. 4 (N.I.); relevant amending Regulations are S.R. 1987 No. 408

petroleum-spirit licences prescribed by these Regulations shall be payable for any licence first having effect or any transfer or renewal of a licence first taking effect on or after 2nd November 1992 irrespective of the date of the application for that licence, transfer or renewal.

Revocation

5. The Regulations specified in Schedule 3 are revoked.

Sealed with the Official Seal of the Department of the Environment on 14th September 1992.

(L.S.) *Trevor Pearson*
Assistant Secretary

Sealed with the Official Seal of the Department of Economic Development on 11th September 1992.

(L.S.) *Suzanna Cooper*
Assistant Secretary

SCHEDULE 1 (See regulation 2)

Legislation Modified or Repealed

Column 1 *Statutory provisions modified or repealed*	Column 2 *Matter to which provision in column 1 relates*	Column 3 *Extent of modification or repeal*
Petroleum (Consolidation) Act (Northern Ireland) 1929 c. 13 (N.I.)		
Section 4	Licence to keep petroleum-spirit	For "shown in the scale set out in the First Schedule to this Act or such lower scale as the Minister of Home Affairs may, with the consent of the Ministry of Finance, prescribe by regulations" substitute "fixed by or determined under regulations made in accordance with Article 40(2) of the Health and Safety at Work (Northern Ireland) Order 1978".
First Schedule(**a**)	Rate of fees payable in respect of licences to keep petroleum-spirit	Repeal the whole Schedule.
Petroleum (Transfer of Licences) Act (Northern Ireland) 1937 c. 4 (N.I.)		
Section 1(4)(**b**)	Transfer of petroleum-spirit licence	For "a fee of £5·00" substitute "the fee fixed by or determined under regulations made in accordance with Article 40(2) of the Health and Safety at Work (Northern Ireland) Order 1978".

(**a**) As amended by S.R. 1988 No. 382 and S.R. 1989 No. 251
(**b**) As amended by S.R. 1987 No. 408

SCHEDULE 2 (See regulation 3)

Fee

Column 1 *Provision under which a fee is payable*	Column 2 *Purpose of application*	Column 3 *Fee*
Petroleum (Consolidation) Act (Northern Ireland) 1929 c. 13 (N.I.)		
Section 4 (see notes 1 and 2)	Licence to keep petroleum-spirit of a quantity—	
	not exceeding 2,500 litres	£26·50 for each year of licence
	exceeding 2,500 litres, but not exceeding 50,000 litres	£39·00 for each year of licence
	exceeding 50,000 litres	£77·00 for each year of licence
Petroleum (Transfer of Licences) Act (Northern Ireland) 1937 c. 4 (N.I.)		
Section 1(4)	Transfer of petroleum-spirit licence	£7·00

Note:

1. In the case of a solid substance for which by virtue of an Order in Council made under section 19 of the Petroleum (Consolidation) Act (Northern Ireland) 1929 a licence is required, the fee payable under this Schedule shall be calculated as if one kilogram of the substance were equivalent to one litre.

2. The fee payable for a licence of more or less than one year's duration shall be the fee set out above increased or decreased, as the case may be, proportionately according to the duration of the period for which the licence is granted or renewed.

SCHEDULE 3 (See regulation 5)

Regulations Revoked

Title	*Year and Number*
Cinematograph and Petroleum-Spirit Licences (Fees) (Increase) Order (Northern Ireland) 1987	S.R. 1987 No. 408
Petroleum (Consolidation) Act (Amendment) Regulations (Northern Ireland) 1988	S.R. 1988 No. 382
Petroleum-Spirit Licences (Fees) (Increase) Order (Northern Ireland) 1989	S.R. 1989 No. 251

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations modify and repeal provisions in the Petroleum (Consolidation) Act (Northern Ireland) 1929 and the Petroleum (Transfer of Licences) Act (Northern Ireland) 1937 (regulation 2 and Schedule 1).

Section 4 of said Act of 1929 and section 1(4) of said Act of 1937 are modified so that the rates of fees payable in respect of the grant and transfer of petroleum-spirit licences are fixed or determined by regulations made under the Health and Safety at Work (Northern Ireland) Order 1978. As a consequence Schedule 1 of the 1929 Act is repealed (regulation 2 and Schedule 1).

New fees in respect of the grant and transfer of petroleum-spirit licences have been fixed (regulation 3 and Schedule 2).

A comparison of the previous fees and the new fees is shown below.

Previous Quantities of Petroleum-Spirit to which fees relate	*Previous Fee*
Not exceeding 455 litres	£21·00 for each year of licence
Exceeding 455 litres, not exceeding 2,275 litres	£21·00 for each year of licence
Exceeding 2,275 litres, not exceeding 4,550 litres	£31·00 for each year of licence

Exceeding 4,550 litres, not exceeding 22,350 litres	£31·00 for each year of licence
Exceeding 22,350 litres, not exceeding 45,500 litres	£31·00 for each year of licence
Exceeding 45,500 litres, not exceeding 91,000 litres	£31·00 for each year of licence
Exceeding 91,000 litres, not exceeding 227,500 litres	£61·00 for each year of licence
Exceeding 227,500 litres	£61·00 for each year of licence
Transfer of a licence	£ 5·00

New Quantities of Petroleum-Spirit to which fees relate	*New Fee*
Not exceeding 2,500 litres	£26·50 for each year of licence
Exceeding 2,500 litres, not exceeding 50,000 litres	£39·00 for each year of licence
Exceeding 50,000 litres	£77·00 for each year of licence
Transfer of a licence	£ 7·00

The Regulations as set out in Schedule 3 are revoked.