

Regulations under the Explosive and Dangerous Goods Amendment Act, 1920, to take effect as By-laws within the City of Christchurch.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 16th day of May, 1922.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the Minister of Internal Affairs, in pursuance of the powers conferred on him by section fifteen of the Explosive and Dangerous Goods Amendment Act, 1920, did by notice dated the twenty-sixth day of July, one thousand nine hundred and twenty-one, require the Christchurch City Council, being a licensing authority under the said Act, to make by-laws under and for the purposes of the said Act: And whereas the Christchurch City Council has failed to make such by-laws:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, and in pursuance and exercise of the powers conferred on him by section fifteen aforesaid, doth hereby make the regulations set forth in the Schedule hereto, to take effect as by-laws, and to be in force as from the date of this Order in the district of the Christchurch City Council.

SCHEDULE.

In the following clauses, if not inconsistent with the context,—

- “Approved” means approved by an Inspector;
 “Inspector” means an officer appointed by the Council for the purposes of the Explosive and Dangerous Goods Amendment Act, 1920;
 “Dangerous goods,” “petroleum,” “petroleum oil,” and “petroleum spirit” have the meanings assigned thereto respectively by the Explosive and Dangerous Goods Amendment Act, 1920;
 “Dangerous goods of Class I,” “Dangerous goods of Class II,” “Dangerous goods of Class III,” and “Dangerous goods of Class IV” have the meanings assigned thereto respectively by the regulations for the time being in force under the Explosive and Dangerous Goods Amendment Act, 1920.

NOTE.—“Dangerous goods of Class I” includes petroleum spirit (i.e., benzine, benzole, benzolene, gasolene, naphtha, motor spirits, distillate, and most of the other mineral spirits used in motor-car engines), liquids or materials consisting wholly or in part of acetone, carbon bisulphide, or ether, and having a true flashing-point less than 73° F.

“Dangerous goods of Class II” includes petroleum oil (i.e., kerosene but not lubricating oils), methyl alcohol, turpentine or turpentine substitutes, absolute alcohol, methylated spirits, and spirits of wine.

“Dangerous goods of Class III” includes phosphorus (yellow) and calcium carbide.

1. No person shall keep or store dangerous goods within the city except in pursuance of a written license in that behalf as hereinafter mentioned, and then only in the place, to the extent, and in the manner permitted by such license and by these regulations; provided always that it shall not be an offence hereunder to keep or store dangerous goods without a license subject to the following conditions:—

- (a.) In quantities not exceeding 3 gallons of dangerous goods of Class I, if such goods are kept in separate glass, earthenware, or metal vessels each of which contains not more than one-half pint and is securely stopped.
- (b.) In quantities not exceeding 8½ gallons of dangerous goods of Class I kept for private use and not for the purpose of sale, if such goods are kept in substantial vessels of metal or other approved material so securely closed that neither liquid nor vapour can escape therefrom, and if all due precautions are taken to prevent accident by fire or explosion and to prevent the escape of any such dangerous goods into a sewer or drain.
- (c.) In quantities not exceeding 8½ gallons of dangerous goods of Class II kept for the purpose of sale, and not exceeding 50 gallons of such goods kept for private use only and not for the purpose of sale, if no dangerous goods of Class I are kept by any person within a distance of 20 ft. of such dangerous goods of Class II; or if dangerous goods of Class I are so kept, then if either the goods of Class I or the goods of Class II are kept completely surrounded by a screen-wall.
- (d.) In quantities not exceeding 250 gallons of dangerous goods of Class I or of Class II kept for private use only and not for the purpose of sale stored on any

farm or other premises exceeding 10 acres in area, if all such dangerous goods are kept in a thoroughly ventilated depot constructed of stone, brick, or concrete, and situated not less than 10 ft. from any other building, or in a thoroughly ventilated wooden-frame building situated not less than 40 ft. from any other building; and if all such dangerous goods are kept in substantial metal vessels each containing not more than 5 gallons, and so securely closed that neither liquid nor vapour can escape therefrom, or in other manner approved by an Inspector; and that all due precautions are taken to prevent accident by fire or explosion.

- (e.) In quantities not exceeding 2 lb. of phosphorus kept under water in securely closed containers.
- (f.) In quantities not exceeding 50 lb. of calcium carbide contained in waterproof and airtight tins each containing not more than 7 lb. and labelled with a distinctive label or mark denoting the nature of the contents.
- (g.) In a ship or carriage while being conveyed thereon in accordance with the regulations under the Explosive and Dangerous Goods Amendment Act, 1920.
- (h.) In a fuel-tank of a motor-carriage or motor-propelled ship or the fuel-tank of a stationary motor-engine.

2. No person shall store or keep within the city any gun-powder, blasting-powder, gelignite, detonators, or other explosives for which a license is required under the Explosive and Dangerous Goods Act, 1908, save in pursuance of and under the conditions prescribed by a license under that Act issued by a Government Inspector.

3. No license to store dangerous goods of Class I shall be issued in respect of any premises within the city unless such dangerous goods are stored either in an underground tank or in an approved fire-resisting depot.

4. Any person desirous of keeping “dangerous goods” in or upon any premises in the city shall deliver to the Town Clerk a written application for a license in such form as may be approved by the Council.

5. Upon receipt of such application the Town Clerk shall cause an inspection of the premises therein named to be made by an Inspector, and it shall be the duty of such Inspector to examine such premises and report in writing to the Town Clerk as to their fitness or otherwise for the storage of any such dangerous goods as aforesaid, having regard to the character of the business carried on therein, the situation and construction of the proposed storage-place, the nature of the adjoining premises, and the precautions (if any) which the applicant has taken to guard against the risk of fire or explosion, and to the regulations for the time being in force under the Explosive and Dangerous Goods Amendment Act, 1920.

6. If the officer making such inspection reports that the premises are satisfactory, the Town Clerk shall, on payment of the license fee, forthwith issue a license under his hand authorizing the applicant to keep such quantity of all or any such “dangerous goods” as aforesaid as may be approved by the Inspector:

Provided that no license shall be issued for the storage of any quantity of liquid dangerous goods exceeding 800 gallons unless the Council has first approved of the issue of such license.

7. Every such license shall be in such form as may be approved by the Council, and shall terminate on the 31st day of March in each year.

8. The following fees shall be payable by the applicant for a license upon the issue thereof to him:—

- (a.) For a license for the storage of dangerous goods of Class I or of Class II kept for private use only, and not for trade or sale purposes, in any quantity—
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|------------------------------------|---|----|----|
| 1. Not exceeding 40 gallons | £ | s. | d. |
| 2. Not exceeding 80 gallons | 0 | 10 | 0 |
| 3. Not exceeding 120 gallons | 0 | 15 | 0 |
| 4. Not exceeding 160 gallons | 1 | 0 | 0 |
| 5. Not exceeding 200 gallons | 1 | 5 | 0 |
- (And, in addition, such quantities of dangerous goods of Class III as may be approved).
- (b.) For a license not within the provisions of sub-clause (a) of this clause for the storage of dangerous goods of Class I or of Class II or of Class IV in any quantity—
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|--|----|----|---|
| 1. Not exceeding 100 gallons | 0 | 10 | 0 |
| 2. Not exceeding 200 gallons | 1 | 0 | 0 |
| 3. Not exceeding 800 gallons | 2 | 0 | 0 |
| 4. Not exceeding 1,600 gallons | 3 | 0 | 0 |
| 5. Not exceeding 100,000 gallons | 5 | 0 | 0 |
| 6. Exceeding 100,000 gallons | 10 | 0 | 0 |
- (And, in addition, such quantities of dangerous goods of Class III as may be approved).
- (c.) For a license for the storage of dangerous goods of Class III only
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| 1 | 0 | 0 |
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