

PUBLIC NOTICE

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PETROLEUM ACT

(Cap. 236)

THE PETROLEUM (AMENDMENT) RULES, 1984

Short title.

In exercise of the powers conferred on him by section 3 of the Petroleum Act (Cap. 236), the President acting in accordance with the advice of the Cabinet hereby makes the following Rules:—

1. The Petroleum Rules (Vol. VIII of Laws of Sierra Leone p. 1956) are hereby amended by the insertion immediately after the definition of "flashing point" in rule 2 thereof, of the following new definition—

Petroleum Rules (Vol. VIII p. 1956) amended.

"Minister" means the Minister to whom responsibility for petroleum is for the time being assigned;"

2. The principal Rules are hereby amended by the insertion immediately after rule 56 thereof of the following new rule—

Principal Rules amended.

"Police Sergeants and above may search without warrant in certain cases

56A Any police officer in uniform not below the rank of Sergeant may, without warrant and with or without the assistance of other police officers, if he has reasonable ground to suspect—

(a) that any petroleum is being kept in any place without a licence contrary to rule 30; or

(b) that any adulterated petroleum as defined in rule 62B is being kept in any place contrary to that rule,

enter the place and search for petroleum and may take samples thereof."

3. The principal Rules are hereby amended by the insertion immediately after Part III thereof of the following new Part—

Standard and adulteration of petroleum.

"PART IIIA—STANDARD AND ADULTERATION
OF PETROLEUM

Standard of petroleum. 62A (1) The standard of petroleum shall from time to time be determined by the Minister after consultation with the Sierra Leone Petroleum Refining Company Limited.

(2) Without prejudice to the general effect of paragraph (1) of this rule, the Minister may, from time to time, cause the standard of petroleum as determined by him under that paragraph to be published in the Gazette and in any other manner he thinks appropriate in the public interest.

Adulteration of petroleum. 62B (1) No person shall—

(a) adulterate, or permit or cause to be adulterated any petroleum, or

(b) sell or have in his possession for sale any adulterated petroleum.

(2) Where adulterated petroleum is found in the possession of any person who normally carries on the business of selling petroleum, it shall be presumed, unless he proves the contrary, that he has it in his possession for sale.

(3) A person shall not be deemed to have contravened paragraph (1) of this rule if he proves that—

(a) he was not aware and could not with reasonable diligence have become aware that the petroleum was adulterated; and

(b) he has taken all reasonable precautions against the contravention of that paragraph having regard to all the circumstances.

(4) For the purposes of this rule any petroleum is adulterated if it is mixed with any substance likely to render its quality spurious or to degrade it so as not to conform to the standard determined by the Minister in relation thereto under rule 62A.

(5) Any petroleum in relation to which any contravention of this rule is committed shall, without prejudice to any other penalty imposed in relation to that contravention, be forfeited to the State."

4. Rule 63 of the principal Rules is hereby amended—

Rule 63 of
principal
Rules
amended.

(a) by the insertion immediately after paragraph
“(f) thereof of the following new paragraph—
“(ff) who contravenes any of the provisions of rule
62B; or”; and

(b) by the insertion immediately after paragraph
(h) thereof of the following new paragraph—

“(i) who otherwise contravenes any provision of
these Rules not specifically mentioned in this rule.

MADE this 25th day of January, 1984.

Issued under my hand

A. B. KAMARA,
Minister of Trade and Industry.