

Handing

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VICTORIA GOVERNMENT GAZETTE.

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[1942

COMMONWEALTH NATIONAL SECURITY (GENERAL) REGULATIONS.

STATE OF VICTORIA.

PETROL STORAGE ORDER.

ORDER No. 16.

WHEREAS by Regulation 35A of the Commonwealth National Security (General) Regulations it is provided *inter alia* that the Premier of any State, after consultation with the Minister of State for Home Security or an officer of the Department of Home Security authorized by that Minister to act on his behalf and with the Commandant of a Military District or an officer authorized by the Minister of State for Defence Co-ordination or the Minister of State for the Army to act on behalf of such Commandant, may by Order make such provision as he deems necessary to protect the persons and property of the civil population in that State or any part thereof in case of emergency:

Now therefore I, Albert Arthur Dunstan, Premier of the State of Victoria, having duly held such consultations, do hereby make the following Order:—

1. This Order may be cited as the Petrol Storage Order (Victoria). Citation.

2. In this Order, unless inconsistent with the context or subject-matter, "Petrol" means any fluid product of petroleum which will flash or emit an inflammable vapour below a temperature of 73 degrees Fahrenheit when tested in an Abel closed test apparatus, and includes a mixture of any fluid product of petroleum with any other fluid if such mixture will flash or emit an inflammable vapour below a temperature of 73 degrees Fahrenheit when tested in an Abel closed test apparatus. Definition. "Petrol."

3. (1) No person shall except in a fixed underground tank keep or store in or upon any buildings or premises in any city town or township more than Fifty gallons of petrol— Keeping or storage of more than fifty gallons of petrol above ground in or upon any buildings or premises without licence granted by Chief Secretary prohibited.

(a) unless he is the holder of a licence granted by the Chief Secretary of the State of Victoria in that behalf; or

(b) otherwise than in accordance with the conditions of such licence.

(2) Every application for such a licence shall be addressed in writing to the Chief Secretary and shall be accompanied by—

(a) a description of the buildings or premises in or upon which the petrol is to be kept or stored;

- (b) a statement of the maximum amount of petrol proposed to be kept or stored in or upon such buildings or premises;
- (c) a description of the containers or tanks in which the petrol is to be kept or stored; and
- (d) a fee of Two shillings and six pence.

(3) Upon receipt of such application the Chief Secretary may grant a licence to keep or store in or upon the buildings or premises specified in the licence a quantity of petrol not exceeding that specified in the licence:

Provided that if the Chief Secretary is satisfied that the keeping or storage of such petrol in or upon such buildings or premises—

- (a) would constitute a menace to public safety or the life or health of the community; or
- (b) would be in contravention of regulations for the storage of petroleum under Part XXVII. of the *Local Government Act 1928*—

he shall refuse to grant the licence.

(4) Before granting or refusing to grant or revoking such licence the Chief Secretary may obtain reports in that behalf from—

- (a) the Chief Officer of the Metropolitan Fire Brigades or the Chief Officer of the Country Fire Brigades (as the case may require);
- (b) the council of the municipality within the municipal district of which such buildings or premises are situate;
- (c) any public statutory corporation whose interests are in the opinion of the Chief Secretary likely to be affected;
- (d) any officer in any Victorian Government department.

(5) Such Chief Officer council public statutory corporation or officer shall upon being required by the Chief Secretary so to do submit a report as aforesaid.

Power to
revoke licences.

4. The Chief Secretary may revoke any licence granted by him under this Order upon being satisfied that petrol has been kept or stored in or upon any buildings or premises otherwise than in accordance with the licence or in contravention of the said regulations under Part XXVII. of the *Local Government Act 1928*.

Right of
authorized
officers to
enter upon
premises.

5. (1) For the purpose of ascertaining whether the provisions of this Order or the conditions of any licence granted thereunder are being complied with any officer authorized in writing whether generally or in any particular case by the Chief Secretary may enter into or upon any buildings or premises.

Obstruction of
authorized
officers.

(2) No person shall obstruct or hinder any officer so authorized in the execution of his duty under this Order.

Order to
be read as in
aid of
regulations
under
No. 3720,
Part XXVII.

6. This Order shall be read as in aid of and not in derogation from any regulations made under Part XXVII of the *Local Government Act 1928*.

Saving of
licences
granted
under
Victorian
National
Security
(Petroleum
Storage)
Regulations.

7. Every licence granted before the making of this Order by the Chief Secretary under the National Security (Petroleum Storage) Regulations made under the *National Security (Emergency Powers) Act 1939* and in force at the making of this Order shall, unless revoked pursuant to this Order, continue to have the same force and effect as if granted pursuant to this Order.

Non-
application
of Order
to certain
petrol

8. This Order shall not apply to petrol in the service of the King or the Commonwealth or to petrol stored pursuant to or in accordance with any direction given under any other Commonwealth law.

A. A. DUNSTAN,
Premier of the State of Victoria.

Dated this 11th day of March, 1942.

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