

STATES OF JERSEY



DRAFT PETROLEUM SUBSTANCES (JERSEY) REGULATIONS 201-

Lodged au Greffe on 29th May 2012
by the Minister for Home Affairs

STATES GREFFE



Jersey

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REPORT

The current definition of “petroleum spirit”, contained within the Petroleum (Jersey) Law 1984 is outdated. The 1984 Law imported a definition from UK legislation. However, since 1984, the technical definition used in the UK has changed in line with the EEC directives, along with the technical method for testing of petroleum spirit.

The States has been asked to approve the Draft Petroleum (Amendment No. 3) (Jersey) Law 201-. If approved by the States and subsequently given Royal Assent, the amendment will resolve the issue of the change in technical definition of petroleum spirit. There will, however, be a delay of some months before the amendment would come into force, during which time the current definition contained within the 1984 Law will not be accurate as it refers to a definition in the UK that is no longer extant.

To address this, the States are asked to approve the Draft Petroleum Substances (Jersey) Regulations 201-, which will extend the application of the 1984 Law to cover certain petroleum spirits which are not currently covered by the existing definition.

Financial and manpower implications

There are no financial or manpower implications for the States arising from these Draft Regulations.

Explanatory Note

These Regulations extend the application of the Petroleum (Jersey) Law 1984 (the “Law”) to certain petroleum-spirits which do not currently fall within the definition “petroleum-spirit” in the Law. The effect is that the Law will now apply to petroleum which, when tested in accordance with Part A.9 of the Annex to Commission Directive 92/69 EEC (OJ L 251, 19.09.84, p. 1), has a flash point (as defined in that Part) of less than 21°C, insofar as such petroleum does not fall within the definition “petroleum spirit” in Article 1(1) of the Law.



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Made [date to be inserted]

Coming into force [date to be inserted]

THE STATES, in pursuance of Article 10 of the Petroleum (Jersey) Law 1984¹, have made the following Regulations –

1 Application of Petroleum (Jersey) Law 1984

The Petroleum (Jersey) Law 1984² shall apply to petroleum which, when tested in accordance with Part A.9 of the Annex to Commission Directive 92/69 EEC adapting to technical progress for the seventeenth time Council Directive 67/548/EEC on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ L 251, 19.09.84, p. 1), has a flash point (as defined in that Part) of less than 21°C, insofar as such petroleum does not fall within the definition “petroleum spirit” in Article 1(1) of the Petroleum (Jersey) Law 1984.

2 Citation, commencement and duration

These Regulations –

- (a) shall be cited as the Petroleum Substances (Jersey) Regulations 201-;
- (b) shall come into force the day after they are made; and
- (c) unless earlier revoked, shall remain in force until the definition “petroleum spirit” in Article 1(1) of the Petroleum (Jersey) Law 1984 is first amended after the coming into force of these Regulations.

¹ *chapter 27.400*
² *chapter 27.400*