



# THE PETROLEUM ACT, 1934



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# THE PETROLEUM ACT, 1934

<sup>1</sup>ACT No. XXX of 1934

[6th September, 1934]

**An Act to consolidate and amend the law relating to the import, transport, storage, production, refining and blending of petroleum and other inflammable substances.**

WHEREAS it is expedient to consolidate and amend the law relating to the import, transport, storage, production, refining and blending of petroleum and other inflammable substances ;

It is hereby enacted as follows:—

## **PRELIMINARY**

**1. Short title extent and commencement.—**(1) This Act may be called the Petroleum Act, 1934.

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<sup>1</sup>For Statement of Objects and Reasons, see Gazette of India, 1933, Pt. V, p.104; and for Report of Select Committee, see *ibid*, 1934, Pt. V, pp. 235-236.

This Act has been applied to Phulera in the Excluded Area of Upper Tanawal to the extent the Act is applicable in the N.W.F.P., subject to certain modifications, see N.W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950; and extended to the Excluded Area of Upper Tanawal (N.W.F.P.) other than Phulera with effect from such date and subject to such modifications as may be notified, see *ibid*.

This Act has been extended to—

(i) the Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 (G. G. O. 3 of 1950); and also applied in the Federated Areas of Baluchistan, see Gazette of India, 1937, Pt. I, p. 1499;

(ii) the Baluchistan States Union, see the Baluchistan States Union (Federal Laws) (Extension) Order, 1953 (G. G. O. 4 of 1953), as amended;

(iii) the Khairpur State, see the Khairpur (Federal Laws) (Extension) Order, 1953 (G. G. O. 5 of 1953), as amended ; and

(iv) the State of Bahawalpur by the Bahawalpur (Extension of Federal Laws) Order, 1953 (G. G. O. 11 of 1953), as amended.

The Act has been and shall be deemed to have been brought into force in Gwadur with effect from the 8th September 1958, by the Gwadur (Application of Central Laws) Ordinance, 1960 (37 of 1960), s. 2.

The Act, Rules, Notifns. and Orders made under it, have been applied to the Tribal Areas or to the parts of those areas to which they have not been already applied, see the Tribal Areas (Application of Acts) Regulation, 1965, Gaz. of P., 1965, Ext., pp. 1016-1018.

<sup>1</sup>[(2) It extends to the whole of Pakistan.]

(3) It shall come into force on such date<sup>2</sup> as the <sup>3</sup>[Federal Government] may, by notification in the <sup>4</sup>[official Gazette], appoint.

**2. Definitions.** In this Act, unless there is anything repugnant in the subject or context,—

- (a) “petroleum” means any liquid hydrocarbon or mixture of hydrocarbons, and any inflammable mixture (liquid, viscous or solid) containing any liquid hydrocarbon ;
- (b) “dangerous petroleum” means petroleum having its flashing-point below seventy-six degrees Fahrenheit ;
- (c) “flashing-point” of any petroleum means the lowest temperature at which it yields a vapour which will give a momentary flash when ignited, determined in accordance with the provisions of Chapter II and the rules made thereunder ;
- <sup>5</sup>[(d) “to transport” means to move petroleum from one place to another within Pakistan, by land, sea or air, and includes moving from one place to another in Pakistan across territory which is not part of Pakistan ;]
- (e) “to import” petroleum means to bring it into <sup>6</sup>[Pakistan] by land, sea or air, otherwise than during the course of transport ;
- (f) “to store” petroleum means to keep it in any one place, but does not include any detention happening during the ordinary course of transport ;
- (g) “motor conveyance” means any vehicle, vessel or aircraft for the conveyance of human beings, animals or goods, by land, water or air, in which petroleum is used to generate the motive power ;
- (h) “prescribed” means prescribed by rules made under this Act.

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<sup>1</sup>Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for the original sub-section (2) as amended by A. O., 1949, and the Federal Laws (Revision and Declaration) Act, 1951 (26 of 1951), s. 8.

<sup>2</sup>The 30th March, 1937 see Gazette of India, 1937, Pt. I, p. 632.

<sup>3</sup>Subs. by F. A. O., 1975, Art., 2 and Table for “Central Government” which was subs. by A. O., 1937, for “G. G. in C”.

<sup>4</sup>Subs. by A. O., 1937, for “Gazette of India”.

<sup>5</sup>Subs. by Ordinance 21 of 1960, s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for the original cl. (d), as amended by A. O. 1949.

<sup>6</sup>Subs. by Ordinance, 21 of 1960, s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for “the Provinces and the Capital of the Federation” which had been subs. by A. O., 1949, for “British India”.

## CHAPTER I

### CONTROL OVER PETROLEUM

**3. Import, transport and storage of petroleum.**— (1) No one shall import, transport or store any petroleum save in accordance with the rules made under section 4.

(2) Save in accordance with the conditions of any licence for the purpose which he may be required to obtain by rules made under section 4, no one shall import any dangerous petroleum, and no one shall transport or store any petroleum.

**4. Rules for the import, transport and storage of petroleum.** The <sup>1</sup>[Federal Government] may make rules<sup>2</sup>—

- (a) prescribing places where petroleum may be imported and prohibiting its import elsewhere ;
- (b) regulating the import of petroleum ;
- (c) prescribing the periods within which licences for the import of dangerous petroleum shall be applied for, and providing for the disposal, by confiscation or otherwise, of any dangerous petroleum in respect of which a licence has not been applied for within the prescribed period or has been refused and which has not been exported ;
- (d) regulating the transport of petroleum ;
- (e) specifying the nature and condition of all receptacles and pipe-lines in which petroleum may be transported;
- (f) regulating the places at which and prescribing the conditions subject to which petroleum may be stored ;
- (g) specifying the nature, situation and condition of all receptacles in which petroleum may be stored ;
- (h) prescribing the form and conditions of licences for the import of dangerous petroleum, and for the transport or storage of any petroleum, the manner in which applications for such licences shall be made, the authorities which may grant such licences and the fees which may be charged for such licences ;

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<sup>1</sup> Subs. by F. A. O., 1975, Art.2 and Table, for "Central Government" which was subs., by A. O., 1937, for "G. G. in C".

<sup>2</sup> See the Petroleum Rules, 1937, published in the Gazette of India, 1937, Pt. I, pp. 720-775.

For the Mineral Gas Safety Rules, 1960, see Gaz. of P., 1961, Pt. I, pp. 120-128.