



THE PETROLEUM ACT, 1934



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THE PETROLEUM ACT, 1934

¹ACT 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.

²[(2) It extends to the whole of Pakistan.]

(3) It shall come into force on such date³ as the ⁴[Federal Government] may, by notification in the ⁵[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 ;

⁶[(b) “petroleum class A” means petroleum having flashpoint below twenty-four degrees centigrade;

(ba) “petroleum class B” means petroleum having flashpoint below twenty-four degrees centigrade and above, but below fifty-five degrees centigrade;

¹For 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.

²Subs. 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.

³The 30th March, 1937 *see* Gazette of India, 1937, Pt. I, p. 632.

⁴Subs. by F. A. O., 1975, Art., 2 and Table for “Central Government” which was subs. by A. O, 1937, for “G. G. in C”.

⁵Subs. by A. O., 1937, for “Gazette of India”.

⁶Subs. by Act XLII of 2023, s.2.

- (bb) “petroleum class C” means petroleum having flashpoint of fifty-five degrees centigrade and above, but below ninety-three degrees centigrade;
- (bc) “excluded petroleum” means petroleum having flashpoint of ninety-three degrees centigrade and above;]
- (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 ;
- ¹[(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 ²[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 ³[;]
- ³[(i) “illegal sale of petroleum” means sale of petroleum products without having a valid storage licence granted under this Act and the rules made there under;
- (j) “oil marketing company” means a company or organization having a valid marketing licence front Oil and Gas Regulatory Authority for doing the activity of purchasing or obtaining refined oil products from refineries in Pakistan or from or through sources abroad, for selling, distributing or marketing directly or through agents or dealers at dispensing outlets or filling stations;
- (k) “dealer” shall have the same meaning as assigned thereto in sub-clause (viii) rule 2 of the Pakistan Oil Rules, 2016; and
- (l) “serious bodily injury” shall have the same meaning as assigned thereto in clause k of section 3, of the Mines Act, 1923 (IV of 1923).]

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.

¹Subs. 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.

²Subs. 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”.

³Subs. and added by Act XLII of 2023, s.2.

(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 ¹[petroleum class A], and no one shall transport or store any petroleum.

4. Rules for the import, transport and storage of petroleum. The ²[Federal Government] may make rules³—

- (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 ¹[petroleum class A] shall be applied for, and providing for the disposal, by confiscation or otherwise, of any ¹[petroleum class A] 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 ¹[petroleum class A], 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 ;
- (i) determining in any class of cases whether a licence for the transport of petroleum shall be obtained by the consignor, consignee or carrier ;
- (j) providing for the granting of combined licences for the import, transport and storage of petroleum, or for any two of such purposes ;
- (k) prescribing the proportion in which any specified poisonous substance may be added to petroleum, and prohibiting the import, transport or storage of petroleum in which the proportion of any specified poisonous substance exceeds the prescribed proportion ; and
- (l) generally, providing for any matter which in ⁴[its] opinion is expedient for proper control over the import, transport and storage of petroleum.

¹Subs. by Act XLII of 2023, s.3-4.

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

³See 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.

⁴Subs. by A. O., 1937, for “his”.

5. Production, refining and blending of petroleum.— (1) No one shall produce, refine or blend petroleum save in accordance with the rules made under sub-section (2).

(2) The ¹[Federal Government] may make rules²—

- (a) prescribing the conditions subject to which petroleum may be produced, refined or blended ; and
- (b) regulating the removal of petroleum from places where it is produced, refined or blended and preventing the storage therein and removal therefrom, except as ³[petroleum class A], of any petroleum which has not satisfied the prescribed tests.

⁴[(3) * * * * *]

6. Receptacles of ³[petroleum class A] to show a warning. All receptacles containing ³[petroleum class A] shall have a stamped, embossed, painted or printed warning, either on the receptacle itself or, where that is impracticable, displayed near the receptacle, exhibiting in conspicuous characters the words “Petrol” or “Motor Spirit”, or an equivalent warning of the dangerous nature of the petroleum:

Provided that this section shall not apply to—

- (a) any securely stoppered glass, stoneware or metal receptacle of less than ³[ten liters] capacity containing ³[petroleum class A] which is not for sale, or
- (b) a tank incorporated in a motor conveyance, or attached to an internal combustion engine, and containing petroleum intended to be used to generate motive power for the motor conveyance or engine, or
- (c) a pipe-line for the transport of petroleum, or
- (d) any tank which is wholly underground, or
- (e) any class of receptacles which the ¹[Federal Government] may, by notifications⁵ in the ⁶[official Gazette], exempt from the operation of this section.

7. No licence needed for small stocks of ³[petroleum class B] not in bulk. Notwithstanding anything contained in this Chapter, a person need not obtain a licence for the transport or storage of ³[petroleum class B] if the total quantity in his possession at any one place does not exceed ³[two thousand liters] and none of it is contained in a receptacle exceeding ³[eight hundred liters] in capacity.

¹Subs. by F. A. O., 1975, Art.2 and Table, for “Central Government” which was subs. by A. O., 1937, for “G. G. in C”.

²See the Petroleum Rules, 1937, published in the Gazette of India, 1937, Pt. I, pp. 720-775, ; and for the Mineral Gas Safety Rules, 1960, see Gaz. of P., 1961, Pt., I, pp.120-128.

³Subs. by Act XLII of 2023, s.5-7.

⁴Sub-section (3) omitted by A. O., 1937.

⁵For notification exempting tanks within installations or refineries or at or near oil wells, and receptacles in the possession of His Majesty’s forces, see Gazette of India, 1937, Pt. 1, p. 632.

⁶Subs. by A. O., 1937, for “Gazette of India”.

8. No licence needed for small quantities of ¹[petroleum class A].— (1) Notwithstanding anything contained in this Chapter, a person need not obtain a licence for the import, transport or storage of ¹[petroleum class A] not intended for sale if the total quantity in his possession does not exceed ¹[thirty liters].

(2) ¹[Petroleum class A] possessed without a licence under this section shall be kept in securely stoppered receptacles of glass, stoneware or metal which shall not in the case of receptacles of glass or stoneware exceed ¹[one liter] in capacity or in the case of receptacles of metal ¹[twenty-five liters] in capacity.

9. Exemptions for motor conveyances and stationary engines.— (1) The owner of a motor conveyance, who complies with requirements of the law for the time being in force relating to the registration and licensing of such conveyance and its driver or pilot and the owner of any stationary internal combustion engine, shall not be required to obtain a licence—

- (a) for the import, transport or storage of any petroleum contained in any fuel tank incorporated in the conveyance or attached to the internal combustion engine, or
- (b) for the transport or storage of ¹[petroleum class A], not exceeding ¹[hundred liters] in quantity in addition to any quantity possessed under clause (a),

Provided the petroleum is intended to be used to generate motive power for the motor conveyance or engine:

²[Provided further that the total quantity of ¹[petroleum class A] which may be stored without a licence under clause (b) shall not exceed ¹[hundred liters], notwithstanding that such owner may possess other motor conveyances or engines.]

(2) The ¹[petroleum class A] transported or stored without a licence under clause (b) ³[of sub-section (1)] shall be kept as provided in sub-section (2) of section 8, and, if it exceeds ¹[thirty liters] in quantity, shall be stored in an isolated place which does not communicate with any room where any person resides or works or in any room where persons assemble.

10. No licence needed by railway administration acting as carrier. Notwithstanding anything contained in this Chapter, of a railway administration, as defined in section 3 of the Railways Act, 1890 (IX of 1890), need not obtain any licence for the import or transport of any petroleum in its possession in its capacity as carrier.

11. Exemption of ¹[excluded petroleum]. Nothing in this Chapter shall apply to any petroleum which has its flashing-point not below ¹[ninety-three degrees centigrade].

12. General power of exemption. The ⁴[Federal Government] may, by notification⁵ in the ⁶[official Gazette], exempt any petroleum specified in the notification from all or any of the provisions of this Chapter.

¹Subs. by Act XLII of 2023, s.8-10

²Proviso added by the Petroleum (Amdt.) Act, 1940 (25 of 1940), s. 2.

³Ins. *ibid*.

⁴Subs. by F. A. O., 1975, Art.2 and Table, for “Central Government” which was subs. by A. O., 1937 for “G. G. in C”.

⁵For instance of such a notification, see Gazette of India, 1937, Pt. I, p. 632.

⁶Subs. by A. O., 1937, for “Gazette of India”.

13. Inspection of places. The ¹[Federal Government] may authorise² any officer by name or by virtue of office to enter any place where petroleum is being imported, stored, produced, refined or blended, or is under transport, and inspect all receptacles, plant and appliances used in connection with petroleum in order to ascertain if they are in accordance with the provisions of this Chapter and the rules made thereunder.

(2) The ¹[Federal Government] may make rules regulating the procedure of officers authorised under this section.

CHAPTER II

THE TESTING OF PETROLEUM

14. Inspection and sampling of petroleum.— (1) The ¹[Federal Government] may, by notification in the ³[official Gazette], authorise² any officer by name or by virtue of office to enter any place where petroleum is being imported, transported, stored, produced, refined or blended and to inspect and take samples for testing of any petroleum found therein.

(2) The ¹[Federal Government] may make rules⁴—

- (a) regulating the taking of samples of petroleum for testing,
- (b) determining the cases in which payment shall be made for the value of samples taken, and the mode of payment, and
- (c) generally, regulating the procedure of officers exercising powers under this section.

15. Standard Test Apparatus.— (1) A standard apparatus for determining the flashing point of petroleum shall be deposited with an officer to be appointed in this behalf by the ⁵[Secretary of the Division concerned], by notification in the ³[official Gazette].

(2) Such apparatus shall be engraved with the words “Standard Test Apparatus”, and shall be verified and corrected from time to time and replaced when necessary, in accordance with rules made under section 21.

(3) The Standard Test Apparatus shall, on payment of the prescribed fee, be open to inspection at all reasonable times by any person wishing to inspect it.

16. Certification of other test Apparatus.— (1) The officer appointed under section 15 shall, on payment of the prescribed fee, if any, compare with the Standard Test Apparatus any apparatus for determining the flashing-point of petroleum which may be submitted to him for this purpose.

(2) If any apparatus is found by him to agree with the Standard Test Apparatus within prescribed limits, the officer shall engrave such apparatus with a special number and with the date of

¹Subs. by F. A. O., 1975, Art.2 and Table, for “Central Government” which was subs. by A. O., 1937 for “G. G. in C”.

²For instance of such authorisation, see Gazette of India, 1937, Pt. I, Page 631.

³Subs. by A. O., 1937, for “Gazette of India”.

⁴For the Petroleum Rules, 1937, see Gazette of India, 1937, pp. 720-775; and for the Mineral Gas Safety Rules, 1960, see Gaz. of P., 1961, Pt. I, pp. 120-128.

⁵Subs. by Act XLII of 2023, s.11.

the comparison, and shall give a certificate in respect of it in the prescribed form, certifying that on the said date the apparatus was compared with the Standard Test Apparatus and was found to agree with it within the prescribed limits, and specifying any corrections to be made in the results of tests carried out with the apparatus.

(3) A certificate granted under this section shall be valid for such period as may be prescribed.

(4) A certificate granted under this section shall, during the period for which it is valid, be proof, until the contrary is proved, of any matter stated therein.

(5) The officer shall keep a register in the prescribed form of all certificates granted by him under this section.

17. Testing officers.—¹[(1)] The ¹[Secretary of the Division concerned] may authorise any officer by name or by virtue of office to test petroleum of which samples have been taken under this Act, or which may have been submitted to him for test by any person, and to grant certificates of the results of such tests.

¹[(2)] the following testing officers may be authorized under sub-section (1), namely:—

- (a) Director General, Director, Deputy Director, and Assistant Director of the Department of Explosives
- (b) Chemical Examiner, Customs House, Karachi, and
- (c) Chemical Examiner, Customs House, Lahore.]

18. Manner of test. All tests of petroleum made under this Act shall be made with a test apparatus in respect of which there is a valid certificate under section 16, shall have due regard to any correction specified in that certificate, and shall be carried out in accordance with rules made under section 21.

19. Certificate of testing.— (1) The testing officer after testing samples of petroleum shall make out a certificate in the prescribed form, stating whether the petroleum is ¹[petroleum class A] or ¹[petroleum class B], and, if the petroleum is ¹[petroleum class B], the flashing-point of the petroleum.

(2) The testing officer shall furnish the person concerned, at his request, with a certified copy of the certificate, on payment of the prescribed fee, and such certified copy may be produced in any Court in proof of the contents of the original certificate.

(3) A certificate given under this section shall be admitted as evidence in any proceedings which may be taken under this Act in respect of the petroleum from which the samples were taken, and shall, until the contrary is proved, be conclusive proof that the petroleum is ¹[petroleum class A] or ¹[petroleum class B], as the case may be, and, if the petroleum is ¹[petroleum class B], of its flashing point.

¹Re-numbered, subs. and added by Act XLII of 2023, s.12-13.

20. Right to require re-test.— (1) The owner of any petroleum, or his agent, who is dissatisfied with the result of the test of the petroleum may, within seven days from the date on which he received intimation of the result of the test, apply to the officer empowered under section 14 to have fresh samples of the petroleum taken and tested.

(2) On such application and on payment of the prescribed fee, fresh samples of the petroleum shall be taken in the presence of such owner or agent or person deputed by him, and shall be tested in the presence of such owner or agent or person deputed by him.

(3) If, on such re-test, it appears that the original test was erroneous, the testing officer shall cancel the original certificate granted under section 19, shall make out a fresh certificate, and shall furnish the owner of the petroleum, or his agent, with a certified copy thereof, free of charge.

21. Power to make rules regarding tests. The ¹[Federal Government] may make rules²—

- (a) for the specification, verification, correction and replacement of the Standard Test Apparatus ;
- (b) prescribing fees for the inspection of the Standard Test Apparatus ;
- (c) regulating the procedure in comparing a test apparatus with the Standard Test Apparatus ;
- (d) prescribing the form of certificate to be given in respect of a test apparatus so compared, and the period for which such certificates shall be valid ;
- (e) prescribing the form of the register of such certificates ;
- (f) prescribing fees for comparing a test apparatus with the Standard Test Apparatus ;
- (g) regulating the procedure of testing officers in carrying out tests of petroleum, providing for the averaging of results where several samples of the same petroleum are tested, and prescribing the variations from standard temperatures which may be allowed ;
- (h) prescribing the form of certificates of tests of petroleum and the fees which may be charged therefor;
- (i) providing, where the results of the testing of samples raise a doubt as to the uniformity of the quality of the petroleum in any lot under test, for the division of the lot into sub-lots, and for the selection and testing of samples of each sub-lot and for the averaging of results in accordance with the results of tests of those samples ;
- (j) prescribing fees for re-tests under section 20 and providing for their refund where the original test was erroneous ; and

¹Subs. by F. A. O., 1975, Art.2 and Table, for “Central Government” which was subs. by A.O, 1937, for “G. G. in C”.

²See the Petroleum Rules, 1937, published in the Gazette of India, 1937, Pt. 1, pp. 720-775.

- (k) generally, regulating the procedure of all officers performing duties connected with the testing of petroleum, and providing for any matter incidental to such testing.

22. Special rules for testing viscous or solid forms of Petroleum. The ¹[Federal Government] may also make rules² providing specially for the testing of any form of petroleum which is viscous or solid or contains sediment or thickening ingredients, and such rules may modify or supplement any of the provisions of this Chapter or of the rules made under section 21 in order to adapt them to the special needs of such tests.

CHAPTER III

PENALTIES AND PROCEDURE

23. General penalty for offences under this Act.—(1) Whoever—

- (a) in contravention of any of the provisions of Chapter I or of any of the rules made thereunder, imports, transports, stores, produces, refines or blends any petroleum, or
- (b) contravenes any rule made under section 4 or section 5, or
- ³[(c) being the holder of a licence issued under section 4 or a person for the time being placed by the holder of such licence in control or in charge of any place where petroleum is being imported or stored, or is under transport, contravenes any condition of such licence or suffers any condition of such licence to be contravened, or]
- (d) being for the time being in control or in charge of any place where petroleum is being imported, stored, produced, refined or blended or is under transport, refuses or neglects to show to any officer authorised under section 13 any receptacle, plant or appliance used in such place in connection with petroleum, or in any way obstructs or fails to render reasonable assistance to such officer during an inspection, or
- (e) being for the time being in control or in charge of any place where petroleum is being imported, transported, stored, produced, refined or blended, refuses or neglects to show to any officer authorised under section 14 any petroleum in such place, or to give him such assistance as he may require for the inspection of such petroleum, or refuses to allow him to take samples of the petroleum, or
- (f) being required, under section 27, to give information of an accident fails to give such information as so required by that section,

shall be punishable with fine which may extend to ⁴[equal to licence fee or as determined by the Federal Government from time to time].

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

²See the Petroleum Rules, 1937, published in the Gazette of India, 1937, Pt. 1, pp. 720-775.

³Subs. by the Petroleum (Amdt.) Act, 1941 (3 of 1941), s. 2, for the original cl. (c).

⁴Subs. by Act XLII of 2023, s.14.

(2) If any person, having been convicted of an offence punishable under sub-section (1), is again guilty of any offence punishable under that sub-section, he shall be punishable for every such subsequent offence with fine which may extend to ¹[two times licence fee or as determined by the Federal Government from time to time].

¹[(3) whoever—

- (a) illegally imports, transports, stores, sales produce, refines or blends any petroleum shall be punishable with the fine which may extend to one million rupees; and
- (b) if any person, having beer, convicted of an offence punishable under sub-section 3(a), is again guilty of any offence punishable under that with fine which may extend to five million rupees; or

(4) Where in any accident loss of human life or serious bodily injury to persons has occurred and the accident happens due to contravention of any of the provisions of this Act or of any of the rules made thereunder, offender shall be punishable with fine up to ten million rupees.]

24. Confiscation of petroleum and receptacles.— (1) In any case in which an offence under clause (a) or clause (b) or clause (c) of sub-section (1) of section 23 has been committed, the convicting Magistrate may direct that—

- (a) the petroleum in respect of which the offence has been committed, or
- (b) where the offender is convicted of importing, transporting or storing petroleum exceeding the quantity he is permitted to import, transport or store, as the case may be, the whole of the petroleum in respect of which the offence was committed,

shall, together with the receptacles in which it is contained, be confiscated.

(2) This power may also be exercised by the High Court in the exercise of its appellate or revisional powers.

¹[25. Jurisdiction.— The offences punishable under this Act shall be triable by a Judicial Magistrate of the first class.]

26. Power of entry and search.— (1) The ¹[Minister-incharge] may, by notification in the ²[official Gazette], authorise ³any officer by name or by virtue of office to enter and search any place where he has reason to believe that any petroleum is being imported, transported, stored, produced, refined or blended otherwise than in accordance with the provisions of this Act and the rules made thereunder, and to seize, detain or remove any or all of the petroleum in respect of which in his opinion an offence under this Act has been committed.

¹Subs. by Act XLII of 2023, s.14-16.

²Subs. by A. O., 1937, for "Gazette of India".

³For instance of such authorisation, see Gazette of India, 1937, Pt. I, p. 632.

(2) The provisions of the Code of Criminal Procedure, 1898 (V of 1898), relating to searches shall, so far as they are applicable, apply to searches by officers authorised under this section.

(3) The ¹[Federal Government] may make rules regulating the procedure of authorised officers in the exercise of their powers under this section subject, however, to the provisions of sub section (2).

27. Reports of accidents with petroleum. Where any accident by explosion or fire, which is attended with loss of human life or serious injury to person or property, occurs as the result of the ignition of petroleum or petroleum vapour, or occurs in or near any place where petroleum is kept and under circumstances making it likely that it was the result of such ignition, the person for the time being in charge of the petroleum shall forthwith give information to the nearest ²[Deputy Commissioner in the office of the Department of explosives] or to the officer in charge of the nearest police station.

28. Inquiries into serious accidents with petroleum.— (1) The inquiry mentioned in section 176 of the Code of Criminal Procedure, 1898 (V of 1898), shall ³[* * *] be held in all cases where any person has been killed by an accident which the Magistrate has reason to believe was the result of the ignition of petroleum or petroleum vapour.

(2) Any Magistrate empowered to hold an inquest may also hold an inquiry under the said section into the cause of any accident which he has reason to believe was the result of the ignition of petroleum or petroleum vapour, if such accident was attended by serious injury to person or property, notwithstanding that no person was killed thereby.

⁴[(3) * * * * *]

(4) The result of all inquiries held in pursuance of this section ⁵[and of any inquiry held by a coroner in a case to which sub-section (1) refers] shall be submitted as soon as may be to the ²[Secretary of the Division concerned, ⁵[the ²[Director General] in Pakistan]] and the Provincial Government].

CHAPTER IV

SUPPLEMENTAL

29. Provisions relating to rules.— (1) In making any rules⁶ under this Act, the ¹[Federal Government] may—

- (a) provide for any matter ancillary to such rules for which in ⁷[its] opinion provision is necessary to protect the public from danger arising from the import, transport, storage, production, refining or blending of petroleum, and
- (b) make special provision for the special circumstances of any Province or place.

¹Subs. by F. A. O., 1975, Art.2 and Table, for “Central Government” which was subs. by A.O., 1937, for “G. G. in C”.

²Subs. by Act XLII of 2023, s.17-18.

³Certain words omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch. II., which was previously ins. by Act, 25 of 1940, s. 3.

⁴Sub-section (3) which was amended by A. O., 1937 and Act 25 of 1940, section 3, has been omitted by A.O., 1949.

⁵Ins. by the Petroleum (Amdt.) Act, 1940 (25 of 1940), s. 3.

⁶For the Mineral Gas safety Rules, 1960, see Gaz. of P., 1961, Pt. I pp. 120-128.

⁷Subs. by A.O., 1937, for “his”.

(2) Every power to make rules conferred by this Act is subject to the condition of previous publication.

(3) All rules made under this Act shall be published in the ¹[official Gazette] ²[* * *].

30. Power to apply Act to other substances.— (1) The ³[Federal Government] may, by notification⁴ in the ¹[official Gazette], apply any or all of the provisions of this Act, and of the rules made there under with such modifications as ⁵[it] may specify, to any dangerously inflammable substance, other than an explosive, and thereupon the provisions so applied shall have effect as if such substance had been included in the definition of petroleum.

(2) The ³[Federal Government] may make rules providing specially for the testing of any substance to which any of the provisions of this Act have been applied by notification under sub-section (1), and such rules may supplement any of the provisions of Chapter II in order to adapt them to the special needs of such tests.

31. Power to limit powers of local authorities over petroleum. Where any enactment confers powers upon any local authority in respect of the transport or storage of petroleum, the ³[Federal Government] may, by notification⁶ in the ⁷[official Gazette],—

- (a) limit the operation of such enactment, or
- (b) restrict the exercise of such powers, in any manner ⁵[it] deems fit.

32. [Repeals.] *Rep. by the Repealing Act, 1938 (I of 1938), s.2 and Sch.*

THE SCHEDULE.— *[ENACTMENTS REPEALED.] Rep. by the Repealing Act, 1938 (I of 1938), s. 2 and Sch.*

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¹Subs. by A.O., 1937., for “Gazette of India”.

²The words “and in the local official Gazette” omitted *ibid*.

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

⁴The provisions of sections 2-4, 12-14, 23-29 and 31, have been applied to Carbide of Calcium, see Gazette of India, 1936, Pt. I, p. 1374. For notification extending certain sections of the Act to calcium phosphide, see Gazette of India, 1937, Pt. I, p. 632.

The provisions of this Act and Petroleum Rules, 1937, have been applied to—

- (i) natural gas used as industrial and domestic fuel, see Gaz. of P., 1956, Pt. I, p. 427 ;
- (ii) “Calodorant ‘C’ Gas Ordorant”, see Gaz. of P., 1958, Pt. I, p. 367; and
- (iii) Gas Odorants “Alert 101” and “Calodorant F”, see Gaz. of P., 1964, Ext., p. 135a.

⁵Subs. by A. O., 1937, for “he”.

⁶For such notification, see Gaz. of P., 1956, Pt. I, pp, 313-314.

⁷Subs. by A. O., 1937, for “Gazette of India”.