

L.N. 44 of 1974

**LABOUR DECREE 1974**  
(1974 No. 21)

**Labour Decree (Appointed Day) Order 1974**

In exercise of the powers conferred by section 91 (2) of the Labour Decree 1974, and of all other powers enabling me in that behalf, I, Anthony Enahoro, Federal Commissioner for Labour, hereby make the following Order :—

- |  |   |
|--|---|
| 1. The day appointed for the coming into force of the Labour Decree 1974 shall be 1st August 1974. | Appointed<br>day for<br>1974<br>No. 21. |
| 2. This Order may be cited as the Labour Decree (Appointed Day) Order 1974.                        | Citation.                               |

**MADE at Lagos this 5th day of July 1974.**

**ANTHONY ENAHORO,**  
*Federal Commissioner for Labour*

**EXPLANATORY NOTE**

*(This note does not form part of the above Order but is  
intended to explain its effect)*

The Order appoints 1st August 1974 as the day on which the Labour Decree 1974 comes into force.

L.N. 45 of 1974

**PETROLEUM DECREE 1969**  
(1969 No. 51)

**Petroleum Refining Regulations 1974**

*Commencement : 22nd July 1974*

**In exercise of the powers conferred upon me by section 8 of the Petroleum Decree 1969, and of all other powers enabling me in that behalf, I, Shettima Ali Monguno, Federal Commissioner for Mines and Power, hereby make the following regulations :—**

**PART I**

*Procedure Relating to Establishment, etc. of Refinery*

Form of application for licence to construct or operate a refinery, etc.

1.—(1) Application for a licence to construct or operate a refinery shall be made to the Commissioner and shall be in Form A in the Schedule to these Regulations.

(2) Every such application shall be accompanied by at least three copies of a detailed study of the project and the prescribed fee which shall not be refundable.

Licence to construct or operate a refinery.

2. A licence to construct or operate a refinery shall be in Form B in the Schedule to these Regulations and may be granted subject to such terms and conditions as the Commissioner may prescribe.

Enlargement or modification of existing refinery.

3.—(1) No changes shall be made in the installations of a refinery with a view to increasing its capacity except with the prior approval in writing of the Commissioner and upon payment of the prescribed fee.

(2) Application to enlarge, alter or add to any refinery or any of the plants therein or change the normal use of the component units or plants of any refinery or part thereof when by so doing such change shall create a substantial alteration to the capacity of the said refinery for processing crude oil and related products shall be in Form C in the Schedule to these Regulations and shall be accompanied by the prescribed fee which shall not be refundable.

Appointment of a Manager.

4.—(1) Work in connection with the construction and operation of a refinery shall be conducted under the direction of a Manager who shall have continued charge of all operations authorised by the licence under which he is operating.

(2) Every licensee shall notify the Director in writing of the name and address of the Manager and of any subsequent changes thereof.

**PART II**

*Duties of a Manager : General*

Manager to ensure compliance with provisions of Regulations.

5. It shall be the duty of the Manager to ensure that the provisions of these Regulations are fully complied with in relation to his refinery.

Appointment of competent persons.

6. The Manager shall appoint in writing competent persons for the purpose of general supervision of all operations in the refinery including all aspects of construction, maintenance and refining and shall submit for the approval of the Director each appointment and subsequent changes.

7. Where no specific provision is made by these Regulations for any aspect of the construction, operation and maintenance of a refinery, practices conforming with international standards shall be observed subject to the approval of the Director.

Observance of good refining practices.

8.—(1) All refinery areas shall constitute restricted areas, the boundaries of which shall be clearly defined as specified in regulation 9 below.

Refinery areas to constitute restricted areas.

(2) Only persons authorised by the Manager shall be admitted into such restricted areas.

9.—(1) Adequate and secure boundary fencing shall be provided around all restricted areas, tank farm, products' offtake facilities and the jetty. Access to these areas shall be through recognised entrances so controlled as to prevent the entry of unauthorised persons and vehicles.

Erection of fences.

(2) All vehicles shall be confined to approved routes within the refinery area except in regard to special cases where specific vehicles are authorised by the Manager to deviate from such approved routes.

10.—(1) A competent person shall be responsible for ensuring the observance of all fire and safety precautions within restricted areas.

Observance of fire and safety regulations.

(2) (a) There shall be provided to the satisfaction of the Director, adequate means designed to extinguish fire and to control effectively the spread of fire and explosions.

(b) A central fire station shall be provided with suitable equipment and manned by personnel who can immediately proceed to the scene of a fire or explosion and effectively make use of the available equipment to put the fire or explosion under control.

(c) Each item of the fire fighting equipment shall be inspected and tested at appropriate intervals by a competent person appointed for the purpose. The last date of such inspection shall be painted on the appliance and the result of such inspection shall be entered in a log book specially kept for that purpose; all such entries shall be duly signed by the competent person.

(d) Operational personnel employed in the refinery area shall be instructed in the use of fire fighting equipment. Instructions to personnel in case of fire shall be clearly and concisely expressed in writing and prominently displayed.

(e) Easy access to strategic points for mobile equipment shall be provided and shall at all times be kept free.

(f) The Manager shall ensure that no person smokes or ignites any fire or flame in any refinery area except in places set aside for the purpose.

(g) Except with the permission of the Manager no person shall have in his possession while he is in any refinery area any matches or mechanical lighters or similar devices or any lamp or light or any ignited or ignitable matter.

(h) Whenever a fire or explosion occurs in a refinery area the competent person in the fire station shall be informed immediately and steps shall be taken to extinguish the fire and control further explosion.

11.—(1) "No Smoking" signs shall be conspicuously displayed in restricted areas.

Warning notices.

(2) Warning notices regarding the prohibition of entry by unauthorised persons, naked lights and other hazards shall be conspicuously displayed.

*Safety and Health of Persons*

Safety  
clothing and  
appliances.

12.—(1) The Manager shall provide, for all persons working in the refinery areas in connection with crude oil or any refined product, suitable protective clothing, equipment and appliances of a pattern approved by the Director.

(2) The Manager shall instruct all workers on the importance and use of safety clothing and appliances issued to them and shall enforce their use. He shall make arrangements to ensure that equipment is always kept in good condition.

(3) Quick-operating automatic water showers ready for instant use and tested daily shall be provided in the vicinity of caustic vessels and pumps and in such other appropriate accessible places as the Director may from time to time direct.

(4) Eye-wash bottles and automatic fountains shall be located in strategic and conspicuous locations in the refinery area.

Medical  
facilities and  
first aid  
services.

13.—(1) Adequate first aid and emergency medical facilities shall be provided to deal with all cases arising from any accident occurring in a refinery area.

(2) First aid boxes or cupboards shall be placed under the charge of competent persons who shall always be readily available during working hours, and a notice shall be affixed in every work-room stating the name of the person in charge of the first aid box or cupboard provided in respect of any area and for any shift period.

Protection  
against  
dangerous  
parts of  
machinery.

14. All dangerous or moving parts of any machinery shall be securely fenced or guarded whether situated in an engine house or not, so however that, in so far as the safety of a dangerous part of any machinery cannot by reason of the nature of the operation be secured by means of fixed guard, the requirements of this regulation shall be deemed to have been complied with if a device is provided which satisfactorily warns or protects the operator from coming in contact with that part.

Training  
inexperi-  
enced  
workers.

15. No person shall be allowed to work with any machinery or in any process, which is liable to cause or result in bodily injury to him or endanger his health, unless he has been fully instructed as to the danger likely to arise therefrom and the precautions to be observed therewith; and—

(a) he has received sufficient on-the-job training on the machinery or in the process; or

(b) he is under the adequate supervision of a person who has a thorough knowledge and experience of the machinery or process and who shall be responsible for the safety of the trainee.

Instructions  
on emergency  
procedures.

16.—(1) The Manager shall provide instructions regarding procedures to be followed during an emergency and shall ensure that each worker knows his functions under such instructions.

(2) The Manager shall send a copy of such instructions and any subsequent alterations thereto to the Director.

### *Accidents*

17.—(1) Where any accident occurs in a refinery which results in loss of life or serious injury written notice of the accident, in Form D in the Schedule to these Regulations shall forthwith be sent by the Manager to the Director and copied to the nearest inspector by the Manager.

Reporting of accidents.

(2) The Director may, if he so desires, order an inquiry to be held by the inspector.

(3) For the purpose of this regulation, serious injury includes any injury involving the loss of or impairment in the use of any limb or other part of the body or one which results in such incapacity (whether temporary or permanent) that the sufferer is incapable of continuing the work on which he was engaged immediately before he suffered the injury.

(4) A record shall be kept of all other injuries in the refinery and any such record shall be made available to an inspector on demand.

(5) The provisions of this regulation shall be additional to the requirements contained in the Factories Act, Workmen's Compensation Act, and the Electrical Supply Regulations in the case of an accident or fire involving electrical apparatus or equipment.

Cap. 66, Cap. 222 and page 302 laws of Nigeria Vol. VII.

18.—(1) Any inspector holding an inquiry under this Part shall, for the purposes of the inquiry, have power to do the following things, that is to say—

Inquiries into accidents.

(a) to summon witnesses ;

(b) to call for the production of relevant books and documents which may be necessary to ascertain whether the provisions of these Regulations have been complied with ;

(c) to examine any person or witness, either alone or in the presence of any other person, and to require any such person or witness to sign a declaration of the truth of the matters respecting which he is so examined ;

(d) to exercise such other powers as may be necessary for carrying these Regulations into effect.

(2) A notice requiring a witness to appear at an inquiry to be held pursuant to these Regulations shall be in Form E in the Schedule to these Regulations.

### **PART III**

#### *Reports*

19.—(1) The Manager shall forward to the Director, not later than 21 days after the end of each month, a refinery statement for the month in a form which the Director may from time to time direct.

Monthly statements on production, etc.

(2) The statement shall contain :—

(a) a report of important occurrences, technical or otherwise, in the refinery during the month ;

(b) information on the duration of any shut-down and any major work done during the shut-down including information on any plant taken out of commission during the shut-down and the reasons for the work done ;

(c) information covering inspection report on any installation in the refinery ;

(d) the latest estimates of anticipated monthly production for the next three months explaining the reason or reasons for any increase or decrease in production generally or in a specific product or products ;



(e) a brief summary of the results of test runs, and experiments carried out during the month in the normal course of operations on any section of the refinery installation.

Annual report.

20. Not later than two months after 31st December of every year the Manager shall forward to the Director three copies of an annual report reviewing the activities for the previous year and details of proposed activities for the current year. Such report shall be prepared in a form acceptable to the Director.

Books, records, etc. to be made available to the Director.

21. The Manager shall make available to the Director or to his duly authorised representative such books, files and technical data as are relevant to the technical operation of the refinery.

Special reports.

22. The Director may from time to time call for special reports on any aspect of the refining operations which may or may not have otherwise been provided for in this Part of these Regulations.

## PART IV

### *Miscellaneous*

Construction of plants, etc.

23. Before any plant installation or related facility under the refinery licence is constructed or assembled for any purpose the Manager shall forward to the Director for approval all relevant details regarding the design specifications, purpose and location of the plant, installation or related facility including any programme of activities prior to the commissioning of the plant, installation or related facility.

Storage tanks.

24.—(1) All permanently placed storage tanks containing crude oil and any class of product shall be installed within a bund-wall capable of retaining the contents of the largest tank plus ten per cent of the remaining tanks; and where there is only one tank the capacity of such bund-wall shall be sufficient to contain the whole of the tank's contents should the tank be emptied by leakage or otherwise.

(2) In addition, the tanks referred to in the foregoing paragraph (1) shall—

(a) be fitted with access doors sufficiently large to enable easy access and with vents capable of relieving any excess pressure or vacuum;

(b) have access to their roofs by means of a ladder or staircase of a type approved by the Director and all floating roof tanks shall have adequate wind girders;

(c) have provision made for containing any leakage to prevent oil contaminating the water when located above water; and

(d) be provided with efficient electrical earth connections independent of pipe connections, having an electrical resistance value not exceeding ten ohms when measured by an earth resistance tester of the 'Megger' or similar type.

Entry into storage tanks, etc.

25.—(1) Before permitting workmen to enter a tank which had previously contained petroleum products it shall be gas freed and the concentration of gas determined, and all feed and vent lines shall be disconnected and blanked off, and tank hatches shall be kept open.

(2) During tank cleaning operations adequate ventilation shall be provided inside the tank and, as work progresses, frequent tests shall be made to detect increases in gas concentration.

(3) If the gas concentration exceeds 0.05 per cent, gas masks shall be worn, tools shall be incapable of causing sparks, and hand lamps and torches used shall either—

(a) be certified flame proof, group II, in conformity with British Standard 229; or

(b) be constructed in compliance with the United States National Electrical Safety Code and the National Board of Fire Under-Writers National Electric Code for explosion proof electrical apparatus and equipment.

26. The Manager shall ensure, especially where any tank in operation is being filled, that operational safeguards are used to avoid, so far as possible, exceeding the safe limit of fill applied to the particular tank under consideration.

Operational safeguards in relation to storage tanks.

27. Residues, sludges, rusts and similar matter from tanks which may have contained leaded petroleum products shall be disposed of according to good refining practices and only to such places as have been approved by the Director.

Disposal of residues, sludges, rusts, etc.

28.—(1) Before a tank is used for any storage it shall be properly calibrated in the presence of an inspector or other representative of, and by a method approved by, the Director, and calibration tables on the tank shall be forwarded in duplicate to the Director by the Manager.

Storage tanks to be calibrated.

(2) If for any reason any tank which has been in use requires to be recalibrated the calibration shall be done in the presence of an inspector or other representative of, and by a method approved by, the Director, and calibration tables on the tank shall be forwarded to the Director in duplicate by the Manager.

29.—(1) The design, construction and testing of the liquefied petroleum gas unit and storage shall be in accordance with the current requirement of standard practice of design and construction.

Storage of liquefied petroleum gases.

(2) The storage and handling of L.P.G. shall be in accordance with good refinery practices.

(3) The standard practice of design and construction and good refinery practices referred to in this regulation shall be such as are acceptable to, and approved by, the Director.

30.—(1) Tanks of capacity less than 500 water tons shall be sited and placed in accordance with safety considerations. Due allowance shall be made for the nature of the product stored and its volume and the characteristics of the surrounding area.

Construction and spacing of tanks.

(2) If the storage relates to class "A" or class "B" petroleum—

(a) in normal design fixed roof tanks, the minimum distance—

(i) between the perimeter of the tank and the outer body of the installation shall be the diameter of the tank or 25 metres, whichever is the greater,

(ii) between tank and tank shall be the diameter of the smaller, or 15 metres, whichever is less;

(b) in floating roof tanks, the minimum distance—

(i) between the perimeter of the tank and the boundary of the installation, or

(ii) between tank and tank shall be not less than 15 metres ; and

(c) for the purposes of sub-paragraphs (a) and (b) above, small tanks shall be considered as one tank if sited together in groups not exceeding a combined capacity of 3,000 water tons, and spaced according to the requirements of the locality and of operational needs.

(3) If the storage relates to liquefied petroleum gases the minimum distance—

(a) from the boundary of the installation ; or

(b) from open fires ; or

(c) from class "A" and class "B" petroleum, shall not be less than 45 metres.

(4) A list of tanks, their gross capacities and their use shall be forwarded by the Manager to the Director. If for any reason other than that of a production emergency a tank is to be altered in use, for a purpose different from that for which it was designed, the Director shall be informed before such alteration is effected, and if for any reason whatsoever a tank is to be altered in construction, the approval of the Director shall be obtained before such alteration is effected.

Disruption  
to continuous  
operation.

31.—(1) The Manager shall notify the Director on Form F in the Schedule to these Regulations not less than 30 days before any planned shut-down.

(2) The Manager shall on the occurrence of any operational incident resulting in the shut-down of the refinery or any part thereof or resulting in putting out of use of any plant, machinery or installation or on the occurrence of any other emergency resulting in such shut-down or putting out of use, forthwith notify the nearest inspector in writing of the occurrence stating—

(a) the reasons for the shut-down or putting out of use, its estimated duration and its possible effect on the production commitment of the refinery ; and

(b) the steps, if any, the Manager has taken or proposes to take to avoid a recurrence of the incident or circumstances that gave rise to the shut-down or putting out of use.

Abandon-  
ment or re-  
placements  
of any plant.

32. Before any plant is permanently put out of commission the Director shall first be informed on Form F in the Schedule to these Regulations, and his written approval obtained.

Pressure  
vessels.

33.—(1) All pressure vessels in use in the refinery shall be of good construction, sound materials and adequate strength and shall be properly maintained in accordance with standards acceptable to the Director.

(2) Every pressure vessel shall be periodically inspected in accordance with the applicable provisions of the Factories Act and, in particular, the following matters shall be carried out—

(a) oil heaters shall be inspected not more than eighteen months from their first commissioning and thereafter at intervals of thirty months and the fire tubes replaced when below the minimum thickness, and at the same time, other parts and fittings both internal and external shall be inspected ;

(b) (i) all compressed-air receivers shall be drained of liquid daily ;



(ii) where the internal surface of the receiver cannot be inspected and in any event not less often than once in every 30 months the receiver shall be tested hydraulically to the recommended test pressure ;

(c) gas separators shall be tested whenever the opportunity occurs but at intervals not exceeding thirty-six months, and they shall be pressure tested to a pressure in excess of its working pressure in accordance with the code of design and construction of the vessels.

(d) relief valves and safety valves shall—

(i) be inspected at least once in every 30 months or at such shorter intervals as shall be necessary to maintain them in satisfactory condition and to ensure that they operate effectively as soon as the safe working pressure is exceeded ;

(ii) be set to operate at a pressure not exceeding ten per cent above the working pressure and shall pass full design quality at this setting, and where appropriate, bursting discs may be used in lieu of safety valves ;

(iii) be stamped or tagged with their set popping-pressure.

(3) Every pressure vessel shall be fitted with tested pressure gauge, graduated in the metric system, and such gauge shall be checked for accuracy at regular intervals.

(4) All new pipework shall be tested in accordance with the code of design and construction before being put into service, and shall also be similarly tested whenever any alteration or repair has been carried out.

(5) In this regulation, the expression "pressure vessel" includes steam boilers, steam receivers and steam containers, air receivers and their attachments and lifting appliances.

34.—(1) Heat exchangers, processing vessels and other equipment used in the refinery shall be inspected from time to time in accordance with an inspection code acceptable to the Director.

Nonpres-  
sure vessels.

(2) If any fault is detected during the course of inspection a detailed report of inspection shall be forwarded to the Director.

35.—(1) Tetraethyl lead, tetramethyl lead or any other dangerous additives and chemicals shall be handled strictly in accordance with the up-to-date instructions as drawn up by the manufacturers, a copy each of which shall be forwarded to the Director and inspector.

Handling  
and blending  
of dangerous  
additives and  
chemicals.

(2) The amount of lead which one imperial gallon of any finished product shall contain may not exceed that which is acceptable in current good refinery practice and in any case shall not exceed that amount which the Director may from time to time specify.

(3) If the result of any sample which an inspector or an officer delegated by the Director withdraws and analyses in the presence of an officer delegated by the Manager shows that the approved maximum has been exceeded at any time, the Manager shall be guilty of an offence under these Regulations and shall be liable on conviction to a fine of ₹100 or imprisonment for six months.

36.—(1) The total storage capacities for finished products in any refinery shall not be less than 30 days of the maximum processing capacities of the refinery.

Storage  
capacities.

(2) The storage capacity for any feedstock, additive or chemical shall be such as to satisfy at least 30 days' requirement.

Spare parts.

37.—(1) The Manager shall ensure ready availability of spare parts for critical equipment.

(2) "Critical equipment" for the purpose of this regulation means any equipment which if taken out of commission will endanger the life of, or lead to a shut-down of, the refinery or parts thereof.

Spillage in the refinery.

38.—(1) Any unprogrammed spillage, of crude, products or chemicals inside the refinery shall immediately be notified to the inspector.

(2) Such notice shall be followed within seven days after the spillage shall have occurred by a written report describing the cause and nature of the spillage, the amount of spillage and the method of estimating it, the amount of spillage recovered, precautionary measures taken since the spillage to prevent any hazard that may arise therefrom, and precautionary measures taken to prevent such spillage in the future.

Analysis of imported stock for use in the refinery.

39.—(1) The exact quantity of each imported feedstock, blendstock and additives and details of all analysis carried out by the refinery shall be duly recorded.

(2) Specimens of imports and results of any detailed analysis of such imports, carried out by the refinery shall be submitted to the Director whenever he so requires.

Samples and specimens.

40.—(1) The licensee may remove for examination and analysis samples and specimens of crude oils, catalysts, petroleum products or any other materials considered necessary in course of his operations.

(2) The Director shall be given full particulars of all samples and specimens so removed.

Samples and specimens : control of export.

41. The licensee may not export samples or specimens abroad except with the written permission of the Director and subject to such conditions as he may specify.

Fires and explosions.

42. Where fire or explosion occurs within a refinery area a full report thereof shall be made forthwith to the nearest inspector.

Refinery effluent and drainage disposal.

43.—(1) The Manager shall ensure that drainage and disposal of refinery effluent and drainage water shall conform to good refining practices, the specification of the effluent and the mode of disposal shall be subject to the approval of the Director.

(2) Complete analyses of the effluent and drainage water shall be performed at such regular intervals as the Director may prescribe and results of such analyses shall be clearly entered in a register specially kept for that purpose, every entry of which shall be duly signed by a competent person.

(3) The Manager shall adopt all practicable precautions including the provision of up-to-date equipment as may be specified by the Director from time to time to prevent the pollution of the environment by petroleum or petroleum products ; and where such pollution occurs the Manager shall take prompt steps to control and, if possible, end it.

(4) An inspector or an officer authorised by the Director may withdraw samples of any effluent and drainage water at any time for analysis and if the result of such analysis reveals that the approved specifications have not been complied with the Manager shall be guilty of an offence under these Regulations and shall be liable on conviction to a fine of ₦100 or imprisonment for six months.

44. The Manager shall provide on the refinery premises such office and other working accommodation for an inspector as may be specified by the Director.

Office and working accommodation.

45.—(1) If any person—

Offences.

(a) contravenes any provision of these Regulations ; or

(b) fails to comply with any direction of the Director given in exercise of any of the powers conferred under these Regulations ; or

(c) fails to comply with the terms of any warning notice displayed pursuant to these Regulations,

he shall be guilty of an offence and liable on conviction to a fine of ₦100 or imprisonment for six months.

(2) Any person who fails or refuses—

(a) to appear as a witness following a summons to do so issued by an inspector under regulation 18 ; or

(b) to produce any book or document required to be produced by an inspector for the purposes of an inquiry under regulation 18,

shall be guilty of an offence and liable on conviction to a fine of ₦100 or imprisonment for six months.

(3) Where a statement, information or report made or recorded pursuant to these Regulations includes any untrue statement the Manager shall, unless he proves that he had reasonable grounds to believe that the statement was true or proves that he did not authorise the making or recording of the untrue statement, be guilty of an offence and liable on conviction to a fine of ₦100 or imprisonment for six months.

## PART V

### Supplemental

46. The following fees shall be payable :—

₦

Fees.

(a) on application for a refiner's licence .. .. . 500

(b) on the issue of a refiner's licence .. .. . 2,000

(c) on the 31st December following the issue of the licence and on every 31st December thereafter—for every 2,000 tons, or part thereof, of the maximum crude oil capacity which the refinery is designed to process per calendar year 2

(d) an application to modify a refinery or any of its installations 200

47.—(1) The Director may from time to time give directions as to the manner of compliance with any matter provided for under these Regulations.

General power to issue directions, etc.

(2) The Commissioner may from time to time issue instructions on any matter concerning the construction, efficient operation and maintenance of a refinery.

48. In these Regulations, unless the context otherwise requires—

Interpretation.

“class “A” petroleum” includes all hydrocarbon liquids having a flash point below 73°F, by Abel closed cup test, and all petroleum stocks with a flash point below 200°F that are being handled at temperatures above their flash point ;

“class “B” petroleum” includes all hydrocarbon products having flash points from 73°F to 150°F inclusive ;

“class “C” petroleum” includes all hydrocarbon products having flash points above 150°F ;

“Commissioner” means the Federal Commissioner for Mines and Power ;

"competent person" means a person appointed, with the approval of the Director, by the Manager in writing as a reliable person capable of exercising overall general supervisory responsibility in ensuring compliance with the provisions of these Regulations or parts thereof ;

"crude oil" means mineral oil in its natural state before it has been refined or treated (excluding water and other foreign substances) ;

"the Director" means the Director of Petroleum Resources, Federal Ministry of Mines and Power, and includes any person for the time being holding, acting or performing the functions of that office ;

"flash point" means the degree of temperature at which petroleum gives off a flammable vapour upon being tested by either the Abel closed cup tester or the Pensky-Martens closed tester ;

"inspector" means a petroleum engineer, any petroleum engineer above that rank, or any other officer appointed in writing by the Director to perform any or all of the duties prescribed in these Regulations ;

"lead refined product" means any refined product to which a portion of lead has been added in any form, with the aim of improving the qualities of the refined product ;

"the licensee" means the holder of a refining licence issued pursuant to the Decree and these Regulations ;

"L.P.G." or "liquefied petroleum gas" means any petroleum product which is gas at normal atmospheric temperature and pressure comprising mainly of butane or propane or admixtures thereof and, being liquefiable under pressure, is normally stored and handled as a liquid ;

"Manager" means the person appointed Manager pursuant to regulation 4 of these Regulations ;

"mobile plant" includes both portable and transportable plants or units ;

"natural gas" means gas obtained from boreholes and wells and consisting primarily of hydrocarbons ;

"refinery" means petroleum refinery ;

"refinery area" means any area in which operations connected with oil refining or the extraction of petroleum spirit from natural gas are carried on or in which oil or the products thereof are stored, including any jetty, oil viaduct leading to the sea or landing stage (whether enclosed or not) adjacent to such area ;

"refined petroleum products" or "petroleum products" includes motor spirit, gas oil, diesel oil, automotive gas oil, fuel oil, aviation fuel, kerosene, liquefied petroleum gases and any lubricating oil or grease or other lubricant ;

"refining" includes the liquefying of petroleum gas or gases by whatever method, separating of crude oil by whatever method into any grade of petroleum product, treating and up-grading of any petroleum or petroleum product by whatever method into other product or products ;

"restricted area" has the same meaning as the "refinery area".

## SCHEDULE

FORM A

(Regulation 1)

*Petroleum Refining Regulations 1974*APPLICATION FOR A LICENCE TO CONSTRUCT/OPERATE  
A REFINERY IN NIGERIA

1. Name of applicant.....
2. Registered address in Nigeria.....
3. Nationality of applicant.....
- 4a. Names, address and nationality of directors (where applicable).....
- 4b. Names, addresses and nationality of every individual or company participating in the project and the extent of each individual's or company's participation.....
5. Capital available to applicant for the construction of the refinery and details of the method of financing proposed.....
6. Proposed location of the refinery.....
7. Type of refinery proposed.....
8. Refining capacity range.....
9. Proposed source(s) of crude oil supply.....
- 10a. Products to be produced.....



10b. Detailed specifications of products (to be attached to this application)

11. Proposed market for products produced

Estimates, by product grade, or proposed product exports, if any

12. State the percentage of Government participation proposed

13. State if participants will accept participation of private Nigerian investors

14. Any additional information in support of application (provide the information on a separate sheet where necessary)

I declare that the foregoing particulars are true and correct.

*Signature of Applicant or his Attorney*

Date

N.B.—(i) The application fee of N500 should be forwarded with this application.

(ii) Particulars of documents attached to the application should be listed hereunder :

## FORM B

(Regulation 2)

## LICENCE NO.

*Petroleum Refining Regulations 1974*  
*Refiner's Licence*

## LICENCE TO CONSTRUCT/OPERATE A REFINERY

This Licence is granted to.....

.....  
 (Name of Licensee)

.....  
 (Address of Licensee)

to construct and operate a refinery at.....

.....  
 (Place)

more clearly defined on the site plan attached hereto for a term of.....  
 years commencing on the..... day of..... 19.....

2. This Licence is issued subject to the Petroleum Decree 1969 and to the regulations made thereunder as are now in force and as they may be amended from time and to the special terms and conditions attached hereto.

3. A fee of ₦2,000 is payable on the issue of this licence after which, on the 31st December following the issue of the licence and on every 31st December thereafter—₦2 for every 2,000 tons or part thereof, of the maximum crude oil capacity which the refinery is designed to process per calendar year.

4. DATED this..... day of..... 19.....

*Federal Commissioner for Mines and Power*

## FORM C

(Regulation 3)

*Petroleum Refining Regulations 1974*

## APPLICATION TO ENLARGE OR MODIFY EXISTING REFINERY

1. Name of licensee.....

2. Registered address in Nigeria.....

3. Plant/Component requiring modification.....

4. Particulars of modification desired : enlargement\*alteration\*addition\*  
change of normal use of component plants.
5. Extent of alteration (if any) on refinery through-put capacity.....  
.....  
.....
6. Reason(s) for modification.....  
.....
7. The justification for applicant's proposal.....  
.....
8. Relation (if any) to possible future developments.....  
.....
9. Particulars of site plan attached.....  
.....  
.....
10. Other information in support of application.....  
.....  
.....
11. I.....  
(Name of applicant)  
certify that the particulars stated above are correct.

.....  
*Signature of Licensee or his Attorney*

.....  
*Name in full*

Date.....19.....

*N.B.* (i) Information which cannot be supplied within the available space provided in this form should be supplied in an attachment to this application.

(ii) The application fee of N200 should be forwarded with this application.

FORM D

(Regulation 17)

From :

Date :

To : The Director of Petroleum Resources,  
Ministry of Mines and Power,  
Department of Petroleum Resources,

*Petroleum Refining Regulations 1974*

*Report of a Serious/Fatal Accident*

1. Name and address of licensee.....
2. Date of accident..... Time.....
3. Place of accident
  - (a) Location.....
  - (b) Division or Province.....
  - (c) State.....
4. Nature of accident.....
5. How accident occurred.....
6. \*Name of injured/deceased person(s).....
7. Occupation.....
8. Date and time of application of first aid.....
9. Date injured person was sent to hospital.....
10. Place where injured person may be interviewed.....
11. Names of eye-witnesses, if any, and copies of any statement taken at the time of or immediately after the incident under report.....
12. State whether in your opinion there was any degree of serious or wilful misconduct involved.....

.....  
*Signature*

.....  
*Designation*

*Petroleum Refining Regulations 1974*

## NOTICE OF HEARING BY THE INSPECTOR

To :

1. ....
2. ....

You are hereby summoned to appear before me at.....

.....on  
the.....day of.....19.....

and to give evidence at an inquiry being held into an accident at.....

on the.....day of.....19.....

and you are required to bring with you :—

3. ....
- .....
- .....

DATED this.....day of.....19.....

.....  
*Inspector*

Notes :—

1. Insert name of intended witness.
2. Insert address of intended witness.
3. Name any document the intended witness will be required to produce.

*Petroleum Refining Regulations 1974*

## NOTIFICATION OF DISRUPTION TO CONTINUOUS REFINERY OPERATION

1. Name of licensee.....
2. Registered address in Nigeria.....
3. •Plant/unit to be shut-down/abandoned and/or replaced.....



4. Effective date of disruption.....
5. Estimated duration.....
6. Reasons for disruption stated above (if necessary give reasons on a separate attachment).....  
.....
7. Nature of work to be performed (where applicable).....  
.....
8. •Plant/unit is to be permanently/temporarily put out of commission.
9. •Plant/unit is to be replaced/not replaced by a similar plant.
10. Expected commissioning date of plant/unit (where applicable).....  
.....
11. Brief history of abandoned plant (provide on a separate sheet if necessary).....  
.....
12. I, .....  
(Name of Manager)

certify that the above particulars are correct.

.....  
*Signature*

*Date*.....

• Delete where inapplicable.

MADE at Lagos this 22nd day of July 1974.

SHETTIMA ALI MONGUNO,  
Federal Commissioner for Mines and Power

EXPLANATORY NOTE

*(This note does not form part of the above regulations  
but is intended to explain their effect)*

The regulations prescribe the manner of applying for a licence to construct or operate a refinery, the fees to be paid and the documents or other information to be supplied with each application. Detailed provisions are also made in respect of the construction and operation of refineries.