



PETROLEUM (AMENDMENT) ACT 1997

Act 20 of 1997

AN ACT TO AMEND THE PETROLEUM ACT

I assent,
TAUFA'AHAU TUPOU IV,
14th January, 1998

[5th November, 1997]

BE IT ENACTED by the King and Legislative Assembly of Tonga in the Legislature of the Kingdom as follows:—

1.
 - (1) This Act may be cited as the Petroleum (Amendment) Act 1997.
 - (2) The Petroleum Act (Cap. 135), as amended, is in this Act referred to as the Principal Act.
2. Section 2 of the Principal Act is amended:
 - (a) by inserting the following new definitions in the appropriate alphabetical position:—

“**crude oil**” means any liquid hydrocarbon mixture occurring naturally in the earth whether or not treated to render it suitable for transportation and includes:

- (i) crude oil from which certain distillate fractions may have been removed; and
- (ii) crude oil to which certain distillate fractions may have been added.

“**IMDG Code**” means the International Maritime Dangerous Goods Code as defined in the Shipping Act, (Cap 136).

“**Minister**” means the Minister for Marine and Ports (unless specified otherwise).

“**Secretary**” means the Secretary for Marine and Ports”.

- (b) in the definition of “**petroleum**”, by deleting the word “**petroleum**” in the definition itself and substituting therefor the words “**crude oil**”.
3. Section 5 of the Principal Act is amended by deleting the words “harbour master accordingly” and substituting therefor the words “Secretary of the time of arrival of the vessel”.
4. Section 6 of the Principal Act is amended by deleting the words “harbour master” wherever they occur and substituting therefor the word “Secretary”
5. Section 7 of the Principal Act is repealed and replaced with the following:
- “7.
- No petroleum shall be stored or kept within the Kingdom except under and in accordance with this Act or any Regulation made thereunder.”
6. Section 8 of the Principal Act is amended.
- (a) in subsection (1) by deleting the word “Prime”; and
 - (b) by repealing subsection (2) and substituting therefor the following:

“(2) Any person who refuses to permit any such officer or other person duly appointed by the Minister to enter or inspect any premises, or hinders or obstructs any such officer or other person in the execution of his duty under this Act, or refuses to allow any such officer or other person to take samples in pursuance of this section or to give him facilities for the purpose commits an offence and shall be liable upon conviction to a fine not exceeding \$1000.”
7. Section 10(1)(i) of the Principal Act is amended by deleting the figure “\$100” and substituting therefor the figure “\$1000”

8. Section 11 of the Principal Act is amended by deleting the figure “\$200” and substituting therefor the words “\$10,000 or to a term of imprisonment not exceeding 6 months or both.”

Passed by the Legislative Assembly this 5 day of November, 1997