

(2) If any vessel is moored in any position in contravention of such instructions the owner or master of such vessel shall be guilty of an offence and liable to a fine not exceeding twenty pounds for each day during which the vessel remains so moored; and it shall be lawful for the Harbourmaster or any other person acting under his orders to cause such vessel to be removed at the expense of the owner or master thereof to such position as may be ordered by the Harbourmaster.

Keeping of petroleum.

4. (1) It shall not be lawful for any person to keep in any place within the limits of the Apia town area as from time to time defined by the Administrator by Proclamation in the *Western Samoa Gazette*, or within any other area from time to time proclaimed by the Administrator to be subject to the provisions of this Ordinance, petroleum in any quantity exceeding twenty-four imperial gallons, unless such petroleum shall be stored in a public or private magazine hereinafter provided for, or in an underground receptacle constructed to the satisfaction of the Administrator.

(2) All petroleum shall be kept in some vessel or vessels made of glass, earthenware, or metal, and shall be securely stoppered.

Public magazine.

5. It shall be lawful for the Administrator from time to time, by Proclamation in the *Western Samoa Gazette*, to proclaim any building to be a public magazine for the storage of petroleum. The Administrator may appoint fit and proper persons to have the charge and custody of any such magazine, and may from time to time fix the storage rent payable on goods kept therein.

Delivery from public magazines.

6. No petroleum shall be delivered from or received into any public magazine except between the hours of seven in the forenoon and six in the afternoon.

Private magazines.

7. Licenses for private magazines may be issued by the Collector of Customs, and shall prescribe the quantity of petroleum which may be stored in a private magazine. Any person who keeps in a private magazine a greater quantity of petroleum than is allowed by his license shall be guilty of an offence against this Ordinance.

Delivery from private magazines.

8. No petroleum shall be delivered from any private magazine except between the hours of seven in the forenoon and six in the afternoon.

Publication, &c., of licenses.

9. Particulars of every license issued under this Ordinance shall be published in the *Gazette*, and such license shall expire on the thirty-first day of March next after it is granted.

Search-warrant.

10 (1) It shall be lawful for any Judge or Commissioner of the High Court, on reasonable cause assigned upon oath, to issue a warrant under his hand to some constable or other officer of the Samoan Public Service for searching in the daytime any place in which petroleum is suspected to be kept contrary to the provisions of this Ordinance.

(2) All petroleum found to be kept contrary to this Ordinance, and also the vessels or receptacles in which the same shall be kept, shall be immediately seized by the searcher, who shall with all convenient speed after the seizure remove such petroleum and the vessels or receptacles containing it to a public magazine, or, in the event of there being no public magazine, to some other place of safety, and may detain such petroleum and such vessels or receptacles pending an order of the Court; and such searcher or seizer shall not be liable to any action for such detainer, or for any loss of or damage to such petroleum or vessels or receptacles other than by his wilful act or neglect.

(3) The owner or occupier of any place on whose premises petroleum shall be found upon search under this clause to be kept contrary to the provisions of this Ordinance shall be deemed guilty of an offence against this Ordinance.

Power of entry and inspection.

11. (1) Any European officer of police may at any time between the hours of seven in the forenoon and six in the afternoon enter any place in which petroleum is kept or suspected to be kept, and may in any such place examine any receptacle containing oil or other liquid material, and may take a sample not exceeding twelve fluid ounces from each such receptacle.

(2) Any person whose premises may be so entered shall give to any such officer every assistance and facility.

(3) If any person as aforesaid shall fail to give to any such officer while acting under this section every assistance and facility, or shall in any manner obstruct any such officer while acting under this clause, every such person shall be guilty of an offence against this Ordinance.

Penalties for offence.

12. Any person who shall be guilty of any breach of the provisions of this Ordinance for which no penalty is specified, or who shall be guilty of an offence against this Ordinance, shall be liable on conviction to a fine not exceeding twenty-five pounds, or in the case of a continuing breach or continuing offence to a fine not exceeding twenty-five pounds for every day during which such breach or offence continues.

13. The rules contained in the Schedule to this Ordinance shall be in force in the same manner as if they were enacted in the body of the Ordinance, and any breach of the provisions of such rules shall be deemed to be a breach of the provisions of this Ordinance and shall be punishable accordingly.

SCHEDULE.—RULES.

Interpretation.

1. In these rules—

“The Ordinance” means the Petroleum Ordinance, 1928:

“Boat” means any vessel propelled by oars only:

“Ship” includes every description of vessel used in navigation not propelled by oars only:

“Wharf” includes any quay, landing-place, landing-stage, jetty, pier, hulk, or other place at which goods are landed, loaded, or unloaded:

“Screen wall” means a wall of brick, stone, concrete, or other substance efficient for the purpose of preventing the percolation of oil and the spread of fire from any one place to any other place.

Private magazines to be licensed.

2. Private magazines for the keeping of petroleum must be licensed annually, and all such licenses shall expire on the thirty-first day of March in each year, and shall be in the form marked “A” annexed hereto.

Application for license and fees payable.

3. Application for license for a private magazine shall be made to the Collector of Customs, and shall be in form “B.” The applicant shall, on being granted a license, pay to the Collector the sum of one pound if the license is for a magazine for not more than two hundred gallons and two pounds if for more than two hundred gallons.