

GOVERNMENT NOTICE 114 published on 4/3/2022

THE PETROLEUM ACT,
(CAP. 392)

RULES

(Made under section 259 (1))

THE PETROLEUM (LIQUEFIED PETROLEUM GAS OPERATIONS) (AMENDMENT)
RULES, 2022

Citation
GN. No.
825
of 2020

1. These Rules may be cited as the Petroleum (Liquefied Petroleum Gas Operations) (Amendment) Rules, 2022 and shall be read as one with the Petroleum (Liquefied Petroleum Gas Operations) Rules, 2020 hereinafter referred to as the “principal Rules”.

General
amendment

2. The principal Rules are amended generally by deleting the words “super dealer” wherever they appear and substituting for them the word “distributor”.

Amendment
of rule 2

3. The principal Rules are amended by adding at the end of rule 2 the words “in Mainland Tanzania”.

Amendment
of rule 3

4. The principal Rules are amended in rule 3-
- (a) in the definition of the term “approved specification”, by deleting the words “petroleum industry best practices” and substituting for them the words “Best International Petroleum Industry Practices”;
 - (b) in the definition of the term “bulk quantity” by deleting the figure “250” and substituting for it the figure “200”;
 - (c) in the definition of the term “dealer”, by deleting the phrase “for the purpose of these Rules shall be deemed as an agent of a super dealer” and substituting for it the phrase “has a dealership agreement with a distributor pursuant to these Rules”;
 - (d) in the definition of the term “distributor” by deleting the words “the rights and obligations” and substituting for them the words “been licensed”;
 - (e) in the definition of the term “supplier” by deleting the

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word “business” appearing between the words “wholesale” and “or”;

(f) in the definition of the term “wholesaler” by deleting the word “who” appearing between the words “person” and “imports” and substituting for it the words “licensed to”; and

(g) by adding in the appropriate alphabetical order the following new definitions:

““illegal refilling” means an activity of refilling LPG at a place other than the refilling center;

“refill” means to transfer LPG from a cylinder or fixed LPG Bulk Storage to a cylinder at a refilling center”.

Amendment
of rule 8

5. The principal Rules are amended in rule 8, by-

(a) adding immediately after subrule (1) the following:

“(2) Any person found conducting a regulated activity without a licence shall be deemed to be undertaking illegal refilling pursuant to rule 32.”;

(b) renumbering subrules (2) and (3) as subrules (3) and (4), respectively.

Amendment
of rule 10

6. The principal Rules are amended in rule 10(1), by-

(a) deleting the phrase “who has storage facility with at least five thousand metric tonnes” appearing at the end of paragraph (a);

(b) deleting the phrase “and shall have distinguishable mark” appearing at the end of paragraph (b);

(c) adding immediately after paragraph (b) the following:
“(c) proposed distinguishing colour and mark of its cylinders;”; and

(d) renaming paragraphs (c) and (d) as paragraphs (d) and (e), respectively.

Amendment
of rule 19

7. The principal Rules are amended in rule 19 by renumbering subrules (4), (5) and (6) as subrules (3), (4) and (5), respectively.

Amendment
of rule 21

8. The principal Rules are amended in rule 21-

(a) in subrule (1) by-

(i) adding immediately after paragraph (e) the following:

“(f) conduct activities related to LPG business in accordance to LPG operational guidelines;”; and

(ii) renaming paragraphs (f) and (g) as paragraphs (g) and (h), respectively;

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- (b) in subrule (2) by-
 - (i) adding immediately after paragraph (j) the following:
“(k) sell LPG only to a licensed distributor it has a dealership agreement with; and”; and
 - (ii) renaming paragraph (k) as paragraph (l).

Amendment
of rule 27

- 9.** The principal Rules are amended in rule 27, by-
- (a) deleting subrules (1) and (2) and substituting for them the following:
 - “(1) A person shall not conduct LPG distribution or retail business without having a dealership agreement.
 - (a) a distributor shall, in conducting LPG distribution business, have a dealership agreement with a wholesaler and shall only procure LPG from a wholesaler whom he has a contract with;
 - (b) a dealer shall, in conducting LPG retail business, have a dealership agreement with a distributor and shall only procure LPG from a distributor whom he has a dealership agreement with.”;
 - (b) deleting the words “The supplier” appearing at the beginning of subrule (13) and substituting for them the words “A supplier or a dealer or any other person”.

Addition of
rule 39A

10. The principal Rules are amended by adding immediately after rule 39 the following:

“Transp
ortation
of LPG
Cylinder

39A. A supplier and a dealer shall ensure that a truck transporting cylinders meets the following conditions:

- (a) bear the name and contacts of a supplier or a dealer;
- (b) carry only a brand of the cylinder in which the truck is affiliated; and
- (c) be open, ventilated and allow visibility of cylinders

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carried.”.

Amendment
of Schedule

11. The principal Rules are amended in the
Schedule-

- (a) in FORM NO. 1-
 - (i) by deleting the whole of the “IMPORTANT NOTE” appearing before PART I; and
 - (ii) in PART II by deleting the first four items appearing in paragraph 8;
- (b) in FORM NO. 2-
 - (i) by deleting the whole of the “IMPORTANT NOTE” paragraph appearing before PART I;
 - (ii) in PART II by deleting the fourth to seventh items appearing in paragraph 7;
 - (iii) IN PART II by renumbering the eighth item as the fourth item; and
- (c) in FORM NO. 5 by deleting the whole of the IMPORTANT NOTE appearing before PART I.

Dodoma,
22nd February, 2022

GODFREY H. CHIBULUNJE,
Director General