

GOVERNMENT NOTICE No. 380 published on 3/08/2018

THE PETROLEUM ACT,  
(CAP. 392)

**RULES**

*(Made under section 259 (1))*

THE PETROLEUM (WHOLESALE, STORAGE, RETAIL AND CONSUMER INSTALLATION  
OPERATIONS) RULES, 2018

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THE PETROLEUM (WHOLESALE, STORAGE, RETAIL AND CONSUMER INSTALLATION  
OPERATIONS) RULES, 2018

PART I  
PRELIMINARY PROVISIONS

- Citation 1. These Rules may be cited as the Petroleum (Wholesale, Storage, Retail and Consumer Installation Operations) Rules, 2018.
- Application 2. These Rules shall regulate the activities related to petroleum wholesale business, petroleum storage business, petroleum retail operations business, petroleum consumer installation operations and related matters in Mainland Tanzania but shall not apply to petroleum retail business in villages and small towns.
- Interpretation  
Cap. 392 3. In these Rules, unless the context otherwise requires-  
“Act” means the Petroleum Act;  
“applicable law” means any principal law, treaty, convention, proclamation, regulation, rule, order or by-law that is in force in Tanzania and which is relevant to matters pertaining to the regulation of petroleum wholesale business and petroleum retail business;  
“approved specification” means any specification or standard in relation to a petroleum product applied by the Authority and is approved by the Tanzania Bureau of Standards pursuant to the Standards Act, or any other standards that are widely used for petroleum industry best practices;
- Cap. 130

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- Cap 414 “Authority” means the Energy and Water Utilities Regulatory Authority established under the EWURA Act;
- “bulk quantity” means a single lot of not less than two hundred litres of a petroleum product;
- “COCO” which stands for “company owned company operated” means an arrangement where a retail outlet is owned and operated by the same company;
- “CODO” which stands for “company owned dealer operated” means an arrangement where a retail outlet is owned by a company be it a wholesaler or not but operated by a separate dealer and includes an arrangement where a natural person owns a retail outlet but lets it to a dealer;
- Cap. 285 “Commission” means the Fair Competition Commission established under the Fair Competition Act;
- “complaint” means a written or oral statement comprising of the facts of a matter or act complained of, related to a licensed activity, that invokes the regulatory power or jurisdiction of the Authority, and specifying the relief sought;
- “complainant” means a person that has filed a complaint with the Authority pursuant to these Rules;
- “conforming products” means a petroleum product that meets the approved specifications;
- “consumer installation facility” means a building, a storage tank, dispensing pump or piping that an operator employs for the purpose of dispensing a petroleum product into own or hired petroleum products consuming equipment or own or hired vehicle;
- “consumer installation licence” means a licence issued by the Authority authorising a person to conduct consumer installation facility;
- “consumer installation licensee” means the holder of a consumer installation licence;
- “consumer installation operations” means activities necessary to operate a consumer installation facility and includes all activities in respect of such facility and any activity reasonably required in connection with obtaining, handling, possession, storage and dispensing of a petroleum product at such facility;
- Cap. 191 “Council” means the National Environment Management Council established under the Environmental

Management Act;

“compliance order” means an order issued by the Authority pursuant to section 39 of the EWURA Act;

“dangerous situation” means a situation involving a petroleum product that-

- (a) endangers the safety or health of a person, or the safety of a person’s property; or
- (b) creates an immediate risk of significant environmental harm;

“dealer” means the operator of a retail outlet;

“depot” means a petroleum storage facility that has been constructed and meets the specifications prescribed under these Rules and TBS Standard TZS 1113:2009 in respect of which wholesale business or petroleum storage business is carried out and it includes buildings, storage tanks, pipelines, pump house, loading gantry and firefighting systems;

“driver” means any person who is in command of a transport unit;

“DODO” which stands for “dealer owned dealer operated” means an arrangement where a retail outlet is owned and operated by the same dealer;

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“EWURA Act” means the Energy and Water Utilities Regulatory Authority Act;

“habitual offender” means a licensee who has been found with non-conforming products for more than two times within a licence period;

“incident” means-

- (a) an event that involves a leakage of a petroleum product from a storage facility;
- (b) a spill of a petroleum product as a result of dispensing or offloading activities provided that, such spillage is not less than two hundred litres;
- (c) death or personal injury occurring as a consequence of an action that is related to a regulated activity;
- (d) a fire or an event incidental thereto that results from an action that is related to a regulated activity;
- (e) an event that results in an emergency shutdown of a



facility; and

- (f) any other significant event that may adversely affect the conduct of a regulated activity;

“inspector” means an officer or agent of the Authority appointed to perform inspection as required under the Act and applicable law;

“licence” means an authorisation issued by the Authority to undertake a regulated activity;

“licensee” means the holder of a licence;

“licence fee” means a fee payable by a licensee as prescribed by the Authority from time to time;

“Minister” means the Minister responsible for petroleum affairs;

“non- conforming products” means a petroleum product that does not meet the approved specifications;

“notification of offence” means the notification prescribed in the First Schedule;

“NPGIS” means the National Petroleum and Gas Information System established under section 124 of the Act;

“operator” means a person operating a consumer installation facility, a dealer, a retailer, a wholesaler or person responsible for the management and monitoring of a facility;

“petroleum” means petroleum crude and any liquid or gas made from petroleum crude, coal, schist, shale, tree, peat or any produce of petroleum crude and includes condensate;

“petroleum industry best practices” means any conduct related to a petroleum product intended to preserve product quality and meets generally accepted health, safety and environmental requirements;

“petroleum product” means an organic compound, pure or blended, which is derived from the refining or processing of petroleum crude oils, bio-fuels, or synthetic fuels and includes-

- (a) asphalts, bitumen, petroleum coke and other residual product;

- (b) bunkers or heavy residual fuel oils for combustion engines or industrial heat processes, such as burners

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for boilers or heating furnaces;

- (c) commercial gases which include methane, ethane, propane, butane and other similar petroleum gases, biogas or mixture of these gases, whether in gaseous or liquefied state;
- (d) gasoil or automotive diesel, biodiesel, industrial marine diesels or synthetic diesel;
- (e) gasoline, bio-naphtha or a bio-ethanol product;
- (f) kerosene or other similar oils for illumination or combustion applications;
- (g) lubricating oils, base oil or refined and blended finished oil;
- (h) turbo fuels for jet propulsion engines; and
- (i) other products or by-products of petroleum crude processing having a flash point lower than 120 degrees celsius, and determined in a Pensky-Martens Closed Cup (PMCC) test apparatus;

“petroleum product spill” means the discharge of a petroleum product of not less than two hundred litres onto or into any land or water or any structure or thing;

“regulated activity” means a wholesale business, petroleum storage business, retail business or consumer installation operations;

“regulated facility” means a depot, consumer installation facility or a retail outlet in relation to a petroleum product;

“retail outlet” means any place where a petroleum product is sold or offered for sale to a customer on a retail basis, and includes the buildings, storage tanks and dispensing pumps in respect of which a retailer is conducting retail sale;

“retail business” means sale or offer for sale of a petroleum product at a retail outlet;

“retailer” means an operator of a retail outlet;

“Sample Collection Forms” means the document issued by the Authority as appended in the Second Schedule that is to be completed by an inspector during the collection of a

sample;

“supervisor” means an operator or other person responsible for the management and monitoring of a facility and is deemed to be authorised to-

(a) grant an inspector access to a facility, answer questions and witness the taking of samples and the carrying out of inspections; and

(b) identify physical defects and operational deficiencies within the facility and, as required, take decisions related to the suitability of such facility for use;

“storage business” means an endeavour to operate a depot;

Cap. 399 “Tanzania Revenue Authority” means the revenue authority established under the Tanzania Revenue Authority Act;

“transport unit” means any car, machinery, ship, truck, railway wagon, barge or other means of transporting a petroleum product;

Cap. 285 “Tribunal” means the Fair Competition Tribunal established under the Fair Competition Act;

“wholesaler” means an operator or any person who engages in the importation, storing or selling of a petroleum product in bulk quantity for the purpose of wholesale business; and

“wholesale business” means the importation, storing or selling of a petroleum product in bulk quantity and includes transit trade in petroleum products.

## PART II

### APPLICATION FOR A CONSTRUCTION APPROVAL

Application for construction approval

4.-(1) A person shall not construct a depot, a retail outlet or consumer installation facility without seeking and obtaining an approval from the Authority in a manner provided herein.

(2) Any person who intends to construct a depot, a retail outlet or a consumer installation facility shall apply to the Authority for a construction approval by filling in the application form set out in the Third Schedule.

(3) Any person who constructs a depot, a retail outlet or consumer installation facility without seeking and obtaining a construction approval from the Authority commits an offence and shall, on conviction, be liable to a fine of not less than

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twenty million Tanzania Shillings or imprisonment for a term of not less than three years but not exceeding five years or both.

Construction approval application fee

5. An application for a construction approval under rule 4 (2) shall be accompanied by a non-refundable application fee as may be prescribed by the Authority.

Grant of construction approval

6.- (1) The Authority shall, upon receipt of an application under rule 4, proceed to evaluate the application and decide whether to grant or deny the application.

(2) The Authority shall, while making a decision whether to grant or deny a construction approval, consider the compliance of the application with-

- (a) the provisions of rule 4 (2);
- (b) land use laws save for consumer installation;
- (c) health and safety standards and environmental requirements; and
- (d) economic viability of the business.

(3) The Authority shall cause the construction approval to be published in the *Gazette* as required by section 128 of the Act.

(4) The applicant shall, after issuance of an approval by the Authority, be notified to come and collect the approval.

(5) The Authority shall, where it denies an application for a construction approval, inform the applicant of such decision in writing, including the reasons thereof.

Duration of construction approval

7.-(1) A construction approval issued by the Authority under rule 6 shall remain in force for such period as the Authority may allow.

(2) A construction approval shall cease to have effect where the holder of the said approval fails to commence construction within twenty four months from the date of grant.

(3) The Authority may, on its own motion or upon receipt of an application by a holder of a construction approval extend the duration of the construction approval for such period as it may think fit.

Notice of commencement

8. Any person with a construction approval shall notify the Authority on the commencement of construction within thirty

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t                    days prior to the commencement of such construction.

Suspension  
and revocation  
of construction  
approval

9. – (1) The Authority may, by notice in the *Gazette*, amend, withdraw or suspend a construction approval provided that, such withdrawal or suspension is a result of non-compliance of the Act, these Rules, applicable laws or any of the terms and conditions thereof.

(2) Where the Authority intends to withdraw, suspend, revoke or amend a construction approval it shall, at least twenty one days before the date of intended withdrawal, revocation, suspension or amendment, notify the holder of such approval of its intention and the reasons thereof.

(3) The Authority may, by notice in the *Gazette*, reinstate a construction approval withdrawn, revoked, amended or suspended under subrule (1) if satisfied that the reasons for the withdrawal, revocation, amendment or suspension no longer exist.

PART III  
LICENSING PROCEDURES

Obligation to  
obtain licence

10.-(1) A person shall not conduct a regulated activity without a licence.

(2) The Authority shall only issue a consumer installation licence to-

(a) a commercial or industrial undertaking;

(b) a Government store;

(c) an agricultural farm;

(d) a mine; or

(e) any other entity having a contract with institutions mentioned in (a) to (d) above to supply petroleum products to those institutions.

(3) Any person who contravenes the provisions of this rule commits an offence and shall be liable on conviction, to a fine of not less than twenty million shillings or to imprisonment for a term of not less than two years but not exceeding five years or to both.

Power to enter

11. Notwithstanding any provision in these Rules, the

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and close  
facility,  
building or  
premises

Authority shall, in the event it determines that any person has contravened the provisions of rule 10, enter upon any building, premises or facility and close it down.

Licensing  
Requirements

12.–(1) A person shall not be issued with a wholesale licence unless the applicant meets the following requirements-

(a) possession of a storage depot or hospitality agreement with another licensee;

(b) possession of adequate skilled personnel; and

(c) proof of financial capability which is either-

(i) an audited financial statement showing annual gross turnover of not less than three billion and six hundred million shillings or equivalent in convertible currency;

(ii) a bank guarantee or a credit facility of not less than one billion and five hundred million shillings or equivalent in convertible currency;

(iii) a bank statement for a period of not more than three months to the date of application showing a credit balance of not less than one billion and five hundred million shillings or equivalent in convertible currency at a bank or financial institution licensed by the Bank of Tanzania to act as such; or

(iv) an unequivocal letter of comfort from a financial institution or a bank that confirms that the bank or the financial institution shall extend a facility to the applicant for the amount of not less than one billion and five hundred million shillings or equivalent in convertible currency provided that the letter shall be signed by the chief executive officer or an authorised signatory of the financial institution or a bank.

(2) Notwithstanding the provisions of sub rule (1), an applicant may rely on the financial capability of its parent company provided that, such departure shall be approved by the Board of Directors of such parent company.

(3) A person shall not be issued with a retail licence unless the applicant meets the following requirements-

- (a) possession of relevant authorisation to the ownership and use of the land approving the development of a retail outlet; and
- (b) proof of possession of adequate and serviced fire extinguishing equipment including-
  - (i) sand bucket for each pump island;
  - (ii) at least two fire extinguishers of 9 kg ABE Powder Type located near the dispensers or at least one extinguisher per pump island; and
  - (iii) emergency shutoff switch.

(4) Notwithstanding the general requirements in these rules, no person shall be issued with a petroleum storage licence unless the applicant meets the following requirements-

- (a) possession of a storage depot that meets the approved specification;
- (b) possession of relevant authorisation to the ownership and use of the land approving the development of a petroleum bulk storage facility; and
- (c) possession of adequate skilled personnel.

(5) Notwithstanding the generality of subrule (1) and (3), the Authority may issue a wholesale licence or a retail licence with specific conditions to be fulfilled within a prescribed time to an applicant who fails to meet some of the requirements in subrule (1) and (3) respectively.

Application of  
licence

13. – (1) An applicant for a licence shall apply to the Authority for a licence by filling in the appropriate application

form set out in the Fourth Schedule.

(2) An application for a licence shall be accompanied by a duly signed integrity pledge in the form set out in the Fifth Schedule, a tax clearance certificate and a non-refundable application fee as may be prescribed by the Authority.

Evaluation and publication of application

14.-(1) The Authority shall evaluate an application for licence to verify its completeness and legality of information contained therein and thereafter issue a notice of the application in at least two newspapers of wide circulation in Tanzania, one in English and another in Kiswahili, with a view to soliciting comments and representations on the application.

(2) The costs of publication of notice under subrule (1) shall be borne by the Authority.

(3) The public shall be invited to submit comments and representations within fourteen days from the date of publication of the notice and the comments and representations shall also be considered by the Authority in arriving at the decision on the application.

Grant of licence

15.-(1) The Authority may, upon consideration of an application for a licence-

- (a) grant the application and issue a licence;
- (b) deny the application; or
- (c) refer back the application to the applicant.

(2) The Authority shall, while making a decision to grant or deny a licence, take into consideration-

- (a) the licensing requirements set out under rule 12;
- (b) compliance to laws on land ownership and use save for consumer installation;
- (c) any objection or representation received from the public pursuant to rule 14;
- (d) the applicant's record of compliance with the Act, these Rules and other applicable laws;
- (e) economic efficiency and benefit to the applicant and



the public in general;

- (f) compliance of a facility on matters including-
  - (i) safety requirements;
  - (ii) health requirements;
  - (iii) security requirements;
  - (iv) handling of hazardous substances;
  - (v) environment requirements; and
- (g) any other matter relevant to the orderly conduct of a regulated activity in Tanzania.

(3) The Authority may deny issuing a licence where it determines that-

- (a) the applicant does not meet the requirements of subrule (2) of this rule;
- (b) the applicant's activities may not be conducted in accordance with safety, health and environment requirements; or
- (c) the application has violated the mandatory requirements provided under applicable law and the Act.

(4) After issuance of a licence, the applicant shall be notified to come and collect it upon payment of a licence fee.

(5) The Authority shall, where it denies an application for a licence, inform the applicant of such decision in writing, including the reasons thereof.

Duration of  
licence

16. - (1) The licence shall be valid for a term of five years.

(2) Notwithstanding subrule (1), the Authority may, upon a written application by a licensee, extend the period for the licence.

(3) The Authority may revoke a licence of any licensee who fails to conduct the regulated activity for a period of six consecutive months during the licence term.

(4) Any licensee whose licence has been revoked pursuant to the provisions of subrule (3) shall not be eligible for issuance of another licence for a period of twelve months following the date of revocation.

Application for  
transfer of  
licence

17.-(1) A licence shall not be assigned or transferred to another person without a written approval of the Authority.

(2) A person who intends to transfer or assign a licence shall apply to the Authority by filling in the application form set out in the Sixth Schedule which shall be accompanied by a non-refundable fee as may be prescribed by the Authority.

(3) Notwithstanding the provisions of subrule (1), an application for a transfer or assignment of a licence shall not be entertained by the Authority unless it is endorsed by the transferee or assignee.

(4) The Authority shall evaluate an application under subrule (2) to verify its completeness and legality of information contained therein and thereafter issue a public notice of the application in at least two newspapers of wide circulation in Tanzania, one in English and another in Kiswahili, with a view to soliciting comments and representations on the application.

(5) The costs for publication of the notice shall be borne by the Authority.

(6) The public shall be invited to submit comments and representations within fourteen days from the date of publication of the notice and the comments and representations shall be considered by the Authority in arriving at the decision on the application.

(7) The Authority shall, after the expiration of the notice in subrule (4), evaluate the application together with comments received, if any and make a decision whether to grant or deny the application for transfer or assignment as the case may be.

Change of  
name

18. – (1) A licensee may change its name pursuant to the provisions of these Rules and applicable law.

(2) A licensee who has changed the name in respect of which a licence was issued shall, within thirty days after such change, notify the Authority in writing, and such notice shall be accompanied by a certificate of change of name issued by a relevant authority.

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Change of  
shareholding  
structure

19.-(1) A change of ownership that makes a third party a majority shareholder of a company in respect of which a licence has been issued shall require the written approval of the Authority.

(2) The party seeking approval under sub rule (1) shall submit the following documents in support of his application-

- (a) a duly signed and stamped deed of share transfer;
- (b) the current shareholding structure approved by Business Registration and Licensing Agency;
- (c) a letter of no objection from Tanzania Revenue Authority to carry on the proposed business;
- (d) a letter of clearance from the Commission; and
- (e) a duly signed integrity pledge set out in the Fifth Schedule.

(3) The Authority may, before approving the application for change in shareholding structure consult the Commission and the Tanzania Revenue Authority.

Application for  
renewal of  
licence

20.-(1) A licensee who wishes to renew a licence shall, not less than six months before expiration of the licence term, apply to the Authority for a renewal of the licence.

(2) Application for a renewal of a licence as provided under subrule (1) shall be made by filling in the application form set out in the Seventh Schedule.

(3) The application in sub rule (2) shall be accompanied by-

- (a) a tax clearance certificate; and
- (b) for a wholesaler, petroleum products importation records of the licence due to expire.

(4) The Authority shall, while making a decision whether to grant or deny an application for renewal of a licence, consider the applicant's compliance to the Act, these Rules and terms and conditions of the licence which is due to expire.

(5) The Authority shall, in the event it denies an application for renewal of a licence, inform the applicant of such decision in writing, including the reasons thereof.

(6) The Authority shall not renew the licence of a licensee who has, during the term of the licence which has expired or is due to expire, failed to comply with the licence terms and conditions, refused or willfully neglected to comply with any order given by the Authority and failed to remedy any acts which are in contravention of the Act or these Rules up to the time of determining the application.

Suspension or  
revocation of  
licence

21.-(1) The Authority may suspend or revoke a licence for a period of twelve months where a licensee-

- (a) violates any of the provisions of this Act or conditions attached to the licence which affects the conduct of regulated activity;
- (b) obtained a licence by fraud or deliberate submission of false information or statements;
- (c) fails to comply with obligations conferred within the terms stated in the licence;
- (d) persistently fails to comply with the approved local content plans;
- (e) interrupts services to other users without authorisation of the Authority;
- (f) carries on business in a manner that is detrimental to the welfare or interest of other users;
- (g) violates the tariffs, rates and charges established by the Authority;
- (h) persistently fails or refuses to submit information to the NPGIS;
- (i) fails to comply with the applicable health, safety, service, quality or environmental standards, or any other additional standards as may be stated in the licence; or
- (j) is convicted or found guilty of an offence relating to corruption, money laundering, economic crimes

or tax evasion.

(2) The Authority shall not suspend or revoke a licence, unless a twenty-one days' notice of intention to suspend or revoke the said licence has been issued to a licensee.

(3) Notwithstanding the provisions of subrule (1), the Authority may waive the licence suspension or revocation if it is satisfied that a licensee has abstained from the act that caused the suspension or revocation and the reason for suspension or revocation no longer exists.

PART IV  
GENERAL OBLIGATIONS OF LICENSEES

General obligations

22. A licensee shall at all times-

(a) comply with-

- (i) the Act;
- (ii) these Rules;
- (iii) any applicable law;
- (iv) orders and directions of the Authority;
- (v) provisions related to local content as provided in the Act and regulations made by the Minister;
- (vi) applicable codes and standards on safety, hazardous substances, security, health and environment; and
- (vii) petroleum industry best practices;

(b) establish and maintain records pursuant to the applicable law and orders and directions of the Authority;

(c) and as soon as practicable, but in any case not later than twenty-four hours after the event, notify the Authority of the occurrence of a dangerous situation or incident within a facility and such notification shall comprise of the steps taken or proposed to be

- taken by a wholesaler to remedy such dangerous situation or incident or to eliminate or minimize any danger arising therefrom;
- (d) provide the Authority with full access to its records, documents, sites and assets pursuant to these Rules and applicable law;
  - (e) ensure the safe disposal of any petroleum product and waste oil;
  - (f) procure and maintain in force a valid insurance cover in respect of all liabilities that may arise from the conduct of its regulated activity;
  - (g) avoid keeping fireworks or any other instruments or products in or near a facility that might pose a risk of fire or otherwise;
  - (h) ensure that its petroleum products comply with the approved specifications;
  - (i) avoid decommissioning a facility otherwise than pursuant to these Rules and applicable law;
  - (j) ensure that a supervisor is present at a facility at all times, and in his absence any person employed or acting as an agent of a licensee at a facility shall perform the duties of a supervisor;
  - (k) prior to effecting any major replacement or maintenance to a facility or a part thereof, notify the Authority not less than fourteen days prior to commencing such replacement or installation;
  - (l) ensure that a facility and related equipment are calibrated for correct measurements and are in good working condition in accordance with approved specifications and petroleum industry best practices;
  - (m) pursuant to the written directions of the Authority, monitor, record and reconcile all stocks of a petroleum product delivered to, stored in and

dispensed from a facility and retain such records for not less than twelve months and make the same available to the Authority on demand;

- (n) prepare a weekly stock position of a petroleum product in a facility as shall be specified in writing by the Authority where necessary;
- (o) promptly notify the Authority of any apparent loss or gain of a petroleum product that is outside normal operating patterns;
- (p) maintain and make available to the Authority on demand documentary evidence demonstrating that all electrical equipment and installations in a facility relevant to the receipt, handling, storage and dispensing of a petroleum product and to areas where inflammable gases or vapours capable of producing explosive or ignitable mixtures may occur, comply with approved specification and installation procedures in accordance with existing codes or applicable law;
- (q) avoid abandoning a facility other than in accordance with the Act, these Rules, applicable laws or directions of the Authority;
- (r) display in a conspicuous place at a facility a licence or a certified copy thereof;
- (s) print a licence number on all accounting documents employed in its regulated activity, including invoices, delivery notes and receipts;
- (t) refrain from engaging in any activities that may disrupt or interfere with competition; and
- (u) and as soon as practicable, but in any event not later than thirty days after becoming aware of the fact, notify the Authority-
  - (i) of inability to conduct the regulated

activity; or

- (ii) if the conduct of the regulated activity may lead to the breach of any of these Rules or materially affect its operations.

(2) Notwithstanding the provisions of subrule (1)-

(a) a wholesaler shall, at all times-

- (i) sell a petroleum product only to a retailer, consumer installation licensee or a Government institution:

Provided that a wholesaler may, as per the terms and conditions agreed upon, enter into a borrow or loan arrangement with other wholesalers; and

- (ii) ensure that the storage facilities are inspected and cleaned at least once in the licence term in accordance with petroleum industry best practices;

(b) a retailer shall, at all times-

- (i) ensure that its storage facilities are inspected and cleaned at least once in the licence term in accordance with petroleum industry best practices;

- (ii) not offload a petroleum product from any vehicle to a retail outlet from 1800 hours to 0600 hours unless there is adequate lighting or light at the retail outlet; and

- (iii) procure a petroleum product only from a wholesaler and establish and maintain records of such procurement pursuant to applicable law and orders and directions of the Authority; and

(c) a consumer installation licensee shall, at all times-

- (i) refrain from engaging in sale of any



petroleum product;

- (ii) ensure that a petroleum product is not dispensed from a place other than from a dispensing point situated at a consumer installation facility; and
- (iii) procure a petroleum product from a wholesaler or a retailer only.

Protection of  
lives and  
property

23. - (1) A licensee shall, while storing, keeping, handling, conveying, using or disposing of any petroleum product, take such precautions and exercise such care as may be reasonable under the circumstances in order to-

- (a) avoid endangering the safety or health of any person or the safety of any person's property; and
- (b) prevent risk of significant environmental harm.

(2) A licensee shall dispose of waste petroleum product in a manner and at a place intended for the safekeeping and dumping of such products in accordance with applicable law and petroleum industry best practices.

(3) A licensee shall appoint at least one health, safety and environment officer to address and be responsible for health, safety and environment matters and obligations related to the regulated activity.

Compensation  
for loss  
suffered

24.-(1) A licensee shall be obliged to compensate any person who has suffered any loss as a result of the regulated activity.

(2) Any person who has suffered loss as a result of a regulated activity shall lodge a complaint with a licensee whose regulated activity has caused such loss with a view to reaching an amicable settlement.

(3) Where event no settlement is reached under subrule (2), the person who has suffered loss may refer the matter to the Authority for determination and the Authority shall deal with such matter as if it is a complaint lodged pursuant to the provisions of the EWURA Act.

(4) For the purpose of this rule, a person includes an administrator, executor or executrix of the estate of a deceased

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person.

Procurement of  
petroleum  
product  
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25. A wholesaler shall not import petroleum product unless the importation is conducted through efficient procurement pursuant to the provisions of the Petroleum (Bulk Procurement) Regulations.

Insurance

26. A licensee shall ensure that it procures and maintain adequate insurance cover for environment, personnel, customers and visitors of a facility.

Maintenance of  
records,  
provision and  
disclosure of  
information

27. - (1) A licensee shall-

- (a) at all times keep complete and accurate records and data related to its regulated activity; and
- (b) in accordance with the Authority's requirements and pursuant to its directions, promptly provide to the Authority documents, records or information related to its regulated activity.

(2) Any person who refuses to furnish information or statement as required under subrule (1) (b) or furnishes false information or statement to the Authority shall be liable on conviction to a fine of not less than ten million Tanzania Shillings or to imprisonment for a term of not less than two years or both.

Obligation to  
provide  
information to  
NPGIS

28. - (1) A wholesaler shall lodge to the NPGIS the following information-

- (a) petroleum products stock levels on daily basis;
- (b) petroleum supply by type and use, quantity and region on monthly basis;
- (c) petroleum importation by type, quantity and source on monthly basis;
- (d) petroleum exportation by type, quantity and destination, on monthly basis; and
- (e) petroleum products in transit by type, quantity and

destination on monthly basis.

(2) A wholesaler shall lodge the information under subrule (1), either through internet or short message services (sms).

(3) A wholesaler who fails or refuses to provide information to the NPGIS as required by subrule (2) commits an offence and its licence may be subject to suspension or revocation pursuant to rule 21.

Information obtained under these Rules not to be confidential

29.-(1) Any information received by the Authority from a licensee pursuant to these Rules and applicable law shall be presumed not to be confidential unless so stated by a licensee and the Authority shall evaluate such information and inform the licensee accordingly.

(2) A licensee shall not be entitled to withhold information from the Authority on the ground that it is confidential.

(3) A licensee may request the Authority not to circulate specific data or information that has been provided to the Authority, provided that only the Authority shall determine if such information is confidential.

(4) The Authority shall prohibit the publication of any information to the public where it makes a determination that such information is confidential.

Customer service standards

30. Subject to approval by the Authority and as specified in the guidelines issued by the Authority, a wholesaler or retailer shall-

(a) establish-

(i) a customer service charter;

(ii) service quality standards;

(iii) performance standards;

(iv) procedures for handling customers complaints;

(v) programmes to inform the public on services related issues;

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(vi) an office to receive and respond to questions, concerns and complaints related to its business; and

(b) maintain trained staff to address customer issues in a timely and transparent manner.

PART V  
ENVIRONMENTAL PROTECTION

Compliance with environmental laws and standards

31. - (1) A licensee shall comply with the requirements of all applicable environmental laws and standards related to a facility.

(2) Subject to applicable law a licensee shall-

(a) carry out an environmental impact assessment before establishing a facility or making a major improvement to an existing facility;

(b) take all necessary preventive measures to avoid pollution resulting from operating its dispensing pumps, transfer pumps, storage tanks or other equipment at the facility.;

(c) observe strict environmental, health, and industrial safety standards as required by applicable law; and

(d) perform an environmental audit related to regulated activity in accordance with applicable law.

(3) For the purpose of subrule (2) (a), “major improvement” means an improvement that aims at expanding the size of a facility and increasing the number of storage tanks.

Sanctions for violation of environmental laws  
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32. Where the event the Authority determines that a licensee has violated these Rules or any applicable law on matters related to protection of the environment it shall take appropriate actions pursuant to provisions of the Environmental Management Act and other applicable laws.

PART VI  
TECHNICAL PROVISIONS

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Hospitality  
arrangements

33.-(1) A person who intends to undertake petroleum wholesale business may request a depot owner to enter into a hospitality arrangement to use the said depot to conduct a wholesale business, provided that, the said depot is licensed pursuant to the provisions of these Rules.

(2) A depot owner shall, within thirty days after receipt of a written request for a hospitality arrangement from any person pursuant to subrule (1), notify such person whether it has accepted or denied such request.

(3) A depot owner may refuse a request for a hospitality arrangement made by any person pursuant to subrule (2) where the request made is not economically or technically feasible.

(4) Where a depot owner denies a request for a hospitality arrangement pursuant to subrule (3) it shall give reasons in writing to the applicant.

(5) A person who is aggrieved by the refusal of a depot owner under subrule (3) and (4) may refer the matter to the Authority for decision.

(6) Subject to subrule (7), no licence of a wholesaler who has entered into a hospitality arrangement with a licensee shall be invalidated by virtue of the suspension or revocation of the licence of such licensee.

(7) Where a depot is closed due to suspension or revocation of a licence, any wholesaler with a hospitality arrangement with a licensee of a closed facility shall be given three months to find another hospitality arrangement, failure of which shall render its licence cease to have effect.

Compliance  
with  
specifications  
and standards

34. - (1) A licensee shall comply with the approved specifications pertaining to the handling, storage and composition of a petroleum product which is consistent with these Rules and applicable law.

(2) A licensee shall not deviate from any approved specification without prior approval of the Authority, and the Authority shall not grant such an approval unless it is satisfied that such deviation is for public interest and will not negatively affect public safety and the environment.

(3) A licensee shall not mix or blend any petroleum product unless allowed to do so in writing by the Authority.

(4) A licensee shall not use any container to store or convey a petroleum product unless such container is leak and

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spill proof and otherwise suitable and safe for storage and conveyance of a petroleum product.

(5) A licensee shall not use a container for storing a petroleum product which poses or may pose a risk of significant-

- (a) environmental harm; or
- (b) harm with regard to the safety or health of any person or flora and fauna.

Manhole covers be colour coded

35. A retailer shall, in order to facilitate identification, especially during product deliveries into underground storage tanks, ensure that tanks manhole covers and slabs are colour coded as follows-

- (a) gasoline - red
- (b) kerosene - blue
- (c) automotive gas oil - yellow

Forecourt design

36. A retailer shall ensure that the forecourt of a retail outlet is carefully designed to enable a customer to get on and off the refueling area safely and rapidly and to take maximum opportunity to use add-on facilities such as convenience shops, lube or wash bay, vulcanising center, tyre alignment, air, water and balancing facilities.

Location of dispensing pumps

37. – (1) A retailer shall ensure that all dispensing pumps at a retail outlet are properly located to allow-

- (a) full visibility of dispensing pumps to approaching customers;
- (b) full visibility of dispensing pumps from the manager's office for security as well as overall control but where this cannot be achieved due to design constraints, Closed Circuit Television (CCTV) shall be used; and
- (c) easy access to pumps and avoid tight turning circles or the need for maneuvering to approach refueling

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positions.

- (2) A retailer shall ensure that-
- (a) the forecourt or drive ways of a retail outlet are constructed using concrete, pavement blocks or asphalt with a provision made for a level bay to allow for accurate measurements of received petroleum products; and
  - (b) fueling and offloading areas of a retail outlet are constructed out of hard surface or concrete to protect the soil from oil spills.

Earth bonding  
and installation  
of Electronic  
Fiscal Pump  
Printer (EFPP)

38. A retailer shall ensure it installs and maintain-
- (a) the offloading area with earth bonding wire; and
  - (b) the dispensing pumps with Electronic Fiscal Pump Printer (EFPP) as required by the applicable law.

Maintenance of  
oil interceptors

- 39.-(1) A retailer shall always ensure that a retail outlet has oil interceptors.
- (2) The fueling area and discharge for the drainage system shall be connected to the retail outlet oil interceptor.
- (3) A retailer shall ensure that the hydrocarbon content in effluent from the oil interceptor does not exceed 100 parts per million (ppm).

Building  
designs and  
canopies

- 40.-(1) A retailer shall ensure that all buildings at a retail outlet are designed and constructed to allow safe cash handling system, drop safes, night time pay windows and are fitted with adequate number of security cameras at areas with high security risks.
- (2) A retailer shall ensure that canopies at the retail outlet are constructed using non-combustible materials and are above hazardous areas related to dispensing equipment and have a minimum height of five meters from forecourt finish level.
- (3) A retailer shall ensure that illumination provided at a retail outlet is good enough to allow clear visibility for operation and security purposes at night.
- (4) A retailer shall ensure that every luminary installed

at a retail outlet is protected from explosion.

Electrical  
standby  
generator

41.-(1) A stand by electrical power generator with a capacity that matches the retail outlet's electrical power requirements shall be installed to provide power to cover operations, security and lighting in cases of power outages or black-outs.

(2) A retailer shall ensure that an emergency switch is installed on all sites to cut-off power supply to all dispensing pumps in case of emergency situation including oil spill and fire.

Petroleum  
price billboards

42. – (1) A petroleum price billboard shall be erected conspicuously at a retail outlet as a free standing structure or as part of the prime sign with the minimum dimensions of-

- (a) length - 2.0 meters
- (b) breadth - 1.2 – 1.5 meters
- (c) thickness - 0.2 meters

(2) The base of the billboard shall not be less than 3.0 meters high from ground level.

(3) The prices of all petroleum products on offer for sale at a retail outlet shall be displayed on the billboard and the unit price of each petroleum product shall appear in Tanzania Shillings per litres.

(4) The nature of the billboard may include neon or electronic messaging, provided that the prices are clearly legible to all motorists approaching a retail outlet from a minimum distance of fifty meters.

Warning signs

43. -(1) Warning notices and pictograms shall be boldly displayed at a regulated facility to communicate to customers, visitors and attendants as follows-

- (a) Petroleum Motor Spirit, Highly Inflammable;
- (b) No Smoking;
- (c) No Naked Fire;
- (d) Switch Off Engine;
- (e) Switch Off Mobile Phones; and



(f) No Firearms within eight metres from dispensing and offloading area.

(2) The notices and pictograms described in subrule (1) shall be installed in the vicinity of a dispensing pump, underground tanks, filling points and vent pipes and shall be conspicuous from a distance of three to five meters.

(3) A retailer shall ensure that an underground tank's identification includes the following-

- (a) tank number;
- (b) maximum working capacity;
- (c) product grade; and
- (d) colour code.

Fire precaution

44. - (1) A licensee shall-

(a) ensure that all buildings, roads, structures and plants used in connection with a facility are designed, constructed, equipped and maintained-

- (i) in such a way as to prevent fires and explosions;
- (ii) so as to minimize the harmful effects of fires or explosions if they occur;

(b) ensure that personnel involved in the handling and dispensing of a petroleum product exercise caution in respect of anything that may cause fire or an explosion, and that such personnel follow applicable law on matters related to fire and explosions; and

(c) clearly indicate by a sign a place at a facility where a petroleum product is handled or stored.

(2) A licensee shall make reasonable efforts to ensure that no person throws, leaves or creates any open or naked light, spark, flame or any burning or smoldering material on a facility.

(3) A licensee shall ensure that no person-

- (a) keeps an engine running while a petroleum product is being loaded into a vehicle; and
- (b) receives or makes calls from a cellular telephone or any other electronic communication apparatus within a regulated facility except in places specifically designated for such activity.

(4) A licensee shall take adequate precautions to prevent the outbreak of fire when storing, keeping, handling, conveying, using or disposing of a petroleum product.

(5) A licensee shall provide adequate fire extinguishing equipment and maintain such equipment in good working condition in accordance with these Rules, applicable law and standards and pursuant to directions issued by the Authority.

(6) A licensee shall-

- (a) position the equipment described in subrule (5) in accessible places at a facility; and
- (b) in any event, not less than once a year, test the equipment described in subrule (5) pursuant to applicable law.

(7) A licensee shall establish a fire emergency plan to be employed in the event of a fire at a facility that shall-

- (a) include a suitable and adequate fire-fighting plan that comprises of-
  - (i) the locations and types of all fire-fighting equipment; and
  - (ii) an action plan that identifies, *inter alia*, assembly points and the tasks of all employees;
- (b) include provisions for the training of employees to deal with a fire emergency situation, the records of which shall be preserved;
- (c) be provided to employees employed in or on the relevant premises; and

(d) be made available to the Authority on request.

Control of petroleum product spill

45. - (1) A licensee shall, in the event of a petroleum product spill-

(a) as soon as practicable and in any event not more than twenty four hours after the occurrence of such spill, inform the Authority about such spill; and

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(b) take all necessary steps pursuant to the provisions of the Environmental Management Act and petroleum industry best practices or otherwise as may be necessary to clean up such spill.

(2) Where a licensee fails to comply with subrule (1) (b) within the period of time established by the Authority, the Authority may, by written notice, order such a licensee to take steps as the Authority may require in order to clean up a petroleum product spill at its own cost.

(3) A licensee who fails to comply with an order of the Authority issued pursuant to subrule (2) commits an offence and shall on conviction, be liable-

(a) in the case of an individual, to a fine of not less than one hundred million Tanzania Shillings or to imprisonment for a term of not less than ten years or both; or

(b) in the case of a body corporate, to a fine of not less than five hundred million Tanzania Shillings.

(4) Without prejudice to the provisions of subrules (1), (2) and (3), any person who is affected by any spill of a petroleum product and seeks redress, shall lodge a complaint with a licensee that has caused such spill with a view to reaching an amicable settlement.

(5) Where no settlement is reached under subrule (4), the person who is affected by the spill may lodge a complaint to the Authority for compensation from the licensee who is responsible for the spill and the Authority shall deal with such complaint in accordance with the provisions of Part VI of the EWURA Act.

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Decommissioning procedure

46.-(1) A regulated facility may, subject to the

provisions of the Act and these Rules, be decommissioned-

- (a) after receipt of a written application for a decommissioning from a licensee;
- (b) by an order of the Authority where it is satisfied that such facility has been abandoned by its licensee for a period of not less than three months; or
- (c) by an order of the Authority that the same be decommissioned where the Authority is satisfied that the continued operation of such facility poses or may pose danger to lives and property.

(2) A licensee or the owner of a facility shall, within one year from the date of complete construction of the facility or grant of a licence whichever comes first, submit to the Authority for approval a decommissioning plan substantiating the following-

- (a) bill of quantity of the planned decommissioning approved by a registered quantity surveyor; and
- (b) the intended methods to be used during decommissioning.

(3) The Authority shall, within forty five days from the date of receipt of the plan submitted in sub rule (2), approve the plan with such conditions as it may deem fit.

(4) The licensee or owner as the case may be, shall within two years from the date of effective operation, pay a decommissioning fund to the Authority and the same shall be kept in trust by the Authority for the purpose substantiated in sub rule (1).

(5) The fund under sub rule (4) shall be prescribed by the Authority as per the bill of quantity and any prevailing condition as the Authority considers necessary.

(6) A licensee seeking to decommission a facility shall notify the Authority not less than thirty days prior to such decommissioning in order to enable the Authority to make necessary inspections and issue the necessary approvals.

(7) Notwithstanding sub rule (4), if the decommissioning cost exceeds the fund in trust of the Authority, a licensee shall pay all the extra costs associated with the decommissioning of a

facility, whether such decommissioning has been done following a request by the licensee or by order of the Authority.

(8) The licensee or owner as the case may be, shall be required to update the decommissioning plan in form of techniques and methods prevailing at a particular time.

Site restoration

47.-(1) The Authority shall, after confirming that the area where a regulated facility has been constructed has been restored to its original state by a licensee, issue a certificate of compliance to such licensee.

(2) For the purposes of subrule (1), “restore” means to-

(a) return the area on which a facility is located to its original and natural state as it was prior to the installation of such facility; or

(b) render the area in which a facility is located, or part thereof, compatible with its intended after-use, including-

(i) removing buildings, structures, plant and debris;

(ii) establishing compatible contours and drainage;

(iii) replacing top soil, re-vegetation, slope stabilisation; and

(iv) infilling excavations.

(3) The Authority shall, before issuing a certificate of compliance under subrule (1), consult the Council.

PART VII  
PETROLEUM SAMPLING AND TESTING PROCEDURES  
(a) *Sampling Process*

Sampling to be done in accordance with law

48.-(1) The Authority shall conduct sampling procedures in accordance with the Act and these Rules.

(2) The Authority shall, upon receipt of any complaint or on its own motion, take samples and test any petroleum product from any regulated facility or a transport unit.

(3) An operator shall ensure that a supervisor is present

at a regulated facility and transport unit at all times.

Preliminaries  
to sampling

49.-(1) Upon arrival at a regulated facility or a transport unit and having identified themselves, inspectors shall take samples and deliver to a supervisor or driver, or in their absence, to any employee working at a regulated facility or a transport unit the sample collection form.

(2) A supervisor or a driver or in their absence, any employee working at a regulated facility or a transport unit shall be required to-

- (a) co-operate with inspectors;
- (b) comply with any instructions or requests made by inspectors within their mandate; and
- (c) grant inspectors unhindered access to any document, the regulated facility and the transport unit as may be appropriate.

How samples  
will be taken

50.-(1) Inspectors shall, in each sampling process, take three samples of any type of a petroleum product from a regulated facility or a transport unit.

(2) A sample of a petroleum product referred to in subrule (1) may be taken from-

- (a) an above-ground storage tank, either at the top, middle or bottom;
- (b) each compartment in a transport unit;
- (c) an underground storage tank, either at the top, middle or bottom or in the case of a retail outlet, directly from the dispensing pump nozzle; and
- (d) all tanks of the docking ships, either at the top, middle or bottom.

(3) Petroleum product samples shall only be taken by an inspector using a container that meets approved specifications.

(4) The Authority shall ensure that each sample taken is-

- (a) properly labelled;
- (b) witnessed by a supervisor, driver or in their absence

any other employee and an inspector; and

(c) sealed properly with the seal of the Authority.

Sample collection forms be signed

51.-(1) An inspector shall complete a sample collection form as appropriate that shall then be counter-signed by a supervisor.

(2) Inspectors shall in the event that a supervisor, driver or, in their absence, any employee working at a regulated facility or in a transport unit refuses or fails to counter-sign the sample collection form, note that such supervisor, driver or employee has failed or refused to sign the form.

(3) An inspector shall, in respect of the samples described in subrule (1)-

(a) deliver one sample to a supervisor, driver or in their absence, any employee working at a regulated facility or a transport unit to be conserved for possible re-testing;

(b) deliver one sample to one of the laboratories listed pursuant to rule 53 (1) for testing; and

(c) conserve one sample in the Authority's storage facility for possible re-testing.

(4) The Authority shall properly document the chain of custody of the samples described in subrule (3).

Supervisor or driver to witness and facilitate sampling exercise

52.-(1) A supervisor, a driver or in their absence any employee working at a regulated facility or the transport unit as the case may be shall, during the sampling process-

(a) be entitled to witness the entire sampling process; and

(b) facilitate the sampling process in any way that the inspectors may require.

(2) Petroleum product samples shall be retained by the Authority and the operator for not longer than two months after the date of collection.

*(b) Testing and Re-testing Procedures*

Maintenance of  
list of qualified  
laboratories

53.-(1) The Authority shall, at all times, maintain a list of laboratories qualified to analyse petroleum product samples in accordance with the approved specifications.

(2) The Authority shall select laboratories in subrule (1) on the basis of the following criteria-

- (a) ability of the laboratory to conduct specific tests pursuant to the approved specifications;
- (b) whether the laboratory is equipped with up-to-date and calibrated instruments, and supplies consistent with the scope and volume of tests to be conducted;
- (c) laboratory's reputation in the community on matters of professionalism and ethical behavior;
- (d) information related to the laboratory's participation in voluntary accreditation programme and its current certification status;
- (e) ease of communication, particularly in respect of questions arising; and
- (f) timely delivery of test results.

(3) The costs for sampling and testing a petroleum product shall be borne by the Authority.

(4) The Authority shall, not more than seven working days after receiving the results from a laboratory, notify the operator in writing of the results whether conforming or non-conforming, and it shall thereafter-

- (a) take no further action where test results indicate that a sample conforms to approved specifications;
- (b) where the sample is found to be non-conforming, order the person found with such non-conformity to-
  - (i) close or quarantine its licensed facility either in whole or in part;
  - (ii) dispose or blend the non-conforming



petroleum product in accordance with petroleum industry best practices and environmental laws; or

- (iii) compensate any person who has lodged and proved a complaint for any damage caused by such non-conforming petroleum products.

Re-testing process

54. - (1) The Authority may, in the event that any person disputes the results under rule 53(4), conduct a re-test of the samples pursuant to these Rules and the costs of re-testing shall be borne by the person disputing the first results.

(2) Notwithstanding the provisions of subrule (1), the re-testing of the samples shall only be done where-

(a) the Authority has received a request in writing for a re-test;

(b) the seals of the sample to be tested remain intact and the samples are not tampered with; and

(c) re-test costs have been fully paid by the disputing person.

(3) Where the Authority decides to re-test a sample, the Authority shall recover the sample conserved by the operator pursuant to rule 51(3) (b) and the sample conserved by the Authority pursuant to rule 51 (3) (c) to be re-tested in two separate laboratories selected by the Authority pursuant to rule 53 (1); provided however that, no testing shall be conducted by a laboratory that was involved in the first testing process.

Right to witness re-test

55. - (1) An operator, a complainant or their representative shall have the right to witness a re-test.

(2) In the event that an operator, complainant or their representative refuses or fails to appear for the re-testing described in subrule (1), such operator, complainant or their representative shall be deemed to have-

(a) waived its right to witness the re-test; and

(b) authorised the Authority to proceed with the re-testing in their absence.

(3) After receipt of the results of the re-testing, the Authority shall-

(a) make a final determination on the test results from the two laboratories taking into account the results of the first test; and

(b) notify the operator or any other person disputing the results of such determination.

(4) The results of the re-testing process shall be final.

*(c) Procedures on Inspection of a Regulated facility or a Transport Unit*

Procedure for inspection of regulated facility or transport unit

56.-(1) An inspector may, at any time, inspect a regulated facility, a transport unit or any document related to the conduct of a licensed activity to ensure compliance with applicable law.

(2) An operator shall render all necessary assistance to facilitate the inspection of its regulated facility or a transport unit pursuant to subrule (1).

(3) During inspection, an inspector may-

(a) take a sample of any substance relating to loading, handling, offloading or delivery of a petroleum product; or

(b) make a copy or take an extract from any book, data base, account or record kept at the regulated facility, transport unit or any other place.

(4) An inspector may, during the course of an inspection, break any seal for the purpose of taking a sample provided however that, such inspector shall thereafter affix the Authority's seal.

(5) A person shall not offload any petroleum product from a regulated facility or transport unit which is affixed with the Authority's seal without prior authorisation from the Authority.

(6) The Authority may seek the assistance of law enforcement authorities, including the police force, in carrying

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out an investigation, inspection or impoundment of a transport unit.

(7) Any person who contravenes the provisions of rule 56 (2) and (5) commits an offence and shall upon conviction be liable to a fine of not less than twenty million shillings or to imprisonment for a term of not less than three years but not exceeding five years or both.

*(d) Procedures on Impoundment of a Transport Unit*

Procedures for  
impounding  
transport unit

57. - (1) An inspector may impound any transport unit where he determines that-

- (a) the results are found to be non-conforming and the products are not yet offloaded; or
- (b) continued operation of such transport unit poses an imminent risk of injury to life or damage to property and the environment.

(2) The Authority shall affix its seal on any transport unit after impounding it and no person shall offload any petroleum product from such transport unit without prior authorisation of the Authority.

(3) The Authority may seek the assistance of law enforcement authorities, including the police force, in impounding a transport unit.

(4) After the Authority has impounded a transport unit pursuant to subrule (1) it shall, without prejudice to the penalties spelt out in these Rules and the Act, order the operator to blend such products in accordance with the petroleum industry best practices and environmental laws.

Release of  
impounded  
transport unit

58. - A transport unit which has been impounded under rule 56(1) shall only be released upon the Authority being satisfied that-

- (a) the non-conforming petroleum products therein have been disposed of or blended in accordance with petroleum industry best practices and environmental laws;
- (b) Tanzania Revenue Authority has certified in writing that it has no objection to such release if the matter

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was referred to it pursuant to rule 64;

- (c) the operator has paid the appropriate fine pursuant to these Rules; and
- (d) the Authority has issued an order in writing for the release of such unit.

Exemption  
from liability

59. Notwithstanding the provisions of rules 58 and 59, the Authority shall be exempted from any liability arising from the impoundment of any transport unit and all the costs associated with the impoundment and safe keeping of such transport unit shall be borne by an operator.

*(e) Penalties for Non-Conforming Products*

Penalties for  
non-  
conforming  
products

60.-(1) An operator found with a non-conforming petroleum product shall be liable on conviction to a fine of not less than five million Tanzania Shillings or to imprisonment for a term of not less than three years and not more than four years or both.

(2) Without prejudice to the penalty prescribed in sub rule (1), the Authority may, where it finds an operator with a non-conforming petroleum product, order such operator to-

- (a) close or quarantine its regulated facility either in whole or in part;
- (b) dispose or blend the non-conforming petroleum product in accordance with petroleum industry best practices and environmental laws; and
- (c) compensate any person who has lodged and proved a complaint for any damage caused by such non-conforming petroleum product.

(3) An operator shall, after receiving an order for closing or quarantining a regulated facility, comply with such order and the Authority shall thereupon fix a yellow tape or a signage around the regulated facility indicating that such facility has been closed under the order of the Authority.

(4) Notwithstanding the provisions of subrule (1) and (2), the Authority may-

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation  
Operations)*

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*GN. No. 380 (Contd.)*

- (a) revoke a licence of any habitual offender; or
- (b) deregister any transport unit which has been found with non-conforming petroleum product for more than two times within a registration period.

Regulated facility to which licence has been revoked

61. Any regulated facility of which a licence has been revoked pursuant to rule 61(4) (a) shall-

- (a) for DODO and COCO, remain closed and not be eligible for issuance of a licence for a period of twelve months from the date of revocation; and
- (b) for CODO, be eligible for issuance of a licence and continuation of operation by another operator.

Transport unit which has been de-registered

62. A transport unit that has been deregistered pursuant to rule 61 (4) (b) shall not be eligible for registration by the Authority for a period of twelve months from the date of deregistration.

Temporary closure of facility or impounding of transport unit

63. The Authority may, upon taking a petroleum product sample pursuant to these Rules, order the temporary closure of the regulated facility or part thereof or impound a transport unit pending release of the test results of the samples taken where-

- (a) the Authority determines that continuing the operations of a regulated facility or the transport unit will pose an imminent risk of injury to life or damage to property and the environment;
- (b) the Authority finds that several complaints have been filed with the Authority against the same operator;
- (c) the Authority has obtained provisional results indicating that the tested petroleum products are non-conforming; or
- (d) the operator admits that the sample petroleum

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products are non-conforming.

Reference to  
Tanzania  
Revenue  
Authority

64. Notwithstanding the provisions of this rule and any other penalties prescribed in the Act, the Authority shall refer to Tanzania Revenue Authority or any other relevant authority any person found with non-conforming petroleum products where it believes that there were attempts by such person to defraud the Government of its revenue.

*(f) Procedures on Re-opening or De-quarantining of a Regulated facility*

Procedure on  
re-opening or  
de-  
quarantining of  
regulated  
facility

65.-(1) A regulated facility that has been closed or quarantined pursuant to rule 60 (1) shall be reopened or de-quarantined upon the Authority being satisfied that-

- (a) the non-conforming petroleum products therein have been disposed of or blended in accordance with petroleum industry best practices and environmental laws;
- (b) the operator has paid the appropriate fine pursuant to these Rules; and
- (c) the Authority has issued an order in writing for a re-opening or de-quarantining.

(2) For the purpose of subrule (1) (a), a petroleum product shall be deemed to have been disposed of from a retail outlet if the inspector certifies in writing that all petroleum products in such retail outlet have been sold by the time of closing or quarantining.

(3) The operator shall, upon receipt of an order to reopen or de-quarantine a regulated facility and under direct supervision of an inspector, be allowed to remove the yellow tape or signage indicating that the regulated facility has been allowed to continue with operations.

Penalties for  
tampering,  
cutting seals  
and tapes or

66. - Any person who-

- (a) tampers with or cuts a seal or a yellow tape affixed

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removing  
signage

by the Authority at a regulated facility or a transport unit; or

- (b) removes any signage affixed by the Authority at a regulated facility or a transport unit,

commits an offence and shall on conviction be liable to a fine of five million Tanzania Shillings or to imprisonment for a term not exceeding two years, or to both.

**PART VIII  
COMPLIANCE AND ENFORCEMENT**

Inspection of  
facility

67. - (1) The Authority may inspect any regulated facility, premises, vehicle, equipment, document or vessel with a view to checking the compliance with the provisions of the Act, the EWURA Act and these Rules.

(2) The Authority shall have the right of access a regulated facility, premises, vehicle, vessel, equipment and documents for purposes of inspection and an operator shall render assistance to an inspector as may be required in the course of such inspection.

(3) During inspection, an inspector may-

- (a) take samples of any substance or articles stored in any regulated facility, premises, vessel or vehicle;
- (b) make copies or take extracts from any book, accounts or records kept on a regulated facility, premises, vessel or vehicle;
- (c) inspect machinery, equipment, appliances, meters, fittings and apparatus; and
- (d) inspect any vehicle or vessel that is found at a regulated facility or premise.

Notification of  
offence  
Cap. 414

68. - (1) At the conclusion of an inspection and where it is found that there was violation of the provisions of the Act, EWURA Act and these Rules, the person responsible for such violation, shall:

- (a) where he disputes the offence, fill in Part A of the Notification of the Offence as set out in the First Schedule; or
- (b) where he admits the offence, fill in Part B of the

Notification of the Offences as set out in the First Schedule.

(2) Where a person who has been found in violation of the law has admitted to the offence under the provision of subrule 1 (a), such person shall, within fourteen days from the date of the said admission, be required to pay the fine prescribed.

(3) Where a person who has been found in violation of the law disputes the offence under the provision of subrule 1 (b), such person shall, within seven days from the date of commission of the offence be-

- (a) issued with a compliance order; and
- (b) charged with a criminal offence.

(4) Upon the conclusion of the inspection and where the inspector is satisfied that the continued operation of the transport unit or a facility poses an imminent danger to the lives of people and animals or destruction of property, he may proceed to order for the closure or impoundment, as the case may be, of the said facility or transport unit regardless of whether the said person has admitted to the offence or not.

(5) Notwithstanding the provisions of subrule (4), an inspector who has decided to close a facility or to impound a transport unit shall note down the reasons which have compelled him to take such decision including all the available evidences.

Refusal to sign notification of offence

69. Any person who refuses to sign the Notification of Offence upon being required by an inspector under rule 69 commits an offence and shall on conviction be liable to a fine of not less than five million shillings or to imprisonment for a term of not less than three years or both.

Issuance of compliance orders

70. The Authority may, while discharging its regulatory functions and where it finds that there is a continued violation of the provisions of the Act, the EWURA Act and the provisions of these Rules, issue a compliance order to the person responsible for such violation.

Power to enter and close facility, building or premises

71.-(1) Notwithstanding any provision in these Rules, an inspector shall, with an order from the Authority, have the right and obligation to enter upon any regulated facility, building or premises or transport unit and close it down or impound it as the case may be where he determines that a regulated activity is



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Operations)*

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*GN. No. 380 (Contd.)*

being conducted in contravention of these Rules.

(2) An inspector may, while discharging his obligations under subrule (1), seek the assistance of law enforcement institutions, including the police and such institution shall provide the requested assistance to the inspector.

Obligations of  
inspector  
during  
inspection

72.- (1) During inspection, an inspector shall be required to do the following-

- (a) identify himself to a licensee or customer with an identity card issued by the Authority;
- (b) explain to a licensee or customer the purpose of the inspection;
- (c) conduct himself with fairness, objectivity and integrity;
- (d) refrain from engaging in any form of discrimination, bias or harassment;
- (e) refrain from taking part in duty where they have or may appear to have conflict of interest;
- (f) carry out inspection in a professional manner in accordance with the requirements of these Rules, codes, guidelines, inspection checklist, standards, applicable laws and petroleum industry best practices; and
- (g) refrain from using force or abusive, threatening and insulting language to a licensee or operator.

(2) Any inspector who contravenes the provision of subrule (1) shall be dealt with in accordance with the Authority's procedures.

(3) Any person aggrieved by an act of an inspector during inspection may, within fourteen days from the date of the act, report the matter in writing to the Authority.

Prohibited acts  
against  
inspectors

73. - (1) A licensee shall not-

- (a) hinder or obstruct the Authority in the exercise of any of the powers conferred upon it under these Rules;
- (b) use abusive, threatening or insulting language to an employee or agent of the Authority;
- (c) deny or fail to comply with a requirement, direction

or notice of the Authority; and

(d) when required by the Authority to answer a question, deny or fail to answer such question to the best of his knowledge, information and belief.

(2) Any person who contravenes the provision of subrule (1) commits an offence and shall be liable on conviction to a fine of not less than twenty million shillings or to imprisonment for a term of not less than five years and not exceeding six years or to both.

## PART X GENERAL PROVISIONS

Appeal

74. A person who is aggrieved by the decision made by the Authority under Part II and III of these Rules may lodge an appeal to the Tribunal pursuant to the provisions of the Fair Competition Act.

Cap. 285

Revocation of  
G.N. Nos.  
452 of 2015  
168 of 2015  
451 of 2015  
281 of 2010

75. - (1) The Petroleum (Wholesale Operations) Rules, the Petroleum (Retail Operations) Rules, the Petroleum (Consumer Installation Operations) Rules and the Petroleum (Road Transportation) Rules are hereby revoked.

(2) Notwithstanding the revocation of the Rules referred to under subrule (1), all orders, exemptions or directives made or issued or deemed to have been made or issued under those rules shall be deemed to have been made under these Rules and shall remain in force until revoked or otherwise expire or cease

to have effect.

(3) The procedure for sampling and testing of petroleum products related to the regulated activity shall be as provided under these Rules.

Authority to  
supplement  
procedures as  
needed

76. Where procedures are not provided for in these Rules, the Authority may do whatever is necessary and permitted by law to enable it to effectively and completely adjudicate on any matter before it.

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## SCHEDULES

—————  
FIRST SCHEDULE  
—————

*(Made under rule 69(1))*  
—————

NOTIFICATION OF OFFENCE

To.....Address.....

1. You are charged with the following offence (s):
  - (a) .....
  - (b) .....
  - (c) .....
  - (d) .....
  - (e) .....
2. In the event you admit commission of the offence (s) you should complete "PART B" below and send this notification to the Authority and pay the statutory penalty for each offence you admit within fourteen days from the date of service of this notification.
3. In the event you deny commission of the offence (s) you should complete "PART A" below and send this notification to the Authority.

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*GN. No. 380 (Contd.)*

4. Penalty for each offence mentioned above shall be as provided for under the Petroleum Act, Cap. 392, the EWURA Act, Cap. 414 or any other laws relevant to the conduct of the petroleum wholesale business.

**PART "A"- NOTIFICATION OF INTENTION TO ANSWER CHARGES**

I ..... of ..... (residential or business address) being the owner director/manager/representative of.....  
..... intend to respond to the Authority/ Court of law on the charge (s)

Nos.....set out in Paragraph 1 of this Notification.

Signature: .....

Date: .....

**PART "B"- ADMISSION OF OFFENCE**

I ..... of ..... (residential or business address) being the owner/director/manager/representative of.....  
..... admit to the commission of the offence(s)

No.....set out in Paragraph 1 of this Notification and

I undertake to pay the requisite fine of TZS..... within a period of

fourteen days from the date hereof.

Signature: .....

Date: .....

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Operations)*

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FACILITY/VEHICLE/VESSEL DETAILS

ISSUED BY

Motor Vehicle Reg. No..... Name: .....

PWL/PRL/PCIL No. .... Designation: .....

Vessel Registration No. .... Date: .....

Signature of the person issued with the notification  
Inspector

Signature of the

.....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation  
Operations)*

*GN. No. 380 (Contd.)*

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—————  
SECOND SCHEDULE

—————  
(*Made under rule 3*)  
—————

SAMPLE COLLECTION FORMS

FORM 2.1

PETROLEUM PRODUCT WHOLESALE BUSINESS

DATE: ..... TIME: .....

NAME OF THE COMPANY: .....

DEPOT NAME/LOCATION:

.....

PLOT NO.      BLOCK:      STREET/VILLAGE:  
.....      .....      .....

DISTRICT..... REGION: .....

SAMPLE NO: .....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation  
Operations)*

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*GN. No. 380 (Contd.)*

MOTOR SPIRIT PREMIUM (UNLEADED)	<input type="checkbox"/>	TANK NO.	.....
GAS OIL (DIESEL)	<input type="checkbox"/>	TANK NO.	.....
IK (ILUMINATING KEROSENE)	<input type="checkbox"/>	TANK NO.	.....
OTHERS (SPECIFY)	<input type="checkbox"/>	TANK NO.	.....

EWURA REPRESENTATIVE (S) (NAMES):      SIGNATURE:

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

OPERATOR(S) (NAMES):      SIGNATURE:

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

REMARKS BY INSPECTOR (S)

.....  
.....  
.....  
.....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

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*GN. No. 380 (Contd.)*

FORM 2.2

PETROLEUM RETAIL OPERATIONS BUSINESS

DATE: ..... TIME: .....

NAME OF THE COMPANY: .....

PETROL STATION NAME/LOCATION: .....

PLOT NO.      BLOCK:      STREET/VILLAGE:  
.....      .....

DISTRICT..... REGION: .....

SAMPLE NO: .....



*The Petroleum (Wholesale, Storage, Retail And Consumer Installation  
Operations)*

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GN. No. 380 (Contd.)

MOTOR SPIRIT PREMIUM (UNLEADED)	<input type="checkbox"/>	TANK NO.	.....
	<input type="checkbox"/>	PUMP NO.	.....

GAS OIL (DIESEL)	<input type="checkbox"/>	TANK NO.	.....
	<input type="checkbox"/>	PUMP NO.	.....

IK (ILLUMINATING KEROSENE)	<input type="checkbox"/>	TANK NO.	.....
	<input type="checkbox"/>	PUMP NO.	.....

OTHERS (SPECIFY)	<input type="checkbox"/>	TANK NO.	.....
	<input type="checkbox"/>	PUMP NO.	.....

EWURA REPRESENTATIVE (S) (NAMES):	SIGNATURE:
1. ....	.....
2. ....	.....

OPERATOR (S) (NAMES):	SIGNATURE:
1. ....	.....
2. ....	.....

REMARKS BY INSPECTOR (S)

.....

.....

FORM 2.3

SAMPLE COLLECTION FORM FOR TRANSPORTERS

DATE: ..... TIME: .....

NAME OF THE COMPANY:
.....

TRUCK/WAGON/BARGE NO.:
.....

VILLAGE..... STREET: ..... WARD:
.....

DISTRICT..... REGION: .....

SAMPLE NO:
.....

MOTOR SPIRIT PREMIUM (UNLEADED) [ ] COMPARTMENT NO. ....

GAS OIL (DIESEL) [ ] COMPARTMENT NO. ....

IK (ILLUMINATING KEROSENE) [ ] COMPARTMENT NO. ....

OTHERS (SPECIFY) [ ] COMPARTMENT NO. ...

EWURA REPRESENTATIVE (S) (NAMES): SIGNATURE:
1. ....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation  
Operations)*

*GN. No. 380 (Contd.)*

---

.....

OPERATOR(S) (NAMES):

SIGNATURE:

.....

.....

.....

.....

REMARKS BY INSPECTOR (S)

.....

.....

.....

.....

.....

.....

THIRD SCHEDULE

Made under rule 4(2))

CONSTRUCTION APPROVAL APPLICATION FORMS

FORM  
3:1

APPLICATION FOR APPROVAL TO CONSTRUCT A PETROLEUM  
RETAIL OUTLET

For EWURA Use Only	
Date Received:	File Number:
Time Received:	Received by:

**IMPORTANT NOTE:** Please complete this form and submit it to the Director General together with all relevant enclosures.

In order to avoid unnecessary delays, please answer all items in full and submit to EWURA a complete form with all necessary enclosures. No application will be processed until it has been found to be complete.

Once complete and ready for submission, FILL IN USING BLUE OR BLACK INK ONLY. Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. Please ensure that all the required documents are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application. All separate sheets of information must be on a clean and clear A-4 paper.

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

PART I: DETAILS OF THE APPLICANT	
1.	<p>Name of Applicant (insert trading name), business address, telephone and fax numbers</p> <p>(a) Name of the Applicant:.....</p> <p>(b) Business address:</p> <p style="padding-left: 40px;">Street.....Plot No.....</p> <p style="padding-left: 40px;">Block No.....Building No.....</p> <p>(c) Postal Address: .....</p> <p>(d) Telephone No: .....</p> <p>(e) Facsimile: .....Cell Phone.....</p> <p>(f) E-Mail: .....</p>
2.	<p>Location and complete address of the proposed facility</p> <p>(a) Location:</p> <p style="padding-left: 40px;">Street.....Plot No.....</p> <p style="padding-left: 40px;">Block No.....Building No.....</p> <p>(b) Postal Address: .....</p>
3.	<p>Registration Status: <i>(fill where appropriate)</i></p> <p>(a) Certificate of Incorporation No.....</p> <p>(b) Certificate of Compliance No.....</p> <p>(c) Business license No.....</p> <p>(d) TIN No. ....</p> <p>(e) VAT No.....</p>

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation  
Operations)*

*GN. No. 380 (Contd.)*

4.	Legal status of the Applicant: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Public Limited Liability Company <input type="checkbox"/> Private Limited Liability Company <input type="checkbox"/> Parastatal Organisation <input type="checkbox"/> Government Agency <input type="checkbox"/> Cooperative Society <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other (specify).....
5.	Contact Person: (a) Name: ..... (b) Title: ..... (c) Physical address: Street.....Plot No.....Block No..... Building No..... (d) Postal Address: ..... (e) Telephone Number: ..... (f) Facsimile: .....Cell phone: ..... (g) E-mail: .....
6.	Provide on a separate sheet information related to the Applicant where applicable: <input type="checkbox"/> Shareholding Arrangements <input type="checkbox"/> Director(s) <input type="checkbox"/> Members of the Board of Directors <input type="checkbox"/> Chief Executive Officer (where applicable)
7.	If the applicant is in a Joint Venture with another entity, provide the following details: (a) Name: ..... (b) Title: ..... (c) Physical address: Street.....Plot No.....Block No..... Building No..... (d) Postal Address: .....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	(e) Telephone Number: ..... (f) Facsimile: .....Cell phone: ..... (g) E-mail: .....			
8.	Fee amount and method of payment: (a) Amount: TZS..... (b) Mode: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Other (specify)..... (c) Fees Payment Receipt No. ( <i>Attach Copy</i> ).....			
<b>PART II – TECHNICAL INFORMATION</b>				
9.	Provide a detailed capacity of the intended facility:			
	TANK NO.	Capacity (MSP)	TANK (AGO)	TANK (K)
	MSP			
	AGO			
	K			
10.	Nature of land possession for the intended facility Owner.....( <i>Attach Title Deed</i> ) <p style="text-align: center;"><i>or</i></p> Lease..... ( <i>Attach lease agreement</i> )			
<b>PART III – HEALTH, SAFETY AND ENVIRONMENT (HSE)</b>				
11.	Attach with this application, as relevant, the following documents: <input type="checkbox"/> Environmental Impact Assessment Certificate <input type="checkbox"/> Engineering drawings duly signed by a registered engineer specifying: (a) the number of tanks and loading gantries; (b) the location and distances between building structures and facilities and equipment; (c) entry and exit;			

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<p>(d) perimeter wall and property boundaries;</p> <p>(e) location and identification of loading gantries; and</p> <p>(f) that the engineering and design has been done in accordance with approved specifications.</p> <p><input type="checkbox"/> Other (Specify).....</p>
<b>PART IV- LIST OF ENCLOSURES</b>	
12.	<p>Indicate below and where appropriate, the certified copies of, or extracts from, the following documents the applicant is providing in this application:</p> <p><input type="checkbox"/> Certificate of Registration</p> <p><input type="checkbox"/> Certificate of Incorporation</p> <p><input type="checkbox"/> Memorandum of Association</p> <p><input type="checkbox"/> Articles of Association</p> <p><input type="checkbox"/> Copy of Application Fee Receipt</p> <p><input type="checkbox"/> JV contract</p> <p><input type="checkbox"/> Extracts of the Certified Audited Accounts</p> <p><input type="checkbox"/> Design and As-built Drawings</p> <p><input type="checkbox"/> Approvals and Consents by relevant authorities</p> <p><input type="checkbox"/> Lease agreement</p> <p><input type="checkbox"/> Building Permit</p> <p><input type="checkbox"/> Title Deed or any other authorisation approving use of land</p> <p><input type="checkbox"/> Business license</p> <p><input type="checkbox"/> Other (Specify).....</p>
<b>PART VI – DECLARATION BY THE APPLICANT</b>	
13.	<p>I..... (insert name) being..... (insert title/position) hereby declare that I am authorised to make this application on behalf of the applicant and that to the best of my knowledge the information supplied herein is correct and that within a reasonable period of time after notice, I undertake to provide whatever additional information EWURA may require in order to evaluate this application.</p> <p>SWORN/AFFIRMED at.....)</p> <p>by the said.....who is identified to )</p> <p>me by...../known to me personally ) .....</p> <p>the latter being known to me personally this ) <b>DECLARANT</b></p>



*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<p>.....day of .....2018 )</p> <p>BEFORE ME:</p> <p style="text-align: center;">_____ COMMISSIONER FOR OATHS</p>
14.	

F  
O  
R  
M  
  
3  
.  
2  
:

APPLICATION FOR APPROVAL TO CONSTRUCT A DEPOT

For EWURA Use Only

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

Date Received:	File Number:
Time Received:	Received by:

**IMPORTANT NOTE:** Please complete this form and submit it to the Director General together with all relevant enclosures.

In order to avoid unnecessary delays, please answer all items in full and submit to EWURA a complete form with all necessary enclosures. No application will be processed until it has been found to be complete.

Once complete and ready for submission, **FILL IN USING BLUE OR BLACK INK ONLY**. Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. Please ensure that all the required documents are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application. All separate sheets of information must be on a clean and clear A-4 paper.

PART I: DETAILS OF THE APPLICANT	
1.	Name of Applicant (insert trading name), business address, telephone and fax numbers (a) Name of the Applicant:..... (b) Business address: Street.....Plot No..... Block No.....Building No..... (c) Postal Address: ..... (d) Telephone No: ..... (e) Facsimile: .....Cell Phone..... (f) E-Mail: .....
2.	Location and complete address of the proposed facility

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation  
Operations)*

*GN. No. 380 (Contd.)*

	<p>(a) Location:</p> <p style="padding-left: 40px;">Street.....Plot No.....</p> <p style="padding-left: 40px;">Block No.....Building No.....</p> <p>(b) Postal Address: .....</p>
3.	<p>Registration Status: <i>(fill where appropriate)</i></p> <p>(a) Certificate of Incorporation No.....</p> <p>(b) Certificate of Compliance No.....</p> <p>(c) Business license No.....</p> <p>(d) TIN No. ....</p> <p>(e) VAT No.....</p>
4.	<p>Legal status of the Applicant:</p> <p><input type="checkbox"/> Sole Proprietorship</p> <p><input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Public Limited Liability Company</p> <p><input type="checkbox"/> Private Limited Liability Company</p> <p><input type="checkbox"/> Parastatal Organisation</p> <p><input type="checkbox"/> Government Agency</p> <p><input type="checkbox"/> Cooperative Society</p> <p><input type="checkbox"/> Joint Venture</p> <p><input type="checkbox"/> Other (specify).....</p>
5.	<p>Contact Person:</p> <p>(a) Name: .....</p> <p>(b) Title: .....</p> <p>(c) Physical address:</p> <p style="padding-left: 40px;">Street.....Plot No.....Block No.....</p> <p style="padding-left: 40px;">Building No.....</p> <p>(d) Postal Address: .....</p> <p>(e) Telephone Number: .....</p> <p>(f) Facsimile: .....Cell phone: .....</p> <p>(g) E-mail: .....</p>

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

6.	Provide on a separate sheet information related to the Applicant where applicable: <input type="checkbox"/> Shareholding Arrangements <input type="checkbox"/> Director(s) <input type="checkbox"/> Members of the Board of Directors <input type="checkbox"/> Chief Executive Officer (where applicable)
7.	If the applicant is in a Joint Venture with another entity, provide the following details: (a) Name: ..... (b) Title: ..... (c) Physical address: Street.....Plot No.....Block No..... Building No..... (d) Postal Address: ..... (e) Telephone Number: ..... (f) Facsimile: .....Cell phone: ..... (g) E-mail: .....
8.	Fee amount and method of payment: (a) Amount: TZS..... (b) Mode: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Other (specify)..... (c) Fees Payment Receipt No. ( <i>Attach Copy</i> ).....
<b>PART II – TECHNICAL INFORMATION</b>	
9.	Provide a detailed description of the location and capacity of the intended facility: ..... ..... ..... ..... ..... ( <i>Use additional sheet if necessary</i> )
10.	Provide a detailed description of ownership of the intended facility which shall include the land to which such facilities are located. ..... .....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<p>.....</p> <p>.....</p> <p>..... (Use additional sheet if necessary)</p>
11.	<p>List and attach evidence of all required permits and consents issued by relevant authorities:</p> <p><input type="checkbox"/> Building Permit</p> <p><input type="checkbox"/> Land Title</p> <p><input type="checkbox"/> Business license</p> <p><input type="checkbox"/> Certificate of incorporation</p> <p><input type="checkbox"/> TIN certificate</p> <p><input type="checkbox"/> Any other (specify).....</p>
<b>PART III – HEALTH, SAFETY AND ENVIRONMENT (HSE)</b>	
12.	<p>Attach with this application, as relevant, the following documents:</p> <p><input type="checkbox"/> Environmental Impact Assessment Certificate</p> <p><input type="checkbox"/> Engineering drawings duly signed by a registered engineer specifying:</p> <p style="padding-left: 20px;">(a) the number of tanks and dispensing pumps;</p> <p style="padding-left: 20px;">(b) the location and distances between building structures and facilities and equipment;</p> <p style="padding-left: 20px;">(c) entry and exit;</p> <p style="padding-left: 20px;">(d) perimeter wall and property boundaries;</p> <p style="padding-left: 20px;">(e) location and identification of dispensing units including hose reach zone; and</p> <p style="padding-left: 20px;">(f) that the engineering and design has been done in accordance with approved specifications.</p> <p><input type="checkbox"/> Other (Specify).....</p>
<b>PART IV- LIST OF ENCLOSURES</b>	
13.	<p>Indicate below and where appropriate, the certified copies of, or extracts from, the following documents the applicant is providing in this application:</p> <p><input type="checkbox"/> Certificate of Registration</p> <p><input type="checkbox"/> Certificate of Incorporation</p> <p><input type="checkbox"/> Memorandum of Association</p> <p><input type="checkbox"/> Articles of Association</p>

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<input type="checkbox"/> Copy of Application Fee Receipt <input type="checkbox"/> JV contract <input type="checkbox"/> Extracts of the Certified Audited Accounts <input type="checkbox"/> Design and As-built Drawings  <input type="checkbox"/> Approvals and Consents by relevant authorities <input type="checkbox"/> Relevant Contracts/Agreements <input type="checkbox"/> Building Permit <input type="checkbox"/> Title Deed or any other authorisation approving use of land <input type="checkbox"/> Business license <input type="checkbox"/> Other (Specify).....
<b>PART V – DECLARATION BY THE APPLICANT</b>	
14.	<p>I..... (insert name) being..... (insert title/position) hereby declare that I am authorised to make this application on behalf of the applicant and that to the best of my knowledge the information supplied herein is correct and that within a reasonable period of time after notice, I undertake to provide whatever additional information EWURA may require in order to evaluate this application.</p> <p>SWORN/AFFIRMED at..... )          by the said.....who is identified to )          me by...../known to me personally ) .....          the latter being known to me personally this ) <b>DECLARANT</b>          .....day of .....2018 )</p> <p>BEFORE ME:</p> <p style="text-align: center;">_____          COMMISSIONER FOR OATHS</p>

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APPROVAL TO CONSTRUCT A CONSUMER INSTALLATION FACILITY

For EWURA Use Only	
Date Received:	File Number:
Time Received:	Received by:

**IMPORTANT NOTE:** Complete this form and submit it to the Director General together with all relevant enclosures.

In order to avoid unnecessary delays, please answer all items in full and submit to EWURA a complete form with all necessary enclosures. No application will be processed until it has been found to be complete.

Once complete and ready for submission, FILL IN USING BLUE OR BLACK INK ONLY. Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. Please ensure that all the required documents are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application. All separate sheets of information must be on a clean and clear A-4 paper.

	<b>PART I: DETAILS OF THE APPLICANT</b>
1.	Name of Applicant (insert trading name), business address, telephone and fax numbers (a) Name of the Applicant:.....  (b) Business address: Street.....Plot No.....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	Block No.....Building No..... (c) Postal Address: ..... (d) Telephone No: ..... (e) Facsimile: .....Cell Phone..... (f) E-Mail: .....
2.	Location and complete address of the proposed facility (a) Location:  Street.....Plot No..... Block No.....Building No..... (b) Postal Address: .....
3.	Registration Status: <i>(fill where appropriate)</i> (a) Certificate of Incorporation No..... (b) Certificate of Compliance No..... (c) Business license No..... (d) TIN No. .... (e) VAT No.....
4.	Legal status of the Applicant: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Public Limited Liability Company <input type="checkbox"/> Private Limited Liability Company <input type="checkbox"/> Parastatal Organisation <input type="checkbox"/> Government Agency <input type="checkbox"/> Cooperative Society <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other (specify).....
5.	Contact Person: (a) Name: ..... (b) Title: .....



*The Petroleum (Wholesale, Storage, Retail And Consumer Installation  
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*GN. No. 380 (Contd.)*

	<p>(c) Physical address:  Street.....Plot No.....Block No.....  Building No.....</p> <p>(d) Postal Address: .....</p> <p>(e) Telephone Number: .....</p> <p>(f) Facsimile: .....Cell phone: .....</p> <p>(g) E-mail: .....</p>
6.	<p>Provide on a separate sheet information related to the Applicant where applicable:</p> <p><input type="checkbox"/> Shareholding Arrangements</p> <p><input type="checkbox"/> Director(s)</p> <p><input type="checkbox"/> Members of the Board of Directors</p> <p><input type="checkbox"/> Chief Executive Officer (where applicable)</p>
7.	<p>If the applicant is in a Joint Venture with another entity, provide the following details:</p> <p>(a) Name: .....</p> <p>(b) Title: .....</p> <p>(c) Physical address:  Street.....Plot No.....Block No.....  Building No.....</p> <p>(d) Postal Address: .....</p> <p>(e) Telephone Number: .....</p> <p>(f) Facsimile: .....Cell phone: .....</p> <p>(g) E-mail: .....</p>
8.	<p>Fee amount and method of payment:</p> <p>(a) Amount: TZS.....</p> <p>(b) Mode: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Other (specify).....</p> <p>(c) Fees Payment Receipt No. (<i>Attach Copy</i>).....</p>
<b>PART II – TECHNICAL INFORMATION</b>	

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

9.	<p>Provide a detailed description of the location and capacity of the intended facility and proof that there is no alternative supply of petroleum products in the area:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>..... (Use additional sheet if necessary)</p>
10.	<p>Provide a detailed description of ownership of the intended facility which shall include the land to which such facilities are located.</p> <p>.....</p> <p>.....</p> <p>..... (Use additional sheet if necessary)</p>
11.	<p>List and attach evidence of all required permits and consents issued by relevant authorities:</p> <p><input type="checkbox"/> Building Permit</p> <p><input type="checkbox"/> Land Title</p> <p><input type="checkbox"/> Business license</p> <p><input type="checkbox"/> Certificate of incorporation</p> <p><input type="checkbox"/> TIN certificate</p> <p><input type="checkbox"/> Any other (specify).....</p>
<b>PART III – HEALTH, SAFETY AND ENVIRONMENT (HSE)</b>	
12.	<p>Attach with this application, as relevant, the following documents:</p> <p><input type="checkbox"/> Environmental Impact Assessment Certificate</p> <p><input type="checkbox"/> Engineering drawings duly signed by a registered engineer specifying:</p> <p style="margin-left: 40px;">(a) the number of tanks and dispensing pumps;</p> <p style="margin-left: 40px;">(b) the location and distances between building structures and facilities and equipment;</p> <p style="margin-left: 40px;">(c) entry and exit;</p> <p style="margin-left: 40px;">(d) perimeter wall and property boundaries;</p> <p style="margin-left: 40px;">(e) location and identification of dispensing units including hose reach zone; and</p> <p style="margin-left: 40px;">(f) that the engineering and design has been done in accordance with approved</p>

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	specifications.  <input type="checkbox"/> Other (Specify).....
<b>PART IV- LIST OF ENCLOSURES</b>	
13.	Indicate below and where appropriate, the certified copies of, or extracts from, the following documents the applicant is providing in this application: <input type="checkbox"/> Certificate of Registration <input type="checkbox"/> Certificate of Incorporation <input type="checkbox"/> Memorandum of Association <input type="checkbox"/> Articles of Association <input type="checkbox"/> Copy of Application Fee Receipt <input type="checkbox"/> JV contract <input type="checkbox"/> Extracts of the Certified Audited Accounts <input type="checkbox"/> Design and As-built Drawings <input type="checkbox"/> Approvals and Consents by relevant authorities <input type="checkbox"/> Relevant Contracts/Agreements <input type="checkbox"/> Building Permit <input type="checkbox"/> Title Deed or any other authorisation approving use of land <input type="checkbox"/> Business license <input type="checkbox"/> Other (Specify).....
<b>PART VI – DECLARATION BY THE APPLICANT</b>	
14.	I..... (insert name) being..... (insert title/position) hereby declare that I am authorized to make this application on behalf of the applicant and that to the best of my knowledge the information supplied herein is correct and that within a reasonable period of time after notice, I undertake to provide whatever additional information EWURA may require in order to evaluate this application.  SWORN/AFFIRMED at.....) by the said.....who is identified to) me by...../known to me personally ) ..... the latter being known to me personally this ) <b>DECLARANT</b> .....day of .....20... )  BEFORE ME:

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	COMMISSIONER FOR OATHS
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FOURTH SCHEDULE

*(Made under rule 13)*

APPLICATION FOR LICENCES

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APPLICATION FOR PETROLEUM PRODUCT RETAIL BUSINESS LICENCE

For EWURA Use Only	
Date Received:	File Number:

IMPORTANT NOTE: Complete this form and return it with all other relevant enclosures to the Director General.

In order to avoid unnecessary delays, answer fully all items and submit to EWURA all of the information required to consider this application. EWURA will not process this application until it has been found to be complete.

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

Where options are given, tick the relevant box. Leave no item unanswered or unticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. You should ensure that all required documentation are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application.

PART I: DETAILS OF THE APPLICANT	
1.	Name of Applicant (insert trading name)
2.	<p>Registration Status: <i>(fill where appropriate)</i></p> <p>(a) Certificate of Incorporation No.....</p> <p>(b) Memorandum and Articles of Association (where applicable)</p> <p>(c) Business license No.....</p> <p>(d) TIN No. ....</p> <p>(e) VAT No.....</p> <p>attach copies of the documents applicable to you)</p>
3.	<p>Physical and postal Address of the retail outlet:</p> <p>(g) Physical address:</p> <p>Street.....Plot No.....</p> <p>Block No.....Building No.....</p>

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation  
Operations)*

*GN. No. 380 (Contd.)*

	<p>(a) Postal Address: .....</p> <p>(b) Telephone No: .....</p> <p>(c) Facsimile: .....Cell Phone.....</p> <p>(d) E-Mail: .....</p>
4.	<p>Legal status of the Applicant:</p> <p><input type="checkbox"/> Sole Proprietorship</p> <p><input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Public Limited Liability Company</p> <p><input type="checkbox"/> Private Limited Liability Company</p> <p><input type="checkbox"/> Parastatal Organisation</p> <p><input type="checkbox"/> Government Agency</p> <p><input type="checkbox"/> Cooperative Society</p> <p><input type="checkbox"/> Joint Venture</p> <p><input type="checkbox"/> Other (specify).....</p>
5.	<p>Contact Person:</p> <p>(a) Name: .....</p> <p>(b) Title: .....</p> <p>(c) Physical address:</p> <p style="padding-left: 40px;">Street.....Plot No.....Block No.....</p> <p style="padding-left: 40px;">Building No.....:</p> <p>(d) Postal Address: .....</p> <p>(e) Telephone Number: .....</p> <p>(f) Facsimile: .....Cell phone: .....</p> <p>(g) E-mail: .....</p>

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

6.	<p>Fee Amount and Method of Payment:</p> <p>(a) Amount: TZS.....</p> <p>(b) Mode: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Other (specify).....</p> <p>(c) Fees Payment Receipt No. (<i>Attach Copy</i>).....</p>
<b>PART II – TECHNICAL INFORMATION</b>	
7.	<p>Provide a detailed description of the capacity of the retail outlet facility:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>..... (Use additional sheet if necessary and attach the technical layout drawing of the facility)</p>
8.	<p>Provide a detailed description of ownership of the retail outlet facilities which shall include the land to which such facilities are located.</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>..... (Use additional sheet if necessary)</p>
9.	<p>List and attach evidence of all required permits and consents issued by relevant authorities:</p> <p><input type="checkbox"/> Building Permit</p> <p><input type="checkbox"/> Land Title</p> <p><input type="checkbox"/> Business license</p> <p><input type="checkbox"/> Certificate of incorporation</p> <p><input type="checkbox"/> TIN certificate</p> <p><input type="checkbox"/> Any other (specify).....</p>
<b>PART III – HEALTH, SAFETY AND ENVIRONMENT (HSE)</b>	

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

10.	Attach with this application, as relevant, the following documents:  <input type="checkbox"/> EIA certificate <input type="checkbox"/> OSHA certificate <input type="checkbox"/> Fire Certificate from the fire department <input type="checkbox"/> Other (Specify).....
<b>PART IV- COMMERCIAL DETAILS</b>	
11.	Provide a list and attach copies of all relevant:  <input type="checkbox"/> Contracts or Agreements. <input type="checkbox"/> Permits. <input type="checkbox"/> Memoranda of Understanding (if any) governing commercial transactions of regulated goods and services. <input type="checkbox"/> Duly filled integrity pledge form <input type="checkbox"/> Joint Venture contract <input type="checkbox"/> Other (specify) .....
<b>PART V – DECLARATION BY THE APPLICANT</b>	
12.	I..... (insert name) being..... (insert title/position) hereby declare that I am authorised to make this application on behalf of the applicant ( <i>insert the name of the applicant</i> .....). I further declare that to the best of my knowledge the information supplied herein is correct.  SWORN/AFFIRMED at..... ) by the said.....who is identified to ) me by...../known to me personally ) ..... the latter being known to me personally this ) <b>DECLARANT</b> .....day of .....201..... )  BEFORE ME:  _____ COMMISSIONER FOR OATHS



*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<p>NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner for Oaths and submitted with the necessary supporting documents to the EWURA Headquarter office or at Zonal Offices.</p>
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APPLICATION FOR PETROLEUM PRODUCTS WHOLESale BUSINESS LICENCE

For EWURA Use Only	
Date Received:	File Number:

**IMPORTANT NOTE:** Complete this form and return it with all other relevant enclosures to the Director General.

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

In order to avoid unnecessary delays, answer fully all items and submit to EWURA all of the required information . You may submit your application electronically or by delivering the same to EWURA offices. EWURA will not process this application until it has been found to be complete.

Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. You should ensure that all required documentation are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application.

PART I: DETAILS OF THE APPLICANT	
1.	Name of Applicant:
2.	Registration Status: <i>(fill where appropriate)</i>  (a) Certificate of Incorporation No..... (b) Memorandum and Articles of association (where applicable)  (c) Business licence number.....  (d) TIN No. ....  (e) VAT No.....  (Attach copies of the documents applicable to you)
3.	Applicant's Physical and Postal Address: (a) Physical address:  Street.....Plot No.....  Block No.....Building No.....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<p>(b) Postal Address: .....</p> <p>(c) Telephone No: .....</p> <p>(d) Facsimile: .....Cell Phone.....</p> <p>(e) E-Mail: .....</p>
4.	<p>Legal status of the Applicant:</p> <p><input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Public Limited Liability Company</p> <p><input type="checkbox"/> Private Limited Liability Company</p> <p><input type="checkbox"/> Parastatal OrganiSation</p> <p><input type="checkbox"/> Government Agency</p> <p><input type="checkbox"/> Cooperative Society</p> <p><input type="checkbox"/> Other (specify).....</p>
5.	<p>Contact Person:</p> <p>(a) Name: .....</p> <p>(b) Title: .....</p> <p>(c) Physical address:</p> <p style="padding-left: 40px;">Street.....Plot No.....Block No.....</p> <p style="padding-left: 40px;">Building No.....:</p> <p>(d) Postal Address: .....</p> <p>(e) Telephone Number: .....</p> <p>(f) Facsimile: .....Cell phone: .....</p> <p>(g) E-mail: .....</p>
6.	<p>Fee Amount and Method of Payment:</p>

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<p>(a) Amount: TZS.....</p> <p>(b) Mode: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Other (specify).....</p> <p>(c) Fees Payment Receipt No. (<i>Attach Copy</i>).....</p>
<b>PART II: APPLICANT'S FINANCIAL DETAILS</b>	
7.	<p>Provide proof of financial capability which is either:</p> <p><input type="checkbox"/> a bank guarantee or credit facility of not less than one billion and five hundred million Tanzania Shillings or equivalent in convertible currency;</p> <p><input type="checkbox"/> a deposit bank statement showing a credit balance of not less than one billion and five hundred million Tanzania Shillings or equivalent in convertible currency at a bank or financial institution licensed by the Bank of Tanzania to act as such;</p> <p><input type="checkbox"/> an unequivocal letter of comfort from a financial institution or a bank that confirms that the bank or the financial institution shall extend a facility to the applicant for the amount of not less than one billion and five hundred million Tanzania Shillings or equivalent in convertible currency;</p> <p><input type="checkbox"/> an audited financial statement showing annual gross turn over of not less than three billion and six hundred million Tanzania Shillings or equivalent in convertible currency.</p>
8.	<p>Attach the Applicant's Business Plan which shall include:</p> <p>(a) Applicant's proposed investment over the next five year (<i>if any</i>);and</p> <p>(b) Source of funding for the proposed investments.</p>
9.	<p>Describe the applicant's principal business activity</p> <p>.....</p> <p>.....</p> <p>.....(<i>Use additional sheet if necessary</i>)</p>
<b>PART IV – TECHNICAL INFORMATION</b>	
10.	<p>(a) Indicate the purpose(s) of the licence applied:</p>

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<input type="checkbox"/> Domestic <input type="checkbox"/> Transit <input type="checkbox"/> Other (Specify).....  (b) Indicate possession of the following with supporting documents as appropriate:  <input type="checkbox"/> Possession of storage depot or hospitality agreement another licensee; and <input type="checkbox"/> Possession of adequate skilled personnel.
11.	Provide a detailed description of a list of ports of entry and exit through which you intend to import, or export petroleum products as the case may be. ..... ..... ..... ..... ..... (Use additional sheet if necessary)
12.	(a) Provide a detailed description of the location and capacity of the storage facilities: ..... ..... ..... ..... (Use additional sheet if necessary)  (b) If the facility is owned by the applicant, provide the technical drawings of the facility
13.	Provide a detailed description of ownership of the storage facilities which shall include the land to which such facilities are located and in case of shared facilities the basis for such sharing. ..... ..... ..... ..... (Use additional sheet if necessary )
14.	List and attach evidence of all required permits and consents issued by relevant authorities:  <input type="checkbox"/> Land Title No..... <input type="checkbox"/> Other (specify).....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<input type="checkbox"/> Environmental Impact Assessment Certificate <input type="checkbox"/> Environmental Audit Report
<b>PART V – HEALTH, SAFETY AND ENVIRONMENT (HSE)</b>	
15.	Attach with this application, as relevant, the following documents:  <input type="checkbox"/> EIA certificate <input type="checkbox"/> Emergency Response Plan <input type="checkbox"/> Fire Certificate from the Fire Authority <input type="checkbox"/> OSHA Certificate <input type="checkbox"/> Other (Specify).....
<b>RT VI- COMMERCIAL DETAILS</b>	
16.	Indicate the intended market for the licensed goods and/or services:  <input type="checkbox"/> Bulk Supplies <input type="checkbox"/> Retail Supplies <input type="checkbox"/> Transit <input type="checkbox"/> Leasing Assets <input type="checkbox"/> Other (specify).....
17.	Provide a list and attach copies of all relevant:  <input type="checkbox"/> Contracts or Agreements <input type="checkbox"/> Permits <input type="checkbox"/> Memoranda of understanding (if any) governing commercial transactions of regulated goods and services.
18.	Attach to this application either the existing or the proposed Customer Service Charter <i>(if any)</i> .
<b>PART VII- LIST OF ENCLOSURES</b>	
19.	Indicate below the document enclosed and where appropriate enclose the certified copies of or extracts from the documents:  <input type="checkbox"/> Memorandum and Articles of Association <input type="checkbox"/> Certificate of compliance

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

<input type="checkbox"/> Certified copy of business licence <input type="checkbox"/> Copy of Application Fee Receipt <input type="checkbox"/> Certified copies of TIN & VAT Certificates <input type="checkbox"/> Extracts of the Certified Audited Accounts <input type="checkbox"/> Certified copy of Audited accounts <input type="checkbox"/> Bankers' guarantee/letter of comfort/bank statement showing financial capability <input type="checkbox"/> Business Plan <input type="checkbox"/> Design and As-built Drawings <input type="checkbox"/> Process Flow Diagram <input type="checkbox"/> Environmental and Socio Impact Assessment Study Report <input type="checkbox"/> Emergency Response Plan <input type="checkbox"/> Health and Safety Policy <input type="checkbox"/> Approvals and Consents by relevant authorities <input type="checkbox"/> Relevant Contracts/Agreements <input type="checkbox"/> Current or proposed Customer Service Charter
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*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

PART VIII – DECLARATION BY THE APPLICANT	
20.	<p>I..... (insert name) being..... (insert title/position) hereby declare that I am authorised to make this application on behalf of the <i>(insert the name of the applicant.....)</i>. I further declare that to the best of my knowledge the information supplied herein is correct.</p> <p>SWORN/AFFIRMED at..... )                      by the said.....who is identified to )                      me by...../known to me personally ) .....                      the latter being known to me personally this )       DECLARANT                      .....day of .....20..... )</p> <p>BEFORE ME:</p> <p>_____</p> <p>COMMISSIONER FOR OATHS</p> <p>NOTE:                      If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents to the EWURA Headquarter office or at Zonal Offices.</p>

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**APPLICATION FOR CONSUMER INSTALLATION FACILITY LICENCE**

<b>For EWURA Use Only</b>	
<b>Date Received:</b>	<b>File Number:</b>

**IMPORTANT NOTE:** Complete this form and return it with all other relevant enclosures to the Director General.

In order to avoid unnecessary delays, answer fully all items and submit to EWURA all of the required information. You may submit your application electronically or by delivering the same to EWURA offices. EWURA will not process this application until it has been found to be complete.

Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. You should ensure that all required documentation are enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application.

	<b>PART I: DETAILS OF THE APPLICANT</b>
1.	Name of Applicant (insert trading name)
2.	Registration Status: <i>(fill where appropriate)</i>  (a) Certificate of Incorporation No.....  (b) Memorandum and Articles of Association (where applicable)  (c) Business license No.....  (d) TIN No. ....

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	<p>(e) VAT No.....</p> <p style="text-align: center;">(attach copies of the documents applicable to you)</p>
3.	<p>Applicant's physical and postal Address:</p> <p>(a) Physical address:</p> <p style="padding-left: 40px;">Street.....Plot No.....</p> <p style="padding-left: 40px;">Block No.....Building No.....</p> <p>(b) Postal Address: .....</p> <p>(c) Telephone No: .....</p> <p>(d) Facsimile: .....Cell Phone.....</p> <p>(e) E-Mail: .....</p>
4.	<p>Legal status of the Applicant:</p> <p><input type="checkbox"/> Sole Proprietorship</p> <p><input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Public Limited Liability Company</p> <p><input type="checkbox"/> Private Limited Liability Company</p> <p><input type="checkbox"/> Parastatal Organisation</p> <p><input type="checkbox"/> Government Agency</p> <p><input type="checkbox"/> Cooperative Society</p> <p><input type="checkbox"/> Joint Venture</p> <p><input type="checkbox"/> Other (specify).....</p>
5.	<p>Contact Person:</p> <p>(a) Name: .....</p> <p>(b) Title: .....</p> <p>(c) Physical address:</p> <p style="padding-left: 40px;">Street.....Plot No.....Block No.....</p>

*The Petroleum (Wholesale, Storage, Retail And Consumer Installation Operations)*

*GN. No. 380 (Contd.)*

	Building No.....: (d) Postal Address: ..... (e) Telephone Number: ..... (f) Facsimile: .....Cell phone: ..... (g) E-mail: .....
6.	Provide on a separate sheet information related to the Applicant: <input type="checkbox"/> Shareholding Arrangements <input type="checkbox"/> Director (s) <input type="checkbox"/> Members of the Board of Directors <input type="checkbox"/> Chief Executive Officer (where applicable)
7.	Nature of Business the Applicant is dealing with: <input type="checkbox"/> Commercial or industrial undertaking <input type="checkbox"/> Government Store <input type="checkbox"/> Agricultural farm <input type="checkbox"/> Mines <input type="checkbox"/> Any other entity having a contract with institutions mentioned herein above to supply petroleum products to those institutions
8.	If the applicant is in a Joint Venture with another entity, provide the following details: (a) Name: ..... (b) Title: ..... (c) Physical address: Street.....Plot No.....Block No..... Building No.....: (d) Postal Address: ..... (a) Telephone Number: ..... (b) Facsimile: .....Cell phone: ..... (c) E-mail: .....
9.	Fee Amount and Method of Payment:

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	<p>(a) Amount: TZS.....</p> <p>(b) Mode: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Other (specify).....</p> <p>(c) Fees Payment Receipt No. (<i>Attach Copy</i>).....</p>
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<b>PART II – TECHNICAL INFORMATION</b>	
10.	<p>Provide a detailed description of the capacity of the facility:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>..... (Use additional sheet if necessary and attach the technical layout drawing of the facility)</p>
11.	<p>Provide a detailed description of ownership of the facility which shall include the land to which such facilities are located.</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>..... (Use additional sheet if necessary)</p>
12.	<p>List and attach evidence of all required permits and consents issued by relevant authorities:</p> <p><input type="checkbox"/> Building Permit</p> <p><input type="checkbox"/> Land Title</p> <p><input type="checkbox"/> Business license</p> <p><input type="checkbox"/> Certificate of incorporation</p> <p><input type="checkbox"/> TIN certificate.</p> <p><input type="checkbox"/> Any other. (specify) .....</p>
<b>PART III – HEALTH, SAFETY AND ENVIRONMENT (HSE)</b>	
13.	<p>Attach with this application, as relevant, the following documents:</p> <p><input type="checkbox"/> EIA Certificate</p> <p><input type="checkbox"/> OSHA Certificate</p> <p><input type="checkbox"/> Fire Certificate from the Fire Department</p> <p><input type="checkbox"/> Other (Specify).....</p>
<b>PART IV- COMMERCIAL DETAILS</b>	

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14.	<p>Provide a list and attach copies of all relevant:</p> <p><input type="checkbox"/> Contracts or Agreements.</p> <p><input type="checkbox"/> Permits.</p> <p><input type="checkbox"/> Memoranda of understanding (if any) governing commercial transactions of regulated goods and services.</p> <p><input type="checkbox"/> Duly filled integrity form</p> <p><input type="checkbox"/> Joint Venture contract</p> <p><input type="checkbox"/> Other (specify).....</p>
<b>PART V – DECLARATION BY THE APPLICANT</b>	
15.	<p>I..... (insert name) being..... (insert title/position) hereby declare that I am authorised to make this application on behalf of the applicant (insert the name of the applicant.....). I further declare that to the best of my knowledge the information supplied herein is correct.</p> <p>SWORN/AFFIRMED at..... )          by the said.....who is identified to )          me by...../known to me personally ) .....          the latter being known to me personally this ) <b>DECLARANT</b>          .....day of .....201..... )</p> <p>BEFORE ME:</p> <p style="text-align: center;">_____          COMMISSIONER FOR OATHS</p> <p>NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents and submitted to the EWURA Headquarter office or at Zonal Offices</p>

\_\_\_\_\_  
**FIFTH SCHEDULE**

\_\_\_\_\_  
*(Made under rule 13(2))*  
 \_\_\_\_\_

CORPORATE INTEGRITY PLEDGE

1. We ..... do believe that, unethical business practices and corruption have been one of the biggest impediments to sustainable economic growth and prosperity in Tanzania and have been eroding public confidence in the Government and its institutions ability to serve its citizen fairly;
2. As a company involved in petroleum activities in Tanzania, we acknowledge our responsibility to ensure good governance because it is necessary for continued growth and business sustainability. We also acknowledge the importance of conducting our business with the highest standards of transparency, ethics and integrity;
3. While the Government and the Prevention and Combating of Corruption Bureau (PCCB) have their own initiatives for reducing corruption and other unethical practices, we realize that those initiatives cannot succeed without individual and collective commitment from business community to level the playing field and to build integrity in the business environment.
4. In view of the foregoing, we pledge the following:
  - (a) not, through any of our employees, representatives or agents, to involve in any form of bribery, corruption whether direct or indirect or unethical behavior in whatever form;
  - (b) to clearly communicate with all employees and business partners about stance on fighting all forms of bribe, corruption and other unethical behavior in whatever form;
  - (c) to maintain and share with our employees the code of conduct which will be a guide in executing our daily business operations in order to comply with high ethical standards of conduct and anti-corruption laws;

- (d) to conduct regular training on anti-bribery and anti-corruption to our employees and business partners in order to ensure that they are updated and knowledgeable of the Company' s policy in implementing this pledge;
  - (e) to conduct integrity risk assessment that will help to identify corruption risks inherent in business operations and apply effective measures;
  - (f) to maintain appropriate financial reporting mechanisms that are accurate and transparent;
  - (g) to enter into integrity pacts with business partners and government agencies when dealing with procedures related to the bidding and procurement of supplies, materials, equipment, and construction;
  - (h) to maintain channels by which employees and other stakeholders can raise ethical concerns and report suspicious circumstances in confidence without risk of reprisal, and a designated officer will be tasked with investigating all reports received and taking appropriate action;
  - (i) to refrain from engaging in business with parties who have demonstrated unethical business practices;
  - (j) not to engage in any arrangements that undermines or is prejudicial to the national security; and
  - (k) to maintain a proper insurance cover against losses, injuries or damage to environmental, communities, individual and properties that may be occasioned in the course of carrying business.
5. To ensure collective action in preventing any unethical and corrupt behavior and the highest standards of ethics, integrity and transparent in business transactions in Tanzania, we commit to:
- (a) support a nationwide initiative intended to create fair market conditions, transparency in business transactions, and ensure good corporate governance;
  - (b) participate in roundtable discussions, meetings, and forum to identify the key concerns and current problems affecting the



private sectors related to integrity and transparency in business transactions;

- (c) share the international best practices, tools and concepts which are intended to be used by all participating entities to achieve the goals of the nationwide integrity behavior initiative;
  - (d) participate in the creation of key measures and control activities intended to ensure transparency, integrity and ethical business practice;
  - (e) support the development of an audit and certification program (including a training program for advisers and auditors) that will offer a toolbox for enterprises to introduce and implement ethical practices in their business processes; and institutionalize the whole process to promote sustainability of the integrity initiative.
6. To confirm our commitment to this pledge, we hereby commit ourselves as a company and individuals to be bound in all aspects by this integrity pledge and shall be responsible for all the consequences which may result to non-compliance to this pledge.
  7. To fight any form of corruption practices whereby zero tolerance action will be taken against any employee, staff or other person involved in corruption in relation to the business, regardless of position and status;
  8. To report any corrupt or unethical practices that occur in the business place to the appropriate Authority;
  9. We shall also ensure that our employees and agents comply with this pledge and in any event of non-compliance we commit ourselves to be responsible for their action.

Signed by ..... for and on behalf of  
..... this ..... day  
of ..... [201.....]

Signature .....  
Designation:.....

Witness

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Name:.....

Signature:.....

Designation:.....

SIXTH SCHEDULE

*(Made under rule 17 (2))*

APPLICATION FOR TRANSFER OF A LICENCE

This section to be completed by the Current holder of the licensee			
	Current Licensee to complete as appropriate		
Licensee's name			
Name and address of the Transferor			
Reason for transfer (attach documentary proof)			
Address of the Licensed Facility			
	Postcode		Tel No.
	Email		

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Licence Particulars	Type of Licence:		
	Licence No:		
	Licence Duration:		
	Expiry Date:		
I agree to the transfer of the licence to the applicant(s) below:			
Name and physical Address of the Transferee :		Date:	
Business Organisation (Sole proprietor, Company, Partnership)		Position:	
Principal Officer (only if the transferee is a company or partnership)		Date:	Company Seal
		Signature:	
Names of Partners or Shareholders		1.	
		2.	
		3.	

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		4.	
		5.	
		6.	
		7.	

This section to be completed by the Applicant(s)

1. I the undersigned, being the new occupier of the premises detailed in the application, hereby apply for the transfer of the current licence and I hereby declare that the information stated herein in regard to the transferee is true to the best of my knowledge.
2. In the event of a licence being transferred:
  - (a) I agree to abide by the conditions laid down by EWURA and applicable laws, and not to alter in any way the approved arrangements of the premises without the written approval of EWURA, nor use the said premises for any other purpose than those prevailing at the time the licence is transferred;
  - (b) the licence shall have the like effect in all respects as if no transfer had been made; and
  - (c) all duties and responsibilities that were to be fulfilled by the transferor are automatically shifted to the transferee as if no transfer was made.

Date			
Signed:		Position:	
Print Name			

Ownership of the site comprising the licensed facility.  
 If the transferor is not the owner of the site (i.e. a tenant), enter below the name and address of the owner or owners, as the case may be:

Details	Transferor to complete if applicable
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Name (of owner)			
Address:			
Post Code		Tel No.	
Email			

Fee TZS	.....	Payable to: EWURA Account: 01J1022244000; CRDB Holland Branch.
<p>Notes</p> <ol style="list-style-type: none"> <li>1. The applicant(s), (if an individual person or partnership) must be over 18 years of age.</li> <li>2. By signing the form, both the transferee and transferor declare that they are authorised to make this application and that the information supplied there herein is correct.</li> <li>3. This application together with the appropriate fee, should be forwarded to the Director General, EWURA at 7TH Floor, LAPF Pension Fund Tower, Opposite Makumbusho Village, Kijitonyama, P.O Box 72175, Dar es Salaam.</li> </ol>		

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- The application should be attached with the following documents:
1. The original copy of a valid EWURA licence in respect of the linsenced facility;
  2. Certified copy of tax Clearance in respect of the linsenced facility;
  3. Lease/ Sale agreement stamp duty paid;
  4. Company Registration documents;
  5. Transfer document (in case the type of transfer is by transmission i.e death or order of the Court)
  6. Proof of payment of transfer application fee; and
  7. Any other document that will be required at the time of transfer.

—————  
SEVENTH SCHEDULE  
—————

*(Made under rule 20 (2))*  
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APPLICATION FOR RENEWAL OF A LICENCE

For EWURA Use Only	
Date Received:	File Number:
Time Received:	Received by:

**IMPORTANTNOTE:** Complete this form and return it with all other relevant enclosures to the Director General.

In order to avoid unnecessary delays answer fully all items and submit to EWURA all of the information required to consider this application. EWURA will not process this application until it has been found to be complete.

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When completing this form, FILL IN USING BLUE OR BLACK INK ONLY. Where options are given, tick the relevant box. Leave no item unanswered or un-ticked. If an item seems not applicable to the specific application, you should indicate with block capitals N/A meaning Not Applicable. You should ensure that all required documentation is enclosed and that each separate sheet of information attached to the application corresponds to a specific item in the application. Where there is a requirement to provide documentation on a separate sheet, it must be on clean, clear A-4 paper.

	PART I: DETAILS OF THE APPLICANT
1.	Name of Applicant (insert trading name)
2.	Registration Status: <i>(fill where appropriate)</i> <ul style="list-style-type: none"> <li>(a) Certificate of Incorporation No.....</li> <li>(c) Certificate of Compliance No.....</li> <li>(d) Business license No.....</li> <li>(e) TIN No..... .....</li> <li>(f) VAT No. ....</li> </ul>

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3.	<p>(a) Physical address: Street.....Plot No.....                  Block No.....Building No.....</p> <p>(b) Postal Address: .....</p> <p>(c) Telephone No:.....</p> <p>(d) Facsimile: .....Cell Phone.....                  .....</p>
	<p>Legal status of the Applicant:</p> <p><input type="checkbox"/> Sole Proprietorship</p> <p><input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Public Limited Liability Company</p> <p><input type="checkbox"/> Private Limited Liability Company Parastatal</p> <p><input type="checkbox"/> Organisation Government Agency</p> <p><input type="checkbox"/> Cooperative Society</p> <p><input type="checkbox"/> Joint Venture</p> <p><input type="checkbox"/> Other (specify).....</p>
5.	<p>Contact Person:</p> <p>(a) Name:.....                  (b) Title:.....</p> <p>(c) Physical address:                  Street.....Plot No.....Block No.....                  Building No.....:</p> <p>(d) Postal Address: .....</p> <p>(e) Telephone Number: .....</p> <p>(f) Facsimile: .....Cell phone:.....</p> <p>(g) E-mail: .....</p>



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6.	<p>Current Licence details</p> <p>Licence No. ....</p> <p>Date Issued.....</p> <p>Expiry Date.....</p>
7.	<p>Has the licensee undergone any material changes (structural, legal, managerial or related to the service supplied) since its previous application?</p>
	<p><input type="checkbox"/> Yes – If yes, provide details).....</p> <p>.....</p> <p>.....(Use additional sheet if necessary)</p> <p><input type="checkbox"/> No.</p>

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8.	Fee amount and method of payment:  (a) Amount: TZS.....  (b) Mode: Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Other <input type="checkbox"/> (specify).....  (c) Fees Payment Receipt No..... ( <i>Attach Copy</i> ).....
	<b>PART II- DECLARATION BY THE APPLICANT</b>

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9.	<p>I..... (insert name)being..... (insert title/position) hereby declare that I am authorised to make this application on behalf of the applicant and that to the best of my knowledge the information supplied herein is correct and that within a reasonable period of time after notice, I undertake to provide whatever additional information EWURA may require in order to evaluate this application.</p> <p>SWORN/AFFIRMED at..... by the said.....who is identified to me by...../known to me personally } ..... the latter being known to me personally this DECLARANT .....dayof.....20.....</p> <p>BEFOREME:</p> <p style="text-align: right;">COMMISSIONER FOR OATHS</p> <p>Dodoma, NZINYANGWA E. MCHANY ....., 2018 <i>Director General Energy and Water Utilities</i> <i>Regulatory Authority</i></p>
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