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THE PETROLEUM ACT,
(CAP. 392)

RULES

(Made under section 259 (1))

THE PETROLEUM (RETAIL OPERATIONS IN TOWNSHIPS AND VILLAGES) RULES, 2020
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THE PETROLEUM ACT,
(CAP. 392)

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THE PETROLEUM (RETAIL OPERATIONS IN TOWNSHIPS AND VILLAGES) RULES, 2020

PART I
PRELIMINARY PROVISIONS

Citation	1. These Rules may be cited as the Petroleum (Retail Operations in Townships and Villages) Rules, 2020.
Application	2. These Rules shall regulate petroleum retail business activities in townships and villages in Mainland Tanzania.
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 customarily treated in Tanzania as having legally binding force and which is relevant to matters pertaining to the regulation of petroleum retail business;
Cap. 130	“approved specification” means any specification or standard in relation to a petroleum product, petroleum installation applied by the Authority and as 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. 414	“Authority” means the Energy and Water Utilities Regulatory Authority established under the provisions of the EWURA Act;
	“bulk quantity” means a single lot of not less than two hundred litres of a petroleum product;
Cap. 54	“Class A residence permit” means a permit issued by the Immigration Department pursuant to the provisions of the Immigration Act;
Cap. 191	“Council” means the National Environmental Management Council established under the provisions of the Environmental

- Management Act;
- Cap. 414 “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;
- Cap. 414 “EWURA Act” means the Energy and Water Utilities Regulatory Authority Act;
- “facility” means a retail outlet, for the purposes of these Rules and includes buildings, storage tanks and dispensing pumps, in respect of which a regulated activity is carried out;
- Cap. 427 “fire safety certificate” means a certificate issued by the Fire and Rescue Authority pursuant to the provisions of the Fire and Rescue Forces Act;
- “petroleum industry best practices” means any action related to a petroleum product intended to preserve product quality and meeting generally accepted health, safety and environmental requirements;
- “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;
 - (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;
- Cap. 392 “inspector” means an officer of the Authority or an agent of the Authority appointed by the Authority to perform the functions of inspection as required under the Act and applicable law;
- “licence” means a licence granted under the Act;
- “licence fee” means a fee payable by a licensee as shall be prescribed by the Authority from time to time;
- “Notification of Offence” means the notification prescribed under rule 46 (1);
- “petroleum” has the meaning ascribed to it under the Act;

“petroleum products” means organic compounds, pure or blended, which are 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 products;
- (b) bunkers or heavy residual fuel oils for combustion engines or industrial heat processes, such as burners for boilers or heating furnaces;
- (c) commercial gases which include methane, ethane, propane, butane and other similar petroleum gases, biogas or mixtures of these gases, whether in gaseous or liquefied state;
- (d) gasoil or automotive diesel, biodiesel, industrial marine diesels or synthetic diesel;
- (e) gasoline petrol or bio-naphtha or bio-ethanol product;
- (f) kerosenes or other similar oils for illumination or combustion applications;
- (g) lubricating oils, base oils or refined and blended finished oils;
- (h) turbo fuels for jet propulsion engines; and
- (i) other products or by-products of petroleum crude processing having a flashing point lower than 120 degrees Celsius, as determined in a Pensky-Martens Closed Cup (PMCC) test apparatus;

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

“pump island” means an elevated part of a retail outlet where dispensing pumps are installed;

“regulated activity” has the meaning ascribed to it under the Act;

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

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

“retailer” means the operator of a retail outlet;

“serious violation” means a breach of the requirements of occupational health, safety and environmental matters or a breach of the terms and conditions of a licence, the Act or applicable law which are of such magnitude that poses an imminent danger to lives and property including-

- (a) keeping the source of ignition and firework within 10 metres of the dispensing and offloading areas of a retail outlet;
- (b) bulk loading of petroleum products at a retail outlet; and
- (c) leakage and spill of petroleum products at a retail outlet;

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

- (a) grant an inspector access to a facility, answer their 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 further use;

“townships” means the area of jurisdiction of a township authority;

Cap. 287

“township authority” means a township authority established under section 13 of the Local Government (District Authorities) Act;

Cap. 285

“Tribunal” means the Fair Competition Tribunal established under the provisions of the Fair Competition Act;

Cap. 287

“village” means a village registered under the provisions of the Local Government (District Authorities) Act;

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

“wholesaler” means 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 include transit trade in petroleum products.

PART II

APPLICATION FOR CONSTRUCTION APPROVAL

Application for
construction
approval

4. – (1) A person shall not construct a retail outlet in townships or villages without seeking and obtaining a construction approval from the Authority in a manner provided herein.

(2) Any person who wishes to construct a retail outlet in a township or a village shall lodge an application with the Authority by filling in the application Form No. 1 set out in the Schedule to these Rules or as otherwise prescribed by the Authority.

(3) An application made under subrule (2) shall be deemed to be complete if it contains all the required informations and supported by proof of payment of the application fee pursuant to rule 5.

(4) Any person who contravenes the provisions of subrule (1) 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 or to both.

Application fee

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

Grant of
construction
approval

6. - (1) The Authority shall, upon receipt of an application under rule 4(2) and (3), proceed to evaluate such 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 applicant's compliance with-

- (a) the provisions of rule 4(3);
- (b) land use laws;
- (c) health, safety and environmental requirements; and
- (d) economic viability of the business

(3) After evaluation of the application and upon being satisfied that the applicant has complied with all requirements for grant of the application, the Authority shall grant the application and approve construction sought to be done.

(4) The Authority shall publish the issued construction approval under subrule (1) in the *Gazette*.

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

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

Expiry of
construction
approval

7.-(1) The construction approval issued by the Authority under rule 6 shall cease to have effect in the event the holder of the said approval fails to commence construction within twenty-four months from the date of issuance of the construction approval.

(2) 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 to such period as it may think fit.

Suspension and
revocation of

8. -(1) The Authority may, by notice in the *Gazette*, withdraw

construction
approval

or suspend or amend construction approval if any of the terms and conditions thereof has not been complied with.

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

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

Appeal from
suspension and
revocation of
construction
approval
Cap. 285

9. Any person who is aggrieved by the decision of the Authority under this Part may lodge an appeal to the Tribunal pursuant to the provisions of the Fair Competition Act.

PART III
LICENSING PROCEDURES

Regulated
activity

10. - (1) A person shall not conduct a regulated activity without applying for and obtaining a licence from the Authority.

(2) Any person who contravenes subrule (1) 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 two years but not more than five years or to both.

Power to enter
and close
facility,
premises or
building

11. Notwithstanding the penalty prescribed under rule 10(2), the Authority shall, in the event it determines that any person has contravened the provisions of rule 10 (1), enter upon any facility, building or premises and close it down.

Licensing
requirements

12. - (1) The Authority shall not issue a licence to the applicant unless his application meets the following licensing requirements:

- (a) possession of relevant authorisation to the ownership and use of the land for a retail business;
- (b) submission of a duly signed integrity pledge form set out as Form No. 2 in the Schedule to these Rules; and
- (c) proof of possession of adequate and serviced fire extinguishing equipment including-
 - (i) sand bucket for each pump island; and
 - (ii) at least two fire extinguishers of 9 kg ABE Powder Type located near the dispensers or at least one extinguisher per pump island.

(2) Notwithstanding the generality of subrule (1) the Authority may issue a 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).

Licence
application

13. An applicant for a licence shall apply to the Authority for a licence by filling in Form No. 3 set out in the Schedule to these Rules or as otherwise prescribed by the Authority.

Licence
application Fee

14. An application for a licence shall be accompanied by a non-refundable application fee as shall be prescribed by the Authority in the licensing fees rules.

Publication of
licence
application

15.-(1) A licence application received by the Authority shall be evaluated to verify its completeness and legality of information contained therein and thereafter a notice of the application shall be published in at least two newspapers of wide circulation in Tanzania one in English and another in Kiswahili with a view of soliciting comments and representations on the application.

(2) The costs for publication of the 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 be considered by the Authority in arriving at the decision on the application.

Grant of
licence

16. - (1) The Authority may, within sixty days from the date of complete application and upon consideration of an application for a licence-

- (a) deny the application; or
- (b) grant the application and issue a licence.

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

- (a) the application compliance to rule 12 and 13;
- (b) objections or representations from the public sought pursuant to rule 15;
- (c) the applicant's record of compliance with the Act, these rules and other applicable laws;
- (d) the compliance of a retail outlet on matters related to;
 - (i) safety;
 - (ii) health;
 - (iii) security;

- (iv) handling of hazardous substances; and
- (v) environment;
- (e) the conditions provided for under the Act or any other matter relevant to the orderly conduct of retail business 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);
 - (b) the applicant submitted false information in the application;
 - (c) the applicant has been convicted of corruption, money laundering, economic crimes and tax evasion;
 - (d) the applicant's activities may not be conducted in accordance with safety, health and environment requirements; or
 - (e) the application has violated the mandatory requirements provided for under the Act or the applicable laws.
- (4) After issuance of a licence, the applicant shall be notified to come and collect it upon payment of a licence fee as shall be prescribed by the Authority in the licensing fees rules.
- (5) The Authority shall, in the event that it denies an application for a licence, inform the applicant of such decision in writing within fourteen days from the date of the decision including the reasons thereof.
- (6) The Authority shall determine the application within sixty days from the date of receiving a complete application and notify the applicant of its decision.

Validity and duration of licence

17. - (1) The term of a licence shall be for a period of five years.
- (2) Notwithstanding the provisions of subrule (1), the Authority shall revoke a licence if the licensee fails to conduct a regulated activity within six months after issuance of the licence.
- (3) Any licensee whose licence has been revoked pursuant to the provisions of subrule (2) shall not be eligible for issuance of another licence for a period of twelve months from the date of revocation.

Application for transfer of licence

18. - (1) No licence shall be assigned or transferred to another person without a written approval of the Authority.
- (2) Any transferee or assignee of a licence who wish to transfer or assign a licence shall apply to the Authority by filling in Form No. 4

set out in the Schedule to these Rules which shall be accompanied by a non-refundable fee to be prescribed by the Authority.

(3) Notwithstanding the provisions of subrule (1) no application for a transfer or assignment of a licence shall be entertained by the Authority unless the application meets the following requirements:

- (a) the application is endorsed by the transferee or assignee;
- (b) the applicant submits together with the application form-
 - (i) the original valid licence issued by the Authority in respect of the licenced facility;
 - (ii) certified copy of the tax clearance certificate of the licensee in respect of the licensed facility;
 - (iii) lease or sale agreement endorsed stamp duty by Tanzania Revenue Authority;
 - (iv) proof of payment of transfer application fee;
 - (v) proof of payment of any outstanding fee or penalty;
 - (vi) a signed integrity pledge as prescribed in these rules; and
 - (vii) any other document or information as may be required at the time of transfer.

(4) Notwithstanding the provisions of subrule 3, where an application for transfer is initiated by law or court order, the applicant shall be required to submit the legal document justifying the entitlement of the rights to the facility.

(5) An application received by the Authority under subrule (3), shall be evaluated to verify its completeness and legality of information contained therein and thereafter a notice of the application shall be published in at least two newspapers of wide circulation in Tanzania, one in English and another in Kiswahili with a view of soliciting comments and representations on the application.

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

(7) 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.

(8) The Authority shall after the expiration of the notice in subrule (7) 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

19.-(1) A licensee may change its name pursuant to the

provisions of these Rules and applicable law.

(2) A licensee who has changed its name shall, within thirty days after such change, notify the Authority in writing, which shall be accompanied by a certificate for change of name issued by relevant authorities.

Change of
shareholding
structure

20. - (1) Any change in shareholding structure of a licensee shall require a written approval of the Authority.

(2) The party seeking approval under subrule (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;
- (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 form set out as Form No. 2 in the Schedule to these Rules.

(3) The Authority may, before approving the application for change in shareholding structure under subrule (2), consult the Commission and the Tanzania Revenue Authority.

Application for
renewal of
licence

21.-(1) A licensee may, not less than six months before expiration of a licence term, apply to the Authority for a renewal of a licence.

(2) Application for a renewal of a licence under subrule (1) shall be in writing by filling in Form No. 5 set out in the Schedule to these Rules.

(3) An application for renewal of a licence under subrule (2) shall be accompanied by-

- (a) duly signed integrity pledge form set out as Form No. 2 in the Schedule to these Rules;
- (b) certified copy of a lease agreement where applicable; and
- (c) certified copy of a tax clearance certificate.

(4) Notwithstanding the requirements under subrule (3), the applicant shall be required to ensure the regulated facility meets approved specification.

(5) The Authority shall, while making a decision whether to grant or deny an application for renewal of a licence, consider the following:

- (a) the applicant's compliance to the conditions of the licence which is due to expire;
- (b) that there is no outstanding payment of fines;

- (c) that there is no legal action against the applicant and the Authority; and
- (d) a retail outlet's compliance to the specifications prescribed under these Rules.

(6) In the event the Authority denies an application for a licence, it shall, within fourteen days from the date of decision, inform the applicant of such decision in writing, including the reasons thereof.

(7) Notwithstanding the provisions of subrule (5), 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, ignored, resisted or failed to comply with any order given by the Authority to the said licensee.

(8) The Authority shall, within sixty days from the date of receiving a complete application, determine the application and notify the applicant of its decision.

Suspension or
revocation of
licence

22.-(1) A licence may be suspended or revoked by the Authority if a licensee-

- (a) violates any of the provisions of the 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, the Act or these rules;
- (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 define 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) The licensee whose licence has been revoked or suspended pursuant to subrule (1) shall not be eligible for being licensed by the Authority for a period of twelve months from the date of revocation or suspension.

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

- (a) waive the licence suspension if it is satisfied that a licensee has abstained from the act that caused the suspension and the reason for suspension no longer exists; or
- (b) upon satisfaction by the explanation given under subrule (2), issue a warning or remedial measure to a licensee as it may deem fit.

Appeal from
suspension or
revocation of
licence
Cap. 285

23. Any person who is aggrieved by the decision of the Authority made under this Part may lodge an appeal to the Tribunal pursuant to the provisions of the Fair Competition Act.

PART IV
GENERAL OBLIGATIONS OF A RETAILER

General
obligations of
retailer

24. – A retailer shall, at all times-

- (a) comply with-
 - (i) the Act and any applicable law;
 - (ii) these Rules;
 - (iii) orders and directions of the Authority;
 - (iv) applicable codes and standards on safety, hazardous substances, security, health and environment; and
 - (v) petroleum industry best practices;
- (b) ensure that it inspect and clean its storage facilities at least once in the licence term in accordance with petroleum industry best practices;
- (c) adhere to the integrity pledge;
- (d) adhere to the requirements of the decommissioning fund;
- (e) procure a petroleum product only from a wholesaler and establish and maintain records of such procurements pursuant to the Act and any applicable law and orders and directions of the Authority;
- (f) establish and maintain records in accordance with the Act and any applicable law and orders and directions of the Authority;
- (g) as soon as practicable, but in any event not later than

twenty four hours after the fact, notify the Authority of the occurrence of a dangerous situation or incident within the facility and such notification shall comprise the steps taken or proposed to be taken by such retailer to remedy such dangerous situation or incident or to eliminate or minimize any danger arising therefrom;

- (h) not offload a petroleum product from any vehicle to a retail outlet from 18:00 hours to 06:00 hours unless there is adequate lighting or light at the retail outlet;
- (i) provide the Authority with full access to its records, documents, sites and assets pursuant to these Rules and applicable law;
- (j) prepare a weekly stock position of a petroleum product in a facility as shall be specified in writing by the Authority;
- (k) ensure the safe disposal of any petroleum product and waste oil;
- (l) procure and maintain in force a valid insurance cover in respect of all liabilities that may arise from the conduct of its regulated activity;
- (m) not keep fireworks or any other instruments or products in or near a facility that might pose a risk of fire or otherwise;
- (n) ensure that its petroleum products comply with the approved specifications;
- (o) not decommission its facility otherwise than in a manner provided for under these Rules, the Act and any other applicable law;
- (p) 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 the retailer at a facility shall perform the duties of a supervisor;
- (q) 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;
- (r) 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;
- (s) 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;
- (t) retain for not less than twelve months and make available

- to the Authority on demand, records of the activities described under paragraph (s);
- (u) promptly notify the Authority of any apparent loss or gain of a petroleum product that is outside normal operating patterns;
 - (v) maintain and make available to the Authority on demand documentary evidence demonstrating that all electrical equipment and installations in a facility relevant to the delivery, 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;
 - (w) not abandon a facility other than in accordance with applicable law or directions of the Authority;
 - (x) display in a conspicuous place at a facility a licence or a certified copy thereof;
 - (y) not engage in any activities that disrupt or interfere with competition; and
 - (z) as soon as practicable, but in any event not later than thirty days after becomes aware of the fact, notify the Authority-
 - (i) if it is unable 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.

Protection of
lives and
property

25.-(1) A retailer 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 retailer shall dispose of a waste petroleum product in a manner and at a place intended for the safekeeping and dumping of such products in accordance with the Act, any other applicable law and petroleum industry best practices.

(3) A retailer shall appoint not less than one health, safety and environment officer to address and be responsible on health, safety and environment matters and obligations related to a regulated activity.

Compensation
for loss suffered

26.-(1) A retailer shall be obliged to compensate any person who has suffered any loss of life or property as a result of a regulated activity.

(2) A person who has suffered loss of life or property as a result of a regulated activity shall first lodge a complaint with a retailer whose licence has caused such loss with a view to reaching an amicable settlement.

(3) In the event no settlement is reached under subrule (2), the person who has suffered loss may refer the matter to the Authority for decision.

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

Maintenance of
records,
provision and
disclosure of
information

27.-(1) A retailer shall at all times-

(a) 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 commits an offence and shall, upon conviction, be liable to a fine of five million shillings and on repetition of the offence shall be liable to pay a fine of ten million shillings and shall have its licence suspended for a period of twelve months.

Obligation to
provide
information to
NPGIS

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

(a) petroleum products stock levels on daily basis;

(b) petroleum product purchase by type and quantity on monthly basis; and

(c) petroleum product sales by type and quantity on monthly basis.

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

(3) A retailer who fails or refuses to provide information to the NPGIS as required by subrule (1) commits an offence and shall, on conviction, be liable to a fine of three million shillings or imprisonment for a term not exceeding two years or to both.

(4) A retailer who fails or refuses to provide information to the NPGIS as required under subrule (1) for the second time during the licence term, shall, apart from the penalties prescribed under subrule

(3), have his licence suspended for a period of six months and when refuses or fails to do so for the third time during the licence term shall have his licence revoked.

Confidential information

29.-(1) Any information received by the Authority from a retailer pursuant to these Rules, the Act and any other applicable law shall be presumed not to be confidential.

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

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

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

PART V
ENVIRONMENTAL PROTECTION

Compliance with environmental laws and standards

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

(2) Subject to applicable law a retailer 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 pumping stations, treatment plants, or networks; and
- (c) observe strict environmental, health, and industrial safety standards as required by the applicable law.

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

Sanctions for violation of environmental laws
Cap. 191

31. In the event the Authority determines that a retailer has violated these Rules or any applicable law on matters related to protection of the environment it shall take appropriate actions in accordance with the provisions of the Environment Management Act and other applicable laws.

PART VI
TECHNICAL PROVISIONS

Colour codes
for storage
tanks

32. A retailer shall in order to facilitate identification, especially during product deliveries into underground storage tanks ensure that tanks manhole covers and slabs have the following colour coding:

- (a) Gasoline - Red
- (b) Kerosene - Blue
- (c) AGO - Yellow

Forecourt
design

33. 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, vulcanizing center, tyre alignment, air, water and balancing facilities.

Location of
dispensing
pumps

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

(2) A retailer shall ensure that the forecourt or drive ways of a retail outlet are paved using concrete, at least four meters around the pump island and offloading area with drainage provisions connected to the oil water separator.

Maintenance of
oil interceptors

35.–(1) A retailer shall always ensure that a retail outlet has oil interceptors.

(2) 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

36.–(1) A retailer shall ensure that all buildings are designed and constructed to allow safe cash handling system.

(2) A retailer shall ensure that canopies are constructed using noncombustible materials of at least corrugated iron sheets and other

materials like steel poles with height of at least five meters.

(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 suitably explosion protected.

Electrical
standby
generator

37. – (1) A stand-by electrical power generator with capacity matching the 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 like oil spill and fire.

Petroleum price
billboards

38. – (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.

(2) The base of the billboard shall not be less than three 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 litre.

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

Warning signs

39.–(1) Warning notices and pictograms shall be boldly displayed at a retail outlet for customers, visitors and attendants to communicate the following:

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

(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.

Compliance
with
specifications
and standards

40. - (1) A retailer shall comply with the approved specification pertaining to the handling, storage and composition of a petroleum product which is consistent with these Rules, the Act and any other applicable law.

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

(4) A retailer shall not use any container to store or convey a petroleum product unless such container is leak and spill proof and suitable and safe for the storage and conveyance of a petroleum product.

(5) A retailer shall not use or allow to be used 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 animal.

Fire precaution

41. - (1) A retailer 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 the 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 retailer shall make reasonable efforts to ensure that no person throws, leaves or creates any open or naked light, spark or flame

or any burning or smouldering material on a facility.

(3) A retailer shall ensure that no person-

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

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

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

(6) A retailer shall-

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

(7) A retailer shall conduct regular training to all its employees which shall include:

- (a) the locations and types of all fire-fighting equipment; and
- (b) identifying assembly points and the tasks of all employees.

Control of
petroleum
product spill

42. - (1) A retailer 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
- (b) take all necessary steps pursuant to petroleum industry best practices or otherwise as may be necessary to clean up such spill.

(2) The notification by the retailer to the Authority under subrule (1) shall be in form of an e-mail, phone call or ordinary mail.

(3) The Authority may, in the event a retailer fails to comply with subrule (1)(b) within the period of time specified by the Authority, order such retailer to take such steps as the Authority may require in order to clean up a petroleum product spill at its own cost.

(4) Any retailer who fails to comply with an order of the Authority issued pursuant to subrule (3) commits an offence and shall, on conviction, be liable to a fine of three million shillings or to

imprisonment for a term not exceeding two years or to both.

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

(6) In the event no settlement is reached under subrule (5), the person who is affected by the spill may lodge a complaint to the Authority for compensation from a retailer who is responsible for the spill, and the Authority shall determine the complaint and give a decision.

Decommissioning procedure

43.-(1) A facility may, subject to the provisions of this rule, be decommissioned-

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

(2) A retailer 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 to issue the necessary approvals.

(3) Notwithstanding any provision of these Rules, a licensee shall pay all costs associated with the decommissioning of a facility, whether such decommissioning has been done following the request by the licensee or by order of the Authority.

(4) A licensee shall, during the term of the licence, set aside sufficient funds, as shall be determined by the Authority, to be used in meeting the costs of decommissioning the facility.

Site restoration

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

(2) For the purposes of subrule (1) "restore" means to-

- (a) return the area in 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 stabilization; and
- (iv) infilling excavations.

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

PART VII
COMPLIANCE AND ENFORCEMENT

Inspection of
facility

45.-(1) The Authority may inspect a facility in accordance with these Rules, the Act and other applicable laws.

(2) The Authority may access and inspect a facility, equipment and documents, and a retailer shall render such assistance to inspectors as may be required in the course of the inspection.

(3) Notwithstanding the generality of subrule (2) an inspector shall have the right and obligation to enter upon any facility for the purpose of conducting an inspection.

(4) During inspection an inspector may-

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

Notification of
offence

46. - (1) At the conclusion of an inspection and where it is found that there is violation of the provisions of the Act, EWURA Act or these Rules, the person responsible for such violation shall be issued with the Notification of Offence set out as Form No. 6 in the Schedule to these Rules.

(2) The person responsible for such violation shall fill the Notification of Offence as follows:

- (a) where he disputes the offence, fill in Part A of the Notification of Offence; or
- (b) where he admits the offence, fill in Part B of the Notification of Offence.

(3) A person who has been found in violation and admits the offence shall, within fourteen days from the day of the said admission, be required to pay the fine as he shall be advised by an inspector.

(4) A person who has been found in violation and disputes the offence shall, within seven days from the date of filling in the

Notification of offence, be required to answer charges in writing, as they shall be explained under Part A of the Notification of Offence.

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

(6) Notwithstanding the provisions of subrule (4), an inspector who has decided to close the facility or a premise or to obtain an order to impound a vehicle, shall give the reasons which have compelled him to take such decision including all the available evidences.

Issuance of compliance orders
Cap. 392
Cap. 414

47. 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 or the provisions of these Rules, issue a Compliance Order to the person responsible for such violation.

Power to enter and close facility, premises or building

48.-(1) An inspector may, with an order in writing, enter upon any premises, building or facility and close it down where he determines that a regulated activity or regulated activity is being conducted therein in contravention of these Rules.

(2) Notwithstanding the provision of subrule (1) an inspector may, without a written order, where he determines that the continued operation of a facility poses an imminent danger to lives and property, enter upon any premises, building or facility and close it down.

(3) An inspector may, while discharging his obligation 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

49.-(1) An inspector while conducting inspection shall-

- (a) identify himself to the retailer with identity card issued by the Authority;
- (b) explain to the retailer the purpose of the inspection;
- (c) conduct themselves with fairness, objectivity and integrity;
- (d) not engage 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) not use force or abusive, threatening and insulting language to a retailer.
- (2) Any inspector who contravenes the provisions 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

50. - (1) A retailer shall not-

- (a) hinder or obstruct an inspector in the exercise of any of the powers conferred upon it under these Rules;
 - (b) use abusive, threatening or insulting language to an inspector;
 - (c) deny or fail to comply with a requirement, direction or notice of an inspector; and
 - (d) when required by an inspector 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 provisions of subrule (1) commits an offence and shall, on conviction, be liable to a fine of three million shillings or to imprisonment for a term not exceeding two years or both.

PART VIII
PENALTIES AND REMEDIAL MEASURES

Penalties and
remedial
measures

51. The Authority may, without prejudice to the penalties prescribed under these Rules and applicable law where it determines that a retailer is in violation of licence conditions, the Act, these Rules or applicable law-

- (a) issue a warning;
- (b) issue a compliance order;
- (c) restrict the conduct of a regulated activity;
- (d) order a retailer to remedy any situation as a result of such violation;
- (e) issue a partial suspension of a licence for such period the Authority may determine;

- (f) suspend a licence for such period the Authority may determine; or
- (g) revoke a licence.

(2) Notwithstanding the generality of subrule (1), a retailer shall be liable to pay the fines for specific violations of licence conditions.

Appeal from penalties and remedial measures
Cap. 285

52. Any person who is aggrieved by the decision made by the Authority under rule 52 may lodge an appeal to the Tribunal in accordance with the provisions of the Fair Competition Act.

PART IX
GENERAL PROVISIONS

General penalty

53. Any person who commits an offence for which no specific penalty is prescribed under these Rules shall, on conviction, be liable to a fine of two million shillings or to imprisonment for a term not exceeding two years or both.

Authority to supplement procedures as needed

54. 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.

SCHEDULE

FORMS

FORM
NO. 1

CONSTRUCTION APPROVAL APPLICATION FORM
(Made under rule 4(2))

For EWURA Use Only	
Date Received:	File Number:

Petroleum (Retail Operations in Townships and Villages)
GN NO. 818 (Contd.)

Time Received:	Received by:

IMPORTANT NOTE: Please complete this form and submit it to the Director General through the address above 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, PRINT 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 (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

Petroleum (Retail Operations in Townships and Villages)
GN NO. 818 (Contd.)

	<input type="checkbox"/> Private Limited Liability Company <input type="checkbox"/> Parastatal Organization <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:
PART II- ESSENTIAL DOCUMENTS TO BE ATTACHED	
6.	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 and Article of Association <input type="checkbox"/> Copy of Application Fee Receipt <input type="checkbox"/> JV contract <input type="checkbox"/> Certified copy of Certificate of Occupancy (Title Deed) that approves the plot for development of petroleum facility <input type="checkbox"/> A project or business plan describing the scope of the proposed business activity <input type="checkbox"/> Certified copy of building permit <input type="checkbox"/> An engineering layout plan duly signed by a registered engineer of a list of facilities to be constructed <input type="checkbox"/> Other (Specify).....
PART III – DECLARATION BY THE APPLICANT	
7.	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. <div style="display: flex; justify-content: space-between;"> Signature Date </div>

CORPORATE INTEGRITY PLEDGE
(Made under rule 12(1)(b))

1. I/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 Prevention and Combating of Corruption Bureau (PCCB) have their own initiatives for reducing corruption and other unethical practices, I/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, I/we pledge the following:
 - (a) not, through any of my/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, I/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. I/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 actions.

Signed by for and on behalf of
..... this day
of [20....]

Signature
Designation:.....

Witness
Name:.....
Signature:.....
Designation:.....

FORM NO.
3

LICENCES APPLICATION FORM
(Made under rule 13)

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 at the above address.

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.

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 (Insert trading name)
2.	Registration Status: <i>(Fill Where Appropriate)</i>

	<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>(a) Physical address:</p> <p>Street.....Plot No.....</p> <p>Block No.....Building No.....</p> <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 Organization</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>Street.....Plot No.....Block No.....</p> <p>Building No.....</p> <p>(d) Postal Address:</p>

	(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) (attach proof)
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: (attach copies of the documents applicable)
	PART II – ESSENTIAL DOCUMENTS TO BE ATTACHED
8.	List and Must attach the following information: <input type="checkbox"/> Certified copy of Building Permit <input type="checkbox"/> Certified copy of Title Deed or any other authorization from relevant authority approving use of land for a petrol station <input type="checkbox"/> Lease agreement of a term of five years if the applicant is not the owner of the land <input type="checkbox"/> EWURA receipts as proof of payment of an application fee <input type="checkbox"/> Duly filled Integrity Pledge Form Additional information to be attached if available: <input type="checkbox"/> Copy of construction approval from EWURA <input type="checkbox"/> Environmental Audit Report <input type="checkbox"/> OSHA certificate <input type="checkbox"/> Certified copy of a valid Fire Certificate from the Fire Department <input type="checkbox"/> Engeneering layout plan duly signed by a registered engeneer <input type="checkbox"/> Other (specify)

	PART III – DECLARATION BY THE APPLICANT
9.	<p>I..... (insert name) being..... (insert title/position) hereby declare that I am authorized 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 are correct.</p> <p style="text-align: right;">..... -----</p> <p>----- Signature Date</p>

TRANSFER OF A LICENCE

(Made under rule 18 (2))

APPLICATION TO TRANSFER A LICENCE

This section to be completed by the Current Licensee			
	Current Licensee to complete as appropriate		
Current Licensee's name			
Name and address of the Transferor			
Reason for Transfer (attach documentary proof)			
Address of the Licensed Facility			
	Postcode		Tel No.
	Email		
Licence Particulars	Type of Licence:		
	Licence No:		
	Licence Duration:		
	Expiry Date:		

I agree to the Licence being transferred 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.	
		4.	
		5.	
		6.	
		7.	

This section to be completed by the Applicant(s)	
<p>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 are true to the best of my knowledge.</p> <p>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</p>	

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 shift 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		
Name (of owner)			
Address:			
Post Code		Tel No.	
Email			

Fee TZS	Payable to EWURA Account through control No. to be provided for by EWURA
Notes 1. The applicant(s), (if an individual person or partnership) must be over 18 years of age.		

2. By signing the form both the transferee and transferor declare that they are authorized to make this application and that the information supplied there herein is correct.
3. This application together with the appropriate fee, should be forwarded to the Director General, EWURA at 4TH Floor, PSSSF House, Makole Road, Dodoma, P.O Box 2758, Dodoma.

The application should be attached with the following documents; -

1. The original copy of a valid EWURA licence in respect of the licensed facility;
2. Certified copy of tax clearance of the transferor in respect of the licensed facility;
3. Lease/sale agreement endorsed by Tanzania Revenue Authority;
4. Company registration documents of the transferee (if any);
5. Proof of payment of transfer application fee as shall be prescribed by the Authority;
6. A signed integrity pledge prescribed in the fifth schedule; and
7. Any other document that will be required at the time of transfer.
8. Where transfer is initiated by law or Court order, the transferee shall submit documents of entitlement of the rights to the facility

RENEWAL OF A LICENCE

(Made under rule 21 (2))

PETROLEUM RETAIL BUSINESS

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

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

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.

When completing this form, PRINT 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)

Petroleum (Retail Operations in Townships and Villages)
GN NO. 818 (Contd.)

2.	<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> <p style="text-align: center;">(attach copies of necessary certificates, approvals)</p>
3.	<p>Address of facility or licensee (as appropriate):</p> <p>(a) Physical address: Street.....Plot No..... Block No.....Building No..... (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 Organization</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>

Petroleum (Retail Operations in Townships and Villages)
GN NO. 818 (Contd.)

5.	<p>Contact Person:</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>
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 services supplied) since its previous application?</p>
	<p><input type="checkbox"/> Yes – If yes, provide details..... (Use additional Sheet if Necessary)</p> <p><input type="checkbox"/> No</p>
8.	<p>Fee amount and method of payment:</p> <p>(a) Amount: TZS.....</p> <p>(b) Mode: Cash Cheque Other (specify).....</p> <p>(c) Fees Payment Receipt No. (<i>Attach Copy</i>).....</p>
	<p>PART III – DECLARATION BY THE APPLICANT</p>
9.	<p>I..... (insert name) being..... (insert title/position) hereby declare that I am authorized 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 are correct.</p> <p>.....</p> <p style="text-align: center;">Signature Date</p>

NOTIFICATION OF OFFENCE FORM

(Made under rule 46(1))

(PETROLEUM RETAIL OPERATION)

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

1. You are charged with the following offence (s):
 - (a)
 - (b)
....
 - (c)
....
 - (d)
....
 - (e)
....
2. If you WISH to admit commission of the offence (s) you should complete "PART B" below and send this notification, together with the statutory penalty for each offence to which you admit, to the Authority within fourteen days from the date of service of this notification.
3. If you DO NOT WISH to admit to have committed offence (s) you are required to complete "PART A" below and send this notification to the Director General of the Authority.
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 charge (s)

Nos.....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:

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

Signature of the Inspector

.....
.....

Dodoma,
17th September, 2020

GODFREY H. CHIBULUNJE
Director General

