

GOVERNMENT NOTICE NO. 219 published on 25/3/2019

THE PETROLEUM ACT
(CAP. 392)

RULES

(Made under section 259(1))

THE PETROLEUM (NATURAL GAS) (SUPPLY AND MARKETING
SERVICES) RULES, 2019

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THE PETROLEUM ACT
(CAP. 392)

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RULES
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(Made under section 259(1))
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THE PETROLEUM (NATURAL GAS) (SUPPLY AND MARKETING SERVICES)
RULES, 2019

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Rules may be cited as the Petroleum (Natural Gas) (Supply and Marketing Services) Rules, 2019.
- Application 2. These Rules shall govern the regulatory and licensing matters related to the provisions of natural gas supply and marketing services in Mainland Tanzania.
- Interpretation 3. In these Rules, unless the context otherwise requires:
Cap 392 “Act” means the Petroleum Act;
 “affiliate” means any legal entity holding shares in the licensee or any other legal entity in which the licensee is a shareholder;
 “aggregator” means a state enterprise and subsidiary to the National Oil Company having exclusive rights to purchase, collect, transport and sale gas produced in the country-onshore, shallow-water and offshore;
- Cap. 414 “Authority” means the Energy and Water Utilities Regulatory Authority established under Energy and Water Utilities Regulatory Authority Act;
- Cap. 340 “Certification Authority” means the Weights and Measures Agency established under the Weights and Measures Act;

- “customer” has the same meaning as ascribed to Act;
- “customer service charter” means a document prepared by the licensee and approved by the Authority setting minimum service standards including the procedure of receiving and settling complaints from customers, metering and connections handling;
- “eligible end users” means all industrial or commercial end users who purchase gas directly from suppliers;
- “inspector” means an officer of the Authority or agent appointed by the Authority to act as an inspector;
- “licence” means an authorization issued by the Authority to undertake a licensed activity;
- “licensee” means a holder of a licence granted by the Authority;
- “metering equipment” means meters, time-switches, metering protection and isolation equipment, circuitry and their associated data storage and data communications equipment and wiring which are part of the natural gas measuring equipment at or relating to a site;
- “Minister” has the same meaning ascribed to it under the Act;
- “prudent utility practices” means those good and prudent practices, methods, and procedures which are attained by exercising that degree of skill, diligence, prudence, and foresight which would reasonably and ordinarily be expected from a skilled and experienced international supplier of natural gas engaged in the same or a similar type of undertaking or activity in Tanzania and under the same or similar circumstances and conditions to those pertaining in Tanzania and satisfying the health, safety and environmental standards of reputable international natural gas supplying companies;
- “regulated activity” means an activity necessary for the supply and marketing of natural gas;
- “supply area” means an area specified in a licence in which a licensee is authorized by the Authority to conduct supply activity either exclusively or together with other suppliers for a specified period of time;
- “supply agreement” means an agreement entered between a licensee and a customer for the sale of natural gas to a customer, exclusive of any such transaction with either itself or a subsidiary;
- “supplier” has the same meaning as ascribed to it under the Act;
- “tariff” means a charge, fee, price or rate charged for the

Cap 285	<p>provision of supply services as shall be approved by the Authority;</p> <p>“tariff methodology” means a methodology approved by the Authority that a licensee uses to determine a tariff;</p> <p>“third party” means a person who uses or operates part or whole capacity of the facility owned by another party;</p> <p>“Tribunal” means the Fair Competition Tribunal established under the the Fair Competition Act.</p>
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PART II
LICENSING PROCEDURES

Obligation to apply for licence	<p>4.-(1) A person shall not supply natural gas without a licence from the Authority.</p> <p>(2) A person who contravenes the provisions of sub rule (1) commits an offence and shall be liable upon 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 more than five years or both.</p>
Requirements for licence application	<p>5.-(1) Any person who intends to supply natural gas shall apply for a licence from the Authority by filling the form set out in First Schedule of these Rules.</p> <p>(2) The application for a license shall be accompanied by-</p> <ul style="list-style-type: none">(a) certified copies of its registration documents;(b) business plan;(c) proof of availability of natural gas to be supplied such as proven gas reserves or the existence of a gas supply agreement;(d) financing plan;(e) a sketched map of the proposed supply area;(f) proof of consent from the aggregator to supply gas;(g) a local content plan;(h) an integrity pledge form dully signed by the applicant as provided in the Second Schedule; and(i) any other document as may be required by the Authority. <p>(3) The application shall be accompanied by an application fee prescribed by the Authority from time to time.</p>
Inquiry Cap 414	<p>6.-(1) The Authority shall, before issuing, modifying, suspending or revoking a licence, conduct an inquiry in</p>

accordance with section 19 of Energy and Water Utility Regulatory Authority Act

Grant of
licence

7.-(1) The Authority shall, within sixty days from the date of receiving the application and if satisfied that all requirements for a licence have been complied with, grant a licence to the applicant.

(2) The Authority shall, in making a decision to grant or refuse a licence take into consideration:

- (a) legal, technical, economic and financial capacity of the applicant to conduct supply activity;
- (b) compliance with the local content requirements;
- (c) economic efficiency and benefit to the applicant and the public in general;
- (d) any representations and objections to the supply activity made by the public;
- (e) a detailed emergency preparedness plan towards any accident ; and
- (f) any other matter relevant to the orderly conduct of supply activity in Tanzania.

(3) The Authority may refuse the application for a licence where it determines that:

- (a) the application does not comply with the provisions of these Rules and the Act;
- (b) the applicant submitted false information in relation to the application for a licence;
- (c) the applicant has been convicted of corruption, money laundering, economic crimes or tax evasion;
- (d) the applicant refused to sign an integrity pledge; and
- (e) any other reasons as the Authority may determine.

(4) Where the Authority refuses to grant application for a licence, it shall notify the applicant in writing within fourteen days from date of the decision stating the reasons for refusal.

Validity of
licence

8.-(1) Unless otherwise revoked or suspended, every licence granted shall be valid for a period of five years.

(2) Notwithstanding the provisions of sub-rules (1), a licence shall cease to have effect if the respective licensee fails to conduct a licensed activity within six months after issuance of the licence.

Transfer
and

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

assignment
of licence

Authority.

(2) A person who intends to transfer or assign a licence shall apply to the Authority by filling in the form set out in the Third Schedule.

(3) After receiving 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 to soliciting comments and representations on the application.

(4) The costs for publication of the notice under sub-rule (3) shall be borne by the Authority.

(5) 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.

(6) The Authority shall, after the expiration of the notice under sub-rule (5), evaluate the application together with comments received and make a decision whether to grant or refuse the application for transfer or assignment.

(7) A licensee who has changed its name shall notify the Authority in writing within thirty days after such change accompanied by a certificate for change in name.

Modification
of licence

10.-(1) The Authority may, on its own motion or upon application by a licensee, modify terms and conditions of a licence.

(2) Where the Authority on its own motion decides to modify a licence shall notify in writing the licensee of such intention at least sixty days prior to modification.

Renewal of
Licence

11.-(1) A licensee who wishes to renew a licence shall apply to the Authority at least six months before expiration of a licence.

(2) The Authority shall while making a decision whether to grant or refuse an application for renewal of a licence consider the applicant's compliance to the terms and conditions of the licence which is due to expire or orders and directives issued during and after the licence term.

Suspension
and
revocation

12.-(1) The Authority may suspend a licence if a licensee violates terms and conditions of the licence, regulations or any

other written law relating to protection of occupational health, public safety or environmental management

(2) Upon suspension of a licence, Authority shall specify in writing the period of suspension, during which a licence shall be of no legal force or effect.

(2) The Authority shall revoke a licence where the licensee:

- (a) violates any conditions attached to the licence;
- (b) obtains 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 authorization 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 National Petroleum and Gas Information System;
- (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) Upon revocation of a licence, the Authority shall notify the licensee in writing the revocation and effective date of the order from which the licence no longer be of any legal force or effect.

(3) A licensee shall, within fourteen days after receiving the order of revocation, return the licence to the Authority

PART III

TERMS AND CONDITIONS FOR SUPPLY OF NATURAL GAS

Service
Provision

13. A licensee shall provide the supply services in a manner calculated to achieve applicable performance standards and targets.

Customer

14. A licensee shall, within one year from the date of issue of

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Service Charter	a licence, prepares and submit to the Authority a customer service charter in accordance with the guidelines prepared by the Authority
Operating pressure	15. The licensee shall ensure that supply line to low pressure system is maintained at a minimum pressure of 4 bar measured within supply line.
Performance standard	<p>16.-(1) A licensee shall not later than six month after issuance of a licence, submit to the Authority a performance standards for approval against which the provision of supply services can be measured.</p> <p>(2) The performance standards shall specify manner and procedures for:-</p> <ul style="list-style-type: none">(a) metering;(b) billing;(c) collection of licensee's approved charges for disconnection in case of non- payment of charges;(d) procedures for reconnection and recovery of arrears and other charges <p>(3) A licensee shall review the approved performance criteria annually, and upon the conclusion of such review, deliver to the Authority:</p> <ul style="list-style-type: none">(a) report comprising the findings of such review; and(b) any proposed revisions arising from such findings for approval.
Tariff	17. A licensee shall while conducting supply activity observe the rules and guidelines issued by the Authority in matters related to tariff.
Gas odourisation	18. A licensee shall supply gas which is odorized using an appropriate odorant to enable detection by a normal sense of smell and the rate of injection of the appropriate odorant injected shall be continuously monitored and recorded in frequency and quantities determined according to the requirements.
Supply line patrol	19. A licensee shall set up a programme and procedures for the purpose of ensuring safety of supply line against third party interference and damages.

Leakage

20.-(1) A Licence shall set up a programme and procedures for conducting a leakage survey of the supply line using the appropriate gas detection equipment and maintain records required to control leakage.

(2) The licensee shall submit its programme for the leak survey annually to the Authority.

(3) Where the licensee detects a leakage after conducting an investigation shall inform the relevant party including the Authority as soon as possible.

(4) A licensee shall carry out investigations into all major incidents related to gas and submit the relevant reports as soon as practicable to the Authority.

(5) A Licensee shall maintain or make arrangement to maintain a twenty four-Hour Toll free for the public to report actual or suspected leaks of gas or gas related incidents.

(6) The licensee shall maintain records of all gas leaks and gas related incidents.

(7) The records shall include, but not be limited to, the type and cause of gas leak, date and time, location and the remedial actions taken.

(8) The licensee shall provide to the Authority, a standard operating plan describing the procedures to be adopted by the licensee for dealing with leakage of gas.

(9) The licensee shall take steps to respond to a gas leak, in any premises to which the licensee conveys gas, or any other event which the Authority considers to be an emergency or to be a risk to public safety, within one hour of its being reported.

(10) The licensee shall make the reported gas leak safe and:

- (a) ensure that the persons it engage or arrange to attend to the gas leaks are adequately trained to minimize the signs of gas leakage and that such persons are instructed to report any signs of such leakage to the customer's premises immediately;
- (b) take appropriate action to stop the gas leak; and
- (c) inform the customer, or fix a notice on the premises, if, in the reasonable opinion of the gas distributor or licensee, any repair work is required.

Service interruption

21.-(1) Where a licensee intends to carry out emergency repair, preventive maintenance, rehabilitation, replacement or any activity that may lead to interruption or reduction of gas supply for more than twenty four hours shall notify the Authority

in writing before the interruption.

(2) Subject to sub-rule (1), a licensee shall notify its customers in writing or issue a public notice in English and Kiswahili not less than three days prior to undertaking such activities which lead to interruption of gas supply.

(3) The notice described in sub-rule (1), shall include date and hour of service interruption, the date and hour of intended restoration.

Restoration

22.-(1) The licensee shall restore a gas supply as soon as practicable after the interruption unless;

- (a) it is not safe to restore the gas supply; or
- (b) the customer has requested for the gas supply to be restored at a later time; or
- (c) the gas supply has been interrupted due to fault present after the gas service isolation valve and has not been rectified by the responsible person.

(2) Where for safety reasons the gas supply restoration is delayed, the licensee shall inform all affected customers as soon as is reasonably possible the expected time at which the gas supply will be restored.

Contact
information

23.-(1) A licensee shall provide a contact information to the customers that can be used to notify the licensee of any matter or incident related to the supply services that:

- (a) causes danger or requires urgent attention; or
- (b) affects or is likely to affect the security of supply, availability or quality of the supply services.

Accounts

24. A licensee engaged in more than one market activity shall maintain a separate financial accounts and records for each licensed activity.

Emergency
response
plan

25.-(1) The licensee shall prepare Emergency Response Plan, in consultation with the any other relevant government departments in setting out:

- (a) procedures to meet the gas distributor's duties under the Act and Regulations for the gas safety of the general public, customer, shippers and the gas distributor's employees, officers and agents;
- (b) advice on the potential dangers arising from gas leaks and safety measures to be taken by customer and shippers to

inimize such dangers; and

- (c) details of its proposed public safety awareness campaign relating to the use of gas for customer within its authorized area.

(2) The Emergency Response Plan referred under sub-rule (1) shall be submitted to the Authority for approval.

(3) Without prejudice to its obligations under the Act and the Regulations, the licensee shall prepare, in consultation with the Authority, a major gas incident plan setting out how, in the conduct of its gas supply, it will monitor and repair the gas supply system in co-ordination with the appropriate emergency agencies (governmental or otherwise) and in the event of a major incident or potential major incident, including, without limitation major loss of gas supplies or public disruption that may develop into a gas explosion.

(4) The licensee shall ensure that it has, at all times, appropriate resources and is able to engage or arrange for persons with the appropriate skills to carry out such investigations into safety related technical matters on the gas supply system as the licensee considers necessary.

(5) The licensee shall submit a statement within the timeframe of the subsequent calendar year, in a form approved by the Authority, setting out the licensee's performance in each calendar year, including the type and number of gas incidents and potential and actual interruptions in the conveyance of gas by it.

(6) The licensee shall ensure that the gas supply is designed, constructed, commissioned, maintained and operated safely and effectively, in compliance with its duties, rights and obligations under the Act, these rules, its gas supplier licence terms and conditions, Prudent Utility Practices and the Gas Network Code.

(7) The licensee shall:

- (a) ensure as far as reasonably practicable that adequate protective measures have been taken or are in place;
- (b) ensure as far as reasonably practicable that personnel have the skills, training and experience to carry out the work safely; and
- (c) ensure as far as reasonably practicable that the public are aware of the works and are advised of precautions they can take.

(8) The licensee shall ensure that suitable procedures and

practices are in place and adequate resources are used to operate and maintain the gas supply system safely and reliably.

Compensation

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

(2) A person who has suffered loss to life or property as a result of a supply activity shall first lodge a complaint with a licensee with a view to reaching an amicable settlement.

(3) In the event that no settlement is reached under sub-rule (2), the aggrieved person may refer the matter to the Authority for a decision and the Authority shall deal with such matter as if it is a complaint lodged pursuant to the provisions of the Energy and Water Utilities Regulatory Authority.

PART IV METER AND METERING

Calibration of meters

27. A licensee shall ensure that a meter used to ascertain the value of supply of gas is calibrated and sealed by the Certification Authority.

Reading and estimation

28.-(1) A Meter shall be read at least once in every month in order to verify the amount of gas supplied.

(2) The estimation of the amount of gas supplied has to be done during the period when a meter is stopped or malfunctioning.

Inspection and testing

29.-(1) Inspection of a Meter shall be conducted at least once in every:

- (a) twelve months for large customers; and
- (b) twenty-four months for other customers.

(2) A licensee shall, while inspecting a meter, use the meter audit and inspection form set out in the Fourth Schedule to these Rules.

(3) The exercise of Meter inspection shall be witnessed by a customer or, his representative.

(4) A seal affixed to the inspected meter shall not be broken or removed unless witnessed by the category of people mentioned under sub-rule (3).

(5) During the inspection of a meter, A licensee shall take the

readings of a meter, details of the outer and inside the meter.

(6) When the inspection exercise is concluded, a licensee shall fill in the meter audit and inspection form together with all the observations and findings made, and thereafter sign it and allow a customer or its representative to counter sign it and retain a copy thereof.

(7) Where a customer or the representative refuses to counter sign a meter audit report as required by sub-rule (6), a licensee shall note that fact in the part of remarks in the meter audit and inspection form.

(8) A licensee shall establish and maintain one or more stations equipped with standard instruments suitable for testing accuracy of the meters from time to time

(9) A licensee may prepare a manual or internal procedure that may be used by its officials in regulating the manner in which inspection and testing of a meter shall be conducted.

Charges in
case of
inaccurate
meters

30. Where a meter ceases to indicate correctly the quantity of gas supplied, the licensee shall estimate the correct consumption in any of the following ways by-

- (a) comparison with the quantity of gas supplied under similar conditions during some other period;
- (b) comparison with the quantity of gas supplied after the meter has been restored to proper order;
- (c) comparison with the consumption of a substitute meter used temporarily in place of the defective meter;
- (d) applying a correction factor if the meter is found to have a consistent error of consumption; or
- (e) any other reasonable basis which is considered equitable by the Authority, having regard to the circumstances of the case.

Meter
accuracy
verification

31.-(1) Where a dispute arises between a customer and a licensee as to whether a meter or other apparatus that belong to a customer or a licensee does not verify the accuracy of a Meter correctly, that dispute shall be determined upon the application of either party to a meter inspector whose decision shall be final and binding to all parties and the reading of the meter shall be conclusive as to the value of the supply, in the absence of fraud.

(2) A licensee and a customer or their duly appointed representatives shall have the right to witness the verification of meter accuracy in sub-rule (1).

Preparation
of
supplement-
ary bills

32.-(1) A licensee shall be allowed to prepare supplementary bills where:

- (a) the results have indicated that there were some errors in preparation of bills or the meter has malfunctioned and a customer has agreed in writing on such errors or malfunctioning; or
- (b) a report from meter inspector has indicated that the meter has malfunctioned.

(2) Notwithstanding the provisions of sub-rule (1), a supplementary bill shall not exceed a period of:

- (a) twelve months counted from the date of last inspection, for large customers; and
- (b) twenty-four months counted from the date of last inspection, for other customers.

Removal of
meters from
the premises

33.-(1) A meter or apparatus used to ascertain the value of natural gas consumed shall not be removed from the premises for testing and verification of accuracy unless the customer or his representative is present.

(2) Subject to sub rule(2), before a meter or apparatus is removed, a licensee shall read the final readings and record, the details of the outer structure , photograph it and thereafter sign a sheet of paper containing the above details and the customer shall counter sign it and retain a copy thereof.

(3) A meter or an apparatus used to ascertain the value of gas may be removed from the premises of a customer in the absence of the customer where:

- (a) the customer has waived in writing his rights to witness the removal; or
- (b) there is proof that attendance of the customer or its representative cannot be procured.

Meter
interference

34.-(1) A licensee shall take all reasonable steps to detect and prevent:

- (a) theft of natural gas in the service area;
- (b) damage to or fault in any gas supply equipment, natural gas meter or any equipment for provision of supply services in the service area;
- (c) interference with any natural gas meter in the service area; and

(d) any unrecorded consumption of natural gas.

(2) A licensee shall inform the owner of a relevant distribution infrastructure or meter of any incident if the licensee has reason to believe that:

- (a) there has been damage to or a fault in any distribution infrastructure or meter; or
- (b) there has been interference with any meter to alter its register or prevent it from registering the quantity of services supplied; or
- (c) the consumption of natural gas at owner's premises has not been recorded.

(3) Where a licensee has reason to believe that any incident reported to the owner pursuant to sub-rule (2) has been caused by the criminal act of any person it shall, on complying with the requirement of that rule, provide the owner with such information as is reasonably required for the purposes of investigating the incident and resolving any safety concerns arising out of it.

(4) A licensee shall inform the owner of a premises of its policy in respect of incidents described in sub-rule (3) and of the circumstances in which the licensee requires such owner to remedy the incidents by the use of:

- (a) substitution of alternative meters;
- (b) provision of prepayment meters;
- (c) discontinuation of supply to the premises at which the incident occurred; or
- (d) any other measure as shall be determined by the licensee.

PART V

RECORD, REPORTS AND INFORMATION

Customers
register

35. The licensee shall maintain a Register of all customers of gas supply and upload the specified data online to the Authority's information system at such intervals as may be required by the Authority.

Service
Performance
Report

36. A licensee shall submit to the Authority, in the manner to be prescribed, its quarterly performance report which shall include a detailed statement of supply services performance, number of customers, number of new supplies, total volume of natural gas sold and any other information as the Authority may require.

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Financial reporting 37. A licensee shall within nity days after the start of its financial year submit to the Authority its approved budget for such financial year and also details on its audited financial statements and management letter to be submitted not later than 180 days after the end of each financial year.

Records of gas installation and gas fitting 38. The licensee shall maintain records of premises and all gas installation or gas fitting whether connected to or disconnected from a gas supply system,

PART VI
GENERAL PROVISION

Compliance Audit 39. The Authority shall from time to time, conduct an audit of the licensees compliance with:
(a) these Rules;
(b) any agreement relevant with the conduct of the supply activity;
(c) customer service charter;
(d) applicable law; and
(e) any relevant codes.
(2) The compliance audit shall be conducted by an Authority or any other expert of required expertise hired by the Authority.
(3) The Authority shall carry out at least two compliance audit during a licence term.
(4) The costs associated with the audit shall be paid by the Authority.
(5) The Authority shall within ninety days after completion of the audit share the results of such audit with the licensee.

Inspection 40.-(1) The Authority or authorized person shall have the right to enter at any premise of a licensee and conduct an inspection and may require the licensee to furnish such information and produce or records as the Authority mat direct.
(2) A licensee shall not:
(a) hinder or obstruct the Authority in the exercise of any of the powers conferred to it by these Rules or the Act;
(b) use abusive, threatening or insulting language;
(c) refuse or fail to comply with any lawful order, direction or notice; and

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- (d) when required to answer a question, refuse or fail to answer such question to the best of the licensee's knowledge, information and belief.

Offence and
penalty

41. A person who contravenes any provisions of these Rules for which no specific penalty is prescribed shall be liable to a fine of not less than ten million shillings.

Dispute
resolution

42.-(1) Any dispute between a licensee and a customer or between the licensees relating to application of these Rules may be filed with the Authority for adjudication.

(2) Nothing in this rule shall be construed to prevent a licensee, a customer or the Government, in its capacity as a party to any agreement relating to the natural gas industry, from agreeing to resolve any dispute arising out of any agreement between them or any third parties, through binding arbitration or adjudication in ordinary courts of law.

(3) Any person aggrieved by the decision of the Authority may appeal to the Fair Competition Tribunal.

Transition
period

43. A person who supplies natural gas without a licence shall within six months from coming into force of these rules, apply for a licence from the Authority.

Revocation
of GN No.
539 of 2018

44. The Petroleum (Natural Gas) (Supply and Marketing Services) Rules, 2018 are hereby revoked.

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FISRT SCHEDULE

(Made under rule 5(1))

LICENCE APPLICATION FOR NATURAL GAS SUPPLY AND MARKETING
FORM



4th Floor, LAPF House Makole Road,

P.O. Box 2857, Dodoma, Tanzania

Tel: +255-26 2329002-3; Fax: +255-26 2329005

E-mail: info@ewura.go.tz

Website: <http://www.ewura.go.tz>

<i>For EWURA Use Only</i>	
<i>Date Received:</i>	<i>Docket Number:</i>
<i>Time Received:</i>	<i>Received by:</i>

IMPORTANT NOTES: Please complete this form and return the relevant enclosures to the Authority.

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.

When completing this form, **PRINT IN 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.

<i>Part IA – General Particulars</i>	
<i>1. Name of Applying Entity:</i>	<i>FOR EWURA USE ONLY</i>

Petroleum (Natural Gas) (Supply and Marketing Services)

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<div style="border: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <p>2. <i>Registration</i> (attach documents)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>a) Certificate of Incorporation No.....</p> <p>b) Memorandum and Articles of Association</p> <p>c) TIN No</p> <p>d) VAT No</p> </div>	<p><i>Details match with registration authorities?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>Further action required?</i></p>
<p>3. <i>Physical and Postal address</i></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>a) Physical address:</p> <p>b) Postal address:</p> <p>c) Landline:</p> <p>d) Facsimile:</p> <p>e) Cellular Phone:</p> <p>f) E-mail:</p> <p>g) Website address:</p> <p>h) Contact name</p> <p>i) Position in organisation</p> </div>	<p><i>All details completed in full?</i></p> <p align="center"><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>FOR EWURA USE ONLY</p>
<p>4. <i>If the applicant is a Joint Venture with other entity, provide particulars:</i></p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>a) Official Names of Directors:</p> <p>b) Official Names of Partners:</p> <p>c) Nationality:</p> <p>d) Shareholding (%):</p> <p>e) Physical address:</p> <p>f) Postal address:</p> <p>g) E-Mail:</p> </div>	<p><i>Further action required?</i></p> <p><i>Date requested</i></p> <p><i>Date received.</i></p>

<i>PartIB – Details of Application</i>	
	FOR EWURA USE ONLY

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<p>a)</p>	<p><i>Further information required?</i></p> <p><i>Further action required?</i></p>
<p>5. <i>Type of application</i></p> <p>a) <input type="checkbox"/> New</p> <p>b) <input type="checkbox"/> Renewal</p> <p>c) <input type="checkbox"/> Extension</p>	<p><i>Correct fee paid?</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>Further action required?</i></p> <p><i>FOR EWURA USE ONLY</i></p> <p><i>Action completed?</i></p>
<p>6. <i>Application Fee</i></p> <p>a) Amount: <input type="checkbox"/> TShs.....<input type="checkbox"/> US\$</p> <p>b) Mode: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Other (specify)</p>	
<p>7. <i>Fees Payment Receipt No.</i></p>	
<p><i>Part IC – Financial Information</i></p>	
<p>8. <i>Provide financial capability either-</i></p> <p>(a) an audited financial statement; or</p> <p>(b) a bank guarantee or a credit facility; or</p> <p>(c) a bank statement showing a credit balance; or</p> <p>(d) an unequivocal letter of comfort from a financial institution or a bank.</p>	<p><i>FOR EWURA USE ONLY</i></p> <p><i>All documents submitted in full?</i></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>9. <i>Bankers financial references in Tanzania</i></p> <p>a) Banker's Name</p> <p>b) Address</p> <p>c) Contact Person</p> <p>Please continue on a separate sheet (if necessary)</p>	<p><i>Further information required?</i></p> <p>.....</p> <p>.....</p> <p><i>Date requested</i></p>

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<i>Part 2A – Project Description</i>		
<p>(This Part shall not be applicable for Applicants renewing license s and Applicants granted with a Construction Approval by the Authority)</p> <p>10. Provide detailed description of the project and attach the detailed:</p> <div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> Feasibility Study Report of the proposed project including without limitation details of: <div style="margin-left: 20px;">—</div> <div style="margin-left: 20px;">— Project implementation schedule</div> <input type="checkbox"/> Site Maps <input type="checkbox"/> Land-use Plan <input type="checkbox"/> Environmental Impact Assessment Certificate <input type="checkbox"/> Land Rights <input type="checkbox"/> Contracts, Agreements, Permits, Conventions, or Memorandum of Understanding </div>		<p>Further information required? <input type="checkbox"/> Yes <input type="checkbox"/> No </p>
<i>Part 2B – Enclosure</i>		
<p>11. Provide your application with the following enclosure</p> <p>(this part shall not apply unless the documents previously submitted to the Authority is of no use due to expire of major modification of the facility)</p> <div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> Business Plan <input type="checkbox"/> Gas Sales Agreement(s) <div style="margin-left: 20px;"><input type="checkbox"/> Gas Supply Agreement(s)</div> <input type="checkbox"/> Commissioning Report <input type="checkbox"/> Emergency Response Plan <input type="checkbox"/> Commissioning Plan <input type="checkbox"/> Integrity Pledge <input type="checkbox"/> Local Content Plan <input type="checkbox"/> Others (if any) </div>		<p align="center">FOR EWURA USE ONLY</p> <p>Further information required? <input type="checkbox"/> Yes <input type="checkbox"/> No </p> <p>Date received.</p>
<p>12. State the specific areas to which regulated gas will</p>		

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be supplied.		
		Further information required? <input type="checkbox"/> Yes <input type="checkbox"/> No Date received.

<i>Part3– Declaration by the Applicant</i>	
<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>SWORN/AFFIRMED at..... by the said.....who is identified to me by...../known to me personally the latter being known to me personally thisday of20...</p> <p>BEFORE ME:</p> <p style="text-align: center;">_____ COMMISSIONER FOR OATHS</p> <p style="text-align: center;">NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and shall, with the necessary supporting documents be submitted to EWURA Headquarter office or at Zonal Office</p>	

SECOND SCHEDULE

CORPORATE INTEGRITY PLEDGE

(Made Under rule 5(2)(h))

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;

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- (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;

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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 of20.....

Signature
Designation:.....

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

THIRD SCHEDULE

(Made under rule 9(2))

APPLICATION TO TRANSFER A LICENSE



4th Floor, LAPF House Makole Road,
P.O. Box 2857, Dodoma, Tanzania

Tel: +255-26 2329002-3; Fax: +255-26 2329005

E-mail: info@ewura.go.tz

Website: <http://www.ewura.go.tz>

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		

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License Particulars	Type of License :		
	License No:		
	License Duration:		
	Expiry Date:		
I agree to the License 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)

- I the undersigned, being the new occupier of the premises detailed in the application, hereby apply for the transfer of the current license and I hereby declare that the

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information stated herein in regard to the transferee are true to the best of my knowledge.			
2. In the event of a license 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 CNG system without the written approval of EWURA, nor use the said CNG system for any other purpose than those prevailing at the time the license is transferred;			
(b) the license 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: 01J1022244000; CRDB Holland Branch.	
Notes			
1. The applicant(s), (if an individual person or partnership) must be over 18 years of age.			

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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.

This application together with the appropriate fee, should be forwarded to the Director General,
EWURA at 4th Floor, LAPF House Makole Road,
P.O. Box 2857, Dodoma, Tanzania
Tel: +255-26 2329002-3; Fax: +255-26 2329005
E-mail: info@ewura.go.tz Website: <http://www.ewura.go.tz>

The application should be attached with the following documents;-

1. The original copy of a valid EWURA license 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. Proof of payment of transfer application fee;and
6. Any other document that will be required at the time of transfer

FOURTH SCHEDULE

METER AUDIT AND INSPECTION FORM

(Made under rule 29(2))

PART I

METER AUDIT

DATE:

REGION/ZONE:

DISTRICT/ZONE:

A: CUSTOMER'S DATA

Customer Name:

Street:

GPS COORDINATES: S E

Account No.:

Meter No.:

Meter Reading:

Total Units To-date:

Remarks:

Auditors

1.

2.

3.

Customer Representative:

PART II
INSPECTION FORM

Date:

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REGION/ZONE:
DISTRICT/ZONE:

A: CUSTOMER'S DATA

Customer's Name:
Street:
Telephone/Mobile No.

B: GPS COORDINATES: S E

Account No.:
Meter No.
Meter Reading:

Total Unit To-date:

C: PHYSICAL OBSERVATION OF METER (Tick the Applicable)

Physical Appearance
of Meter Seals

Tampered		Okay	
Tampered		Okay	
Damaged		Okay	

Physical Appearance
of Terminal Seal

Physical Appearance
of Meter Cover

E: INSPECTORS

1.
2.

Witnessed by:.....

NOTES:

1. Natural gas supply will be discontinued if customer will be found using natural gas contrary to laid down regulation;
2. Inspections will be conducted by authorized staff who may be accompanied by other officials.
3. Natural gas supply will be disconnected and customer will be notified in writing steps to be taken before restoration of natural gas supply.

Dar es Salaam,
....., 2019

NZINYANGWA E. MCHANY
Director General