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THE PETROLEUM ACT
(CAP. 392)

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RULES
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(Made under section 259(1))

THE PETROLEUM (NATURAL GAS)(PROCESSING) RULES, 2019

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THE PETROLEUM ACT
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THE PETROLEUM (NATURAL GAS)(PROCESSING) RULES, 2019

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Rules may be cited as the Petroleum (Natural Gas Processing) Rules, 2019.
- Application 2. These Rules shall govern the activities related to the natural gas of processing services and related matters 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, regulations, rules, order or by-laws that is customarily treated in Tanzania as having legally binding force and which is relevant to matters pertaining to the regulation of natural gas activities;
- Cap. 414 "Authority" means the Energy and Water Utilities Regulatory Authority established under the provisions of the Energy and Water Utilities Regulatory Authority Act;
- Cap. 191 "Council" means the National Environment Management Council established under the provisions of the Environment Management Act;
- Cap. 414 "compliance order" means an order issued by the Authority pursuant to section 39 of the Energy and Water Utilities Regulatory Authority Act;

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“facility” means a place constructed and meeting internationally acceptable standards and includes natural gas processing equipment, pipes, buildings, compression stations and firefighting systems in respect of which a natural gas processing activity is carried out;

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

“gas” means any naturally occurring mixture of hydrocarbons in gaseous state, principally methane with varying quantities of ethane, propane, butane and other gases used as fuel or feedstock, whether:

- (a) pressurized to be transported and distributed through pipelines, lateral lines and spur line;
- (b) compressed in special cylinders or vessels, to be efficiently transported or stored as Compressed Natural Gas (CNG) by special trucks or ships; or
- (c) liquefied using special facilities, to be efficiently transported as Liquefied Natural Gas (LNG);

“gas infrastructure” means facilities for gas gathering, processing, transportation and distribution, liquefaction, re-gasification, storage, and industries that use gas as feedstock;

“hazardous situation” means a situation involving natural gas that:

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

“incident” means any of the following events:

- (a) an event that involves a release of gas from a pipeline, or of liquefied natural gas, liquefied petroleum gas, refrigerant gas, or gas from an LNG facility, and that results in one or more of the following consequences:
 - (i) a death, or personal injury necessitating in-patient hospitalization as a consequence of an action that is related to a licensed activity;
 - (ii) estimated property damage of Tanzanian Shillings 100,000,000 or more, including loss to the operator and others, or both, but excluding cost of gas lost;
 - (iii) unintentional estimated gas loss of three million cubic feet or more;
- (b) an event that results in an emergency shutdown of licensed facility;
- (c) an event that is significant in the judgment of the operator,

even though it did not meet the criteria of paragraphs (1) or (2) of this definition;

(d) any other significant event that may adversely affect the conduct of a licensed activity.

"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;

"license" means an authorization issued by the Authority to undertake a natural gas processing activity;

"licensed activity" means an activity relevant for natural gas processing in respect of which a license has been issued;

"licensee" means the holder of a license or may include a prospective licensee;

"license fee" means a fee payable by a licensee as shall be prescribed by the Authority from time to time;

"National Oil Company" means the Tanzania Petroleum Development Corporation which is established under the Tanzania Petroleum Development (Establishment) Order and the abbreviations "NOC" shall be construed accordingly;

"natural gas industry best practice" means any conduct related to a Natural Gas intended to preserve product quality and meets generally accepted health, safety and environmental requirements;

"natural gas" means any hydrocarbons produced from the contract area which at a pressure of 1 atmosphere and a temperature of sixty degrees Fahrenheit (60°F) are in a gaseous state at the wellhead, and include residue gas after the extraction of liquid hydrocarbons there from, both associated and non- associated natural gas, and all of its constituent elements produced from any well in the contract area and all non-hydrocarbon substances therein;

"natural gas leakage" means a non-expected release of gas from a processing plant or other containment into a living area or any other area that can create a potentially dangerous situation;

"Natural gas processing" or "natural gas processing activity" means removal of condensate, cryogenic operations to extract butanes, propanes and Natural Gas Liquids (NGLs), impurities and water; odorize or otherwise prepare gas for transportation, shipping, or liquefaction;

"Natural gas processing facility" means a gas processing facility designed to remove condensates, extract butanes, propanes and Natural Gas Liquids (NGLs), impurities and water, odourize or

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otherwise prepare gas for transportation, shipment or liquefaction;

"operator" means a person who conducts a natural gas processing activity;

"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 license, the Act or applicable law which are of such magnitude that pose an imminent danger to lives and property;

"supervisor" means the operator or other person responsible for the management and monitoring of a licensed facility and is deemed to be authorized to:

- (a) grant an inspector access to a licensed 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 licensed facility and, as required, take decisions related to the suitability of such licensed facility for use;

"standards" means any specification or standards in relation to a petroleum product and natural gas 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 Good Natural Gas Industry Practices;

Cap 399 "Tanzania Revenue Authority" means the authority established under the provisions of the Tanzania Revenue Authority Act;

"tariff" means a charge, fee, price or rate charged for the provision of processing services of natural gas as shall be approved by the Authority;

"tariff methodology" means a methodology approved by the Authority that a licensee uses to determine a tariff;

"tariff order" means an order issued by the Authority that sets out the applicable charges, fees, price or rate in the operation of a transportation infrastructure;

"processing plant" means facility designed to clean raw natural gas by separating impurities and various non-methane hydrocarbons and fluids to produce what is known as 'pipeline quality' dry natural gas; and

Cap 285 "Tribunal" means the Fair Competition Tribunal established under the provisions of the Fair Competition Act.

PART II

APPLICATION FOR A CONSTRUCTION APPROVAL

Application for construction approval

4.-(1) A person shall not construct natural gas processing facility without obtaining a construction approval from the Authority

(2) A person who intends to construct natural gas processing facility shall apply to the Authority by filling a form prescribed in the First Schedule to these Rules;

(3) The application shall be accompanied by the following

- (a) the applicant's name and business address and location, telephone and fax number and email address;
- (b) a project feasibility study;
- (c) details of the technical and financial expertise and resources available for carrying out the relevant regulated activities;
- (d) proof of ownership of the site or authorization of development of the site, including building permit, if any;
- (e) provide financing arrangement;
- (f) detailed estimates of total cost of the project, showing the cost of construction by operating units such a survey, materials, labour, engineering and inspections, administrative over-head, fees for legal and other services, allowance for funds during construction and contingencies;
- (g) project documents including drawings, plans and design specifications of the proposed natural gas processing facility;
- (h) the proposed maximum allowable pressure of the processing plant at export valve;
- (i) a certified copy of an environmental clearance as required in the Environmental Management Act;
- (j) public awareness measures;
- (k) local content plan;
- (l) a non-refundable application fee as prescribed by the Authority; and
- (m) any other information as required by the Authority.

(4) 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 three years or both.

Publication of application for a

5.-(1) The Authority after receiving the application shall evaluate and verify the completeness and legality of information contained therein and thereafter a notice of the application shall be

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construction approval 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.

(2) The costs of publication of notices under sub-rule (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.

PART III

LICENSING PROCEDURES

Obligation to apply for a licence 6.-(1) A person shall not conduct a natural gas processing activity without license.

(2) A person who contravenes the provisions of sub-rule (1) commits an offence and upon conviction shall 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 both.

Application for license 7.-(1) A person who intends to conduct natural gas processing activity shall apply to the Authority by filling in a form prescribed in Second Schedule.

(2)The application for a license shall be accompanied by the following:

- (a) certified copies of the applicant's Memorandum and Articles of Association;
- (b) certified Certificate of Incorporation;
- (c) certified copy of tax identification number certificate;
- (d) a local content plan;
- (e) a dully signed integrity pledge;
- (f) an environmental impact assessment certificate or environment audit certificate as the case may be;
- (g) a business plan describing the scope of a licensed activity;
- (h) financing plan;
- (i) a list of facilities available;
- (j) provide a commissioning report;
- (k) non- refundable application fee as prescribed by the Authority. and;
- (l) any other information as may be required by the Authority.

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- Inquiry
Cap 414
8. The Authority shall, before issuing, modifying, suspending or revoking a license, conduct an inquiry in accordance with section 19 of Energy and Water Utility Regulatory Authority Act.
- Publication
of license
application
- 9.-(1) A license 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 to soliciting comments and representations on the application.
- (2)The costs of publication of notices under sub-rule (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 a
licence
- 10.-(1) The Authority shall, within sixty days from the date of receiving a complete 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 to grant a licence taking into consideration the following:
- (a) technical, administrative and financial capabilities of the applicant in relation to the natural gas processing activity for which the license is sought;
 - (b) viability of the sources of supply of natural gas;
 - (c) local content plan;
 - (d) if applicable, the effects of the proposed project on other processing, distribution or storage facilities;
 - (e) methods and procedures proposed to be adopted for operating and maintaining the processing facilities or other related facilities;
 - (f) technical specifications of the proposed processing or other related facilities;
 - (g) basis for potential demand for the gas processing;
 - (h) capital costs of the project;
 - (i) assessment of economies of scale; and
 - (j) any other information as may be required by the Authority.

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(2) 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.

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

Grant of a licence to NOC

11.-(1) National Oil Company (NOC) shall apply to the Authority by filling a form as prescribed in Second Schedule to these Rules.

(2) The requirements set forth under rules 7 and 9 shall be not applicable to licence application by NOC.

(3) The licence issued to NOC shall neither be suspended nor revoked and where the circumstances warrant the suspension or revocation of such licence, the Authority shall recommend to the Minister for appointment of an administrator of NOC who may replace the Management of NOC.

Validity and duration of a license

12.-(1) Unless otherwise revoked or suspended, every licence granted under these Rules shall be valid for a period of up to twenty-five years or as may be determined by the Authority.

(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.

Application for transfer of a license

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

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

(3) The application for transfer or assignment of a licensee shall be accompanied by the following documents:

- (a) a transfer agreement;
- (b) Tax Clearance Certificate of a Licensee; and

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(c) any other documents as may be required by the Authority.

(4) A licence transfer 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 to soliciting comments and representations on the application.

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

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

(7) The Authority shall, after the expiration of the notice in sub- rule (4) of this rule, 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 and share-holding structure

14. A licensee who has changed his name or shareholding structure shall notify the Authority in writing within fourteen days after such changes accompanied by relevant certificates from the approving Authorities.

Modification of a licence

15.-(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 acts on its own motion, it shall issue a notice of at least sixty days to the licensee informing the licensee on its intention to modify the licence.

Application for renewal of a licence

16.-(1) A licensee who wishes to renew licence may, at least six month before expiration of licence, apply to the Authority for renewal of a licence.

(2) A renewal of a licence shall be granted for a maximum period of fifteen years, or for such longer period as may be determined by the Authority

(3) The application for a renewal of a licence shall be as prescribed in the Second Schedule and accompanied by tax clearance certificates and other documents as the Authority may

require.

(4) 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 conditions of the licence which is due to expire.

Suspension
or
revocation
of a licence

17.-(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.

(3) The Authority shall revoke a licence if 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 and conditions 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 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.

(4) 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.

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

(6) Any person whose license has been revoked pursuant to the provisions of sub-rule (3) shall not be eligible for issuance of a license for a period of twenty-four months from the date of revocation.

PART IV
OBLIGATIONS OF A LICENSEE

General
obligations
of
a licensee

18. A licensee shall at all times:
- (a) comply with:
 - (i) these Rules;
 - (ii) the Act and Regulations
 - (iii) any applicable law;
 - (iv) orders and directions of the Authority;
 - (v) applicable codes and standards on safety, hazardous substances, security, health and environment; and
 - (vi) best International Petroleum Industry Practices;
 - (b) undertake reliable and safe natural gas processing services;
 - (c) not engage in any activity that impedes or may impede either proper implementation of the licensed activity or any licensed activity of other licensees;
 - (d) ensure management of the natural gas processing activity in a manner consistent with the principles of ensuring technical expedience and the objective of achieving highest quality of natural gas processing services;
 - (e) operate and maintain the facility properly;
 - (f) carryout all works related to the facility in accordance with Best International Petroleum Industry Practices;
 - (g) inform the Authority as soon as practicable, but in any event not more than one hour after the occurrence of a hazardous situation or incident related to its natural gas processing activity, occurring within its facility, provided that a detailed report including the steps taken or proposed to be taken to remedy such situation or to eliminate or minimize the hazard arising from such situation be submitted within time as stipulated in the Emergency Response Plan;
 - (h) when the facility is left unattended, ensure that it is left in the safest condition possible;
 - (i) employ a sufficient number of qualified personnel to ensure that the conduct of its natural gas processing activity complies with these terms and conditions;

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- (j) conduct its natural gas processing activity in compliance with health, safety and environmental laws;
- (k) pay applicable fees;
- (l) report to the Authority in a true and correct formal data and information the Authority may require;
- (m) submit to the Authority the quantity of gas processed;
- (n) charge to customers a tariff as approved by the Authority;
- (o) not discriminate between customers or classes of customers regarding access, tariff, conditions or service except for objectively justifiable and identifiable grounds approved by the Authority;
- (p) print a license number on all accounting documents employed in its natural gas processing activity, including invoices, delivery notes and receipts;
- (q) notify the Authority and its customers in writing thirty days prior to a planned disruption of a natural gas processing activity;
- (r) ensure that any service to be provided in the course of the natural gas processing activity is justifiable and reasonable and the licensee shall not show undue discrimination against any particular person of any class or description as regards any aspect of any service under this license;
- (s) accord full cooperation to the Authority during inspection, investigation or monitoring exercise on the facility;
- (t) establish and maintain records pursuant to the applicable law and orders and directions of the Authority;
- (u) provide the Authority with full access to its records, documents, sites and assets pursuant to these Rules and applicable law;
- (v) procure and maintain in a valid insurance cover against any liability that the person may incur in constructing or operating a Natural Gas Processing Plant:
 - (i) in compliance with relevant applicable insurance law;
 - (ii) maintain in force insurance coverage during the full term of its license period;
- (w) not keep fireworks or any other instruments or products in or near a licensed facility that might pose a risk of fire or otherwise;
- (x) ensure the availability of adequate fire-fighting equipment;
- (y) ensure that its natural gas comply with the required standards;
- (z) ensure that a licensed facility equipment are calibrated for correct measurements and are in good working condition in accordance with required standards and Good Natural Gas

Industry Practices;

- (aa) ensure that a supervisor is present at a licensed facility at all times, and in his absence any person employed or acting as an agent of a licensee at a licensed facility shall perform the duties of a supervisor;
- (bb) not abandon a licensed facility other than in accordance with the license conditions, these rules, the Act, applicable law or directions of the Authority;
- (cc) display in a conspicuous place at a licensed facility a license or a certified copy thereof;
- (dd) provide appropriate security system for the licensed facility;
- (ee) not engage in any activities that disrupt or interfere with competition; and
- (ff) as soon as practicable, but in any event not later than thirty days after it becomes aware of the fact, notify the Authority-
 - (i) if it is unable to conduct its licensed activity; or
 - (ii) if the conduct of its licensed activity would or might lead to the breach of any of these Rules or materially affect its operation.

PART V
CONSTRUCTION

Designs
and
Specifications

19.-(1) A person shall not commence construction of a processing plant facility unless:

- (a) has submitted to the Authority detailed designs of the processing plant and the specifications for its components;
- (b) the Authority notifies such person that construction may commence subject to any changes in the designs or specifications considered by the Authority to be necessary for reasons related to safety or environmental protection; and
- (c) any changes required pursuant to paragraph (b) have been submitted to the Authority.

(2) A processing plant shall be constructed in accordance with the designs and specifications submitted pursuant to paragraph (a), as modified by any changes submitted pursuant to paragraph (c).

Construction
contract
requirements

20.-(1) If a person contracts for the provision of services in respect of the construction of its processing plant, the contract shall-

- (a) require the contractor and the subcontractors to be fully

informed of and comply with the requirements of this Rules applicable to the construction of the plant and of the licensee's prescribed programs to the extent that they are applicable to the construction of the plant; and

- (b) impose on the person an obligation to appoint as its safety officer an individual having sufficient expertise, knowledge and training to carryout competently the duties described in subsection (2).

(2) An agent appointed under sub rule (1)(b) shall have a duty to monitor the construction of the processing plant and to halt any activity in circumstances where, in the safety officer's judgment, the activity is creating a hazard to the public, personnel at the construction site or to the environment.

Construc-
tion
requireme
nts

21. A processing plant shall comply with the following:

- (a) each tank, bullet, sphere or other container that contains any fluid, other than freshwater, shall be designed, constructed and maintained to restrict and contain fluids and to minimize the risk to the safety of persons and to the environment in the event of an escape of the fluid;
- (b) equipment that has a source of ignition with which a gaseous fluid at explosive levels may come into contact shall not be located in the same building as any process vessel or other source of flammable fluid, unless:
 - (i) air intake flues are located outside the building in an area where any flammable fluid is unlikely to be present;
 - (ii) relief valves, burst plates and other sources of flammable fluids are vented from the building or discharged to a flare header, or other location that is environmentally safe;
 - (iii) a specific risk analysis is conducted to determine what active, reactive or passive safety devices should be installed on that equipment and the licensee installs those devices; and
 - (iv) the building is cross-ventilated;
- (c) all process vessels and equipment from which any flammable fluid or toxic substance may escape shall be safely vented to a flare header or to other locations where the protection of the environment and the safety of persons are maintained;

- (d) all flare headers shall be equipped with a means by which the flame from the flare header is prevented from entering into piping or vessels from which the flammable fluid is being released;
- (e) hydrocarbon storage vessels or buildings used for the processing of raw gas shall be equipped with reliable fire suppression systems appropriate to the risk that the vessels or buildings pose to the safety of persons or to the environment if the vessels or buildings catch fire or come into contact with fire; and
- (f) all pressure-relief piping and systems shall be designed and constructed so that an emergency pressure release does not create a detriment to property or to the environment or a hazard to the safety of persons.

Pressure testing

22.-(1) The licensee shall undertake pressure testing, and, at least seven days before the test begins, notify the Authority of:

- (a) the pressure testing of all or any part of its processing plant; and
- (b) the pressure testing of any component of the processing plant, before or after it is installed in the processing plant.

(2) If the licensee engages a contractor to perform a pressure test referred to in sub rule (1), the contractor shall be independent of:

- (a) the contractor who constructed the processing plant;
- (b) any person who participated in the fabrication of any of the components to be tested; and

(3) If a pressure test referred to in sub rule (1), is performed by the licensee, it shall be performed under the direct supervision of an agent engaged by the licensee for the purpose who:

- (a) has sufficient expertise, knowledge and training to perform it competently; and
- (b) is independent of:
 - (i) any contractor who constructed the processing plant or any person who participated in the fabrication of any of the components to be tested; and
 - (ii) any contract or engaged to perform the test.

(4) All logs, charts and other records of a pressure test referred to in sub rule (1) shall be dated and signed by the persons supervising the test.

PART VI
OPERATION AND MAINTENANCE

Operations 23.-(1) A licensee of a processing plant shall take all reasonable steps to ensure that:

- (a) operating activities at the processing plant do not create a detriment to the environment or a hazard to the safety of persons that is greater than the detriment or hazard normally associated with identical activities carried on elsewhere;
- (b) no equipment is operated with a hazard- detection alarm or shutdown device that is bypassed or rendered inoperable; and
- (c) data recorded at the processing plant are retained for analysis in the event of an incident or near-miss.

(2) The licensee of a processing plants shall:

- (a) test all hazard-detection devices as part of regular maintenance activities to determine whether they are fully functional;
- (b) document and maintain records of all testing, repairs and replacement of parts in the hazard-detection devices;
- (c) clearly mark the open and closed positions of main emergency shutdown valves;
- (d) post signs along the site boundaries of its processing plant indicating the name of the licensee and the telephone number to call in the event of an emergency at the processing plant; and
- (e) post warning signs of potential hazards.

Compliance with specifications and standards

24.-(1) A licensee shall comply with the approved specifications pertaining to natural gas processing of which is consistent with these Rules and applicable law.

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

(3) A licensee of a processing plant facility shall not alter the processing plant to change its design, specifications, or relocate unless a plan in respect to the change is submitted to the Authority by filling a form prescribed in the Fourth Schedule to these Rules.

Safety requirements

25. A licensee shall equip its processing plant with:

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- (a) a source of emergency power;
- (b) systems that are appropriate to its buildings or structures and that are designed for the detection of:
 - (i) explosive and flammable gases;
 - (ii) toxic or noxious gases; and
 - (iii) fire, the products of combustion or temperature rise; and
- (c) alarm device that are:
 - (i) located where they can be heard or seen from all locations within the processing plant;
 - (ii) designed in a manner that will allow a timely warning of danger to be given to persons in the processing plant or in the vicinity of the processing plant in order to permit safe evacuation or actions to control the danger.

Fire
precaution

26.-(1) (1)A licensee, on taking precautions to prevent the outbreak of fire when processing natural gas, shall:-

- (a) ensure that any building, road, structure or plant used in connection with a licensed facility is designed, constructed, equipped and maintained:
 - (i) in such away as to prevent fire and explosion; and
 - (ii) so as to minimize the harmful effects of fires or explosions if they occur;
- (b) ensure that personnel involved in operation of natural gas processing facilities exercise caution in respect of anything that may cause fire or an explosion, and that such personnel follow applicable law on matters related to fire and explosions;
- (c) clearly indicate by a sign a place at a licensed facility where a natural gas is processed.

(2) A licensee 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 shouldering material on a licensed facility.

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

(5)A licensee shall:

- (a) position the equipment described in sub-rule (3), in inaccessible places at a licensed facility; and
- (b) in any event, not less than once a year, test the equipment

Petroleum (Natural Gas)(Processing)

GN. No. 221 (contd.)

described in sub-rule (3) pursuant to applicable law.

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

- (a) include suitable and adequate fire-fighting plan that comprises:
 - (i) the locations and types of all fire-fighting equipment; and
 - (ii) an action plan that identifies, among other things, assembly points and the tasks of all employees;
- (b) include provisions for the training and retraining of employees to deal with a fire emergency situation, the records of which shall be preserved;
- (c) be provided to employees in or on the relevant premises; and
- (d) be made available to the Authority on request.

Occurrence
of
dangerous
situation or
act

27.-(1) In the event of occurrence of incidence that adversely affects normal operation of processing facility or cause a significant risk to public health and safety, the licensee shall immediately notify the Authority within twenty-four hours after the event.

(2) Subject to sub-rule (1), the licensee shall submit to the Authority a report regarding the event within fourteen days after the incident or near-miss occurred.

Suspension
of
operations

28.-(1) A licensee shall not fully or partially suspend its operations without notifying the Authority within thirty days before the intended date of full or partial suspension.

(2) The notification shall be in a written form stating the reasons for suspension.

(3) The Authority after receiving the notification shall notify the licensee within fourteen days on whether to suspend or continue with the operations as the Authority may direct.

Operations
and
Maintenance
Manual

29.-(1) A licensee shall prepare and maintain manual containing procedures for operation, corrosion control, integrity management, maintenance and repair; and upon request, file a copy of such manual with the Authority for review.

(2) The manual under sub rule (1) shall include provision for evaluation and mitigation and shall be updated as necessary to:

- (a) ensure that the contents are correct; and
- (b) be able to demonstrate that the procedures contained in the

manual are being implemented.

(3) A licensee shall submit to the Authority operations and maintenance manual with comprehensive operating information and procedures to ensure safety, environmental protection and prevention of waste in the operation of the licensee's processing plant, including

- (a) a list of all structures, facilities, equipment and systems critical to the operations, including:
 - (i) drawings, plans, flow sheets and schematics;
 - (ii) measurement and technical specifications;
 - (iii) safety factors, operability limits and process control set points;
 - (iv) identification of all hazardous locations and their classifications, and
 - (v) locations of safety equipment and escape routes;
- (b) a summary of the systems and procedures for the inspection, testing and maintenance of all structures, facilities, equipment and systems critical to the operations; and
- (c) the organizational structure for the processing plant which
 - (i) clearly explains the authority and reporting relationship within the structure, and
 - (ii) provides the contact information and position of the person accountable for the manual and of the person responsible for implementing it.

PART VII

EMERGENCY RESPONSES

Emergenc
y
Response
Plan

30.-(1) A licensee shall prepare and maintain an emergency response plan for the licensed facility in accordance with Good Natural Gas Industry Practice and submit a copy to the Authority for review on request.

(2) A licensee's emergency response plan shall contain procedures for how to respond to and mitigate the effects of any reasonably foreseeable event that might compromise safety or environmental protection at the licensee's processing plant.

(3) An emergency response plan shall provide for:

- (a) contingency plans;
- (b) a method of classifying incidents and response actions for specific incidents;
- (c) internal and external notification, communication and reporting procedures;

- (d) procedures for accessing essential safety and environmental information;
- (e) organizational structure and resources to manage the emergency ,including trained personnel, equipment and facilities;
- (f) duties, responsibilities and authorities of all personnel involved in the emergency response, including job descriptions and checklists;
- (g) communication protocols and coordination and liaison measures with relevant governmental emergency response organizations;
- (h) a process for periodic review and updates of emergency response plans and personnel evacuation plans;
- (i) a description of the safety equipment and medical equipment;
- (j) communication systems designed and protected to enable operation in an emergency; and
- (k) all reasonably practicable steps to ensure safety and environmental protection.

(4)The licensee of a processing plant shall

- (a) update the emergency response plan for the licensed facility, as necessary;
- (b) conduct training exercise in carrying out emergency response plans;
- (c) establish and maintain a liaison with the agencies that may be involved in an emergency response activity at its processing plant and consult with the ministry developing and updating its emergency procedures manual;
- (d) take all reasonable steps to inform persons who may be associated with an emergency response activity at its processing plant of the practices and procedures to be followed and make available to them the relevant information from the emergency procedures manual; and
- (e) develop and implement the continuing education programmer for police, fire department, medical facilities other appropriate organizations and agencies and the public residing in proximity to the processing plant to inform them of its location, potential emergency situations involving the processing plant and the safety procedures to be followed in the event of an emergency.

Control
and
response
to natural
gas
leakage

31.-(1) A licensee shall at all-time ensure that it is capable of adequately responding to gas leakages.

(2) A licensee shall, in the event of a natural gas leakage take all necessary steps pursuant to good natural gas industry practices or otherwise as may be necessary to remedy the effect of such leakage.

(3) In the event a licensee fails to comply with sub-rule (2) within the period of time established by the Authority, the Authority may, by written notice, order such licensee to take such steps as the Authority may require in order to remedy the effect of such leakage at its own cost.

(4) Any licensee who fails to comply with an order of the Authority issued pursuant to sub-rule (3), commits an offence and shall on conviction,

(a) in case of individual be liable to a fine of one hundred million shillings or to imprisonment for a term of not less than ten years or both.

(b) in case of a body corporate, be liable to a fine of not less than five hundred million shillings.

(5) Without prejudice to the provisions of sub-rules (1), (2)and(3),any person who is affected by any leakage of natural gas and seeks redress, shall first lodge a complaint with a licensee with a view to reaching an amicable settlement.

(6) In case an amicable settlement is not reached, a complainant may lodge the complaint to the Authority for determination.

PART VIII

RECORDS, REPORTING AND INFORMATION

Record
Keeping

32.-(1) A licensee shall keep and submit to the Authority in a manner to be prescribed by the Authority a daily records of the following:

(a) particulars of the volumes and heat content of fluids delivered to the inlet of the processing plant by the licensee and by each shipper including the respective sources from which they were delivered;

(b) the volumes and heat content of residue gas, natural gas liquids and other products obtained by processing and delivered from the outlet of the plant by the licensee or on behalf of each shipper, including the intended delivery destination of those volumes;

(c) the volumes of any flared, vented or used gas:

- (i) in the operation of the plant or facility; or
- (ii) as a result of an emergency condition; and
- (iii) any other information required by the directions of the Authority.

(2) The daily records specified under sub-rule (1) shall be kept for a period of at least one year.

(3) Notwithstanding sub-rule (1), a licensee shall submit to the Authority a monthly report containing information as the Authority may direct.

(4) A report under sub-rule (3) shall be submitted to the Authority not later than the 10th day of the following month.

(5) Any person who refuses to furnish information or statement as required under sub-rule (2) or furnishes false information or statement to the Authority for the second time shall be liable to pay a fine of ten million shillings and shall have its license suspended for a period of twelve months.

(6) Without prejudice to the requirements of sub-rules (1) to (3), a licensee shall submit in the format provided by the Authority a design capacity, percentage average, daily gas processing capacity, the quantity processed in the previous year and such technical information as required by the Authority within thirty days of issuance of the license for an existing licensee and thereafter annually within the first thirty days of each calendar year;

PART IX
GENERAL PROVISIONS

Staffing
plan and
training
program

33.-(1) Every licensee shall have a staff planning updated regularly which shall provide for:

- (a) the number of persons to operate its processing plants safely; and
- (b) the competencies required for each position.

(2) The licensee shall ensure that its processing plant is at all times staffed with the full competencies of personnel in accordance with the plan referred to in sub rule (1) and shall ensure that:

- (a) all personnel have, before assuming their duties, the necessary experience, training and qualifications and are able to conduct their duties safely, competently and in compliance with these Rules; and
- (b) records of the experience, training and qualifications of all

personnel are kept and made available to the Authority on request.

(3) A licensee's training program shall contain instructions for all personnel directly involved in the operation of its processing plant respecting-

- (a) the safety practices and procedures applicable to the operation of the processing plant;
- (b) responsible environmental practices and procedures in the operation of the processing plant;
- (c) the proper operating procedures for the equipment that they could reasonably be expected to use; and
- (d) the emergency procedures set out in the manual referred to in rule 30.

Inspections

34.- (1) A licensee of a processing plant shall:

- (a) conduct annually a complete inspection of its processing plant to determine whether the processing plant is in compliance with these Rules, the conditions of the license and the directions of the Authority; and
- (b) maintain and submit upon request by the Authority records of all inspection conducted.

(2) An inspection under sub-rule(1) shall be conducted:

- (a) during the calendar year (12months) following the year in which the operations approval was issued for 16 months after the date of the approval; and
- (b) during subsequent calendar year but not more than 16 months after the completion of the inspection in the previous calendar year.

(3)The Authority may-

- (a) by a notice direct the licensee of a processing plant to test, inspect or perform an engineering assessment of all or any part of its processing plant in accordance with the directions in the notice, if the Authority considers that the notice is warranted by concerns related to safety or environmental protection; and
- (b) request the licensee to submit a report respecting the test, inspection or assessment by the deadline in the notice containing the request.

(4) If the licensee engages a contractor to perform an inspection under subsection (1) or a test, inspection or engineering assessment referred to in subsection (3),the contractor shall be independent of-

- (a) the contractor who constructed the processing plant;

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(b) any person who participated in the fabrication of any of the components to be tested; and

(5) If an annual inspection under sub-rule (1) or a test, inspection or engineering assessment referred to in sub-rule(3) is performed by the licensee, it shall be performed under the direct supervision of an agent engaged by the licensee for the purpose who has sufficient expertise, knowledge and training to perform it competently.

Compliance
Audit

35.-(1) A licensee shall, as directed by the Authority from time to time, conduct an audit of its compliance with:

- (a) these Rules;
- (b) records related to the processing plant, including prescribed programs, to determine whether the licensee was, during the period covered by the audit, in compliance with the Act, these Rules and the license in relation to the processing plant;
- (c) the competency of personnel in supervisory or operational positions at its processing plant;
- (d) applicable law; and
- (e) any relevant codes.

(2) The compliance audit shall be conducted by an independent auditor or any other expert hired by the Authority.

(3) The costs associated with the audit described in sub-rule (2) shall be paid by the Authority.

Health,
Safety and
Environment

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

(2) A licensee shall, while processing natural gas take such precautions and exercise such care as may be reasonable under the circumstances in order to:

- (a) observe strict health, and industrial safety standards as required to avoid endangering the safety or health of any person, or the safety of any person's property;
- (b) take all necessary preventive measures to reduce pollution resulting from operating its processing plants;
- (c) prevent risk of significant environmental harm;
- (d) perform an environmental audit related to its licensed activity in accordance with applicable environmental laws.

(3) A licensee shall dispose of a waste in a manner and at a place intended for the disposing natural gas wastes.

(4) When a substance escapes from a Natural Gas Processing Plant and it appears to the Authority that the substance may not otherwise be contained and cleaned up in the immediate near term, the Authority may:

- (a) require a licensee to take any steps that the Authority deems necessary to contain and clean up, to the satisfaction of the Authority and the Ministry of Environment, the substance that has escaped and to prevent further escape of the substance; or
- (b) enter on the area where the substance has escaped and conduct any operations it deems necessary to contain and clean up the substance that has escaped and to prevent further escape of the substance if the licensee fails to take the required steps.

(5) When the Authority enters on an area pursuant to paragraph (4)(b):

- (a) every person responsible for the escape of the substance, an operator or licensee and every officer and employee of such operator or licensee shall, until the operations to be conducted by the Authority are completed, obey the orders concerning those operations given by the Authority or a person or the Authority places in charge of those operations;
- (b) the Authority may recover, deal with and dispose of the escaped substance as if it were the property of the Authority, and if any escaped substance is sold, apply the proceeds to pay the costs and expenses of the operations conducted by the Authority;
- (c) the Authority may engage any persons it deems necessary to conduct any of the operations on its behalf.

(6) When any operations are conducted pursuant to sub-rule (5) by-

- (a) a licensee or other person under sub-rule (4)(a) and such person requests the Authority to do so, or
- (b) or on behalf of the Authority under sub-rule (4)(b), the Authority may determine the costs and expenses of the operations and direct whom and to what extent they shall be paid.

(7) A licensee shall appoint at least one health, safety and environment officer to address and be responsible on health, safety and environment matters related to the licensed activity.

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Visitors 37. A licensee of a processing plant shall take all reasonable steps to ensure that all visitors to its processing plant are familiar with the components of the safety program necessary for their personal safety before they enter the site for the processing plant and comply with the safety program while they are on the site of the processing plant.

Compensation for loss suffered 38.-(1) A licensee shall be obliged to compensate any person who has suffered any injury, loss of life or property or the environment as a result of the licensed activity.

(2) Any person who has suffered injury, loss of life or property or environment as a result of a licensed activity shall first lodge a complaint with a licensee whose licensed activity has caused such loss with a view to reaching an amicable settlement.

(3) In the event no settlement is reached under sub-rule(2), the person who has suffered injury or loss may refer the matter to the Authority for 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 Act.

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

Confidential information 39.-(1) All information submitted to the Authority for tariff application shall be presumed not to be confidential and shall become a matter of public record, scrutiny and inquiry.

(2) A licensee 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.

(3) 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.

Investigation of facility 40.-(1) The Authority may initiate an investigations of the licensed activity in relating to technical, economic and safety issues in the delivery of service to consumers:

(a) on incidents that result into damage of natural gas infrastructure, injury or loss of life or property; and

(b) investigations and enquiries into activities of licensees;

(2) The Authority may initiate an investigation:

(a) upon receipt of a complaint by any third party, including a

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customer of natural gas; or

(b) on its own motion.

(3) The Authority may investigate and require a licensee to comply with:

- (a) the relevant quality, safety and reliability design standards applicable to the licensed activity; and
- (b) the applicable environmental law.

(4) Upon investigation, the Authority concludes that a Licensee has not complied with any condition of its license, these Rules or any applicable law, the authority may impose the penalties pursuant to applicable law.

Power to enter for inspection and close facility

41.-(1) The Authority shall have the right to enter the premises for the purpose of conducting an inspection to any facility.

(2) During inspection the Authority may:

- (a) take samples of any substance or articles stored in a facility;
- (b) make copies or take extracts from any book, accounts or records kept on a licensed facility;
- (c) inspect machinery equipment, appliances, meters, fittings and apparatus; and
- (d) inspect any common carrier, facility, or installation.

(3) Notwithstanding any provision in these rules an inspector may, by the order of the Authority, have the power to enter upon any facility and close it down where it has been determined that a natural gas processing activity is being conducted in contravention of these rules.

Prohibited acts against inspectors

42.-(1) A licensee shall not:

- (a) hinder or obstruct the Authority in the exercise of any of the powers conferred upon it under these Rules;
- (b) use abusive, threatening or insulting language to an employee of the Authority;
- (c) deny or fail to comply with a requirement, direction or notice of the Authority; and
- (d) when required by the Authority to answer a question, deny or fail to answer such question to the best of his knowledge, information and belief.

(2) Any person who contravenes the provision of sub-rule (1) commits an offence and shall be liable, on conviction, to a fine of not less than ten million shillings or to imprisonment for a term not exceeding two years or to both.

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Transitional provision 43. Any person who conducts natural gas processing services whether licensed or not shall within twelve months after coming into force of these rules, adjust its operations and upgrade its facilities in order to comply with the provisions of these Rules.

Appeal 44. A person who is aggrieved by a decision, direction or order of EWURA or an authorised officer under this Act may, within fourteen days from the date of the decision, direction or order, appeal to the Fair Competition Tribunal in accordance with the provisions of the Fair Competition Act.

Revocation of GN No. 541 of 2018 45. The Petroleum (Natural Gas Processing) Rules, 2018 are hereby revoked.

Petroleum (Natural Gas)(Processing)

GN. No. 221 (contd.)

FIRST SCHEDULE

(Made under rule 4(2))

APPLICATION FOR CONSTRUCTION APPROVAL OF A NATURAL GAS PROCESSING FACILITY



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

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

<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>	
1. <i>Name of Applying Entity:</i> <input type="text"/>	<i>FOR EWURA USE ONLY</i> <i>Details match with registration authorities?</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i>
2. <i>Registration (attach documents)</i>	
a) <i>Certificate of Incorporation No.....</i> b) <i>Memorandum and Articles of Association</i>	<i>Further action required?</i>

Petroleum (Natural Gas)(Processing)

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c) TIN No	
d) VAT No	

a) <i>Physical address:</i> b) <i>Postal address:</i> c) <i>Landline:</i> d) <i>Facsimile:</i> e) <i>Cellular Phone:</i> f) <i>E-mail:</i> g) <i>Website address:</i>	<i>Date requested</i> <i>Date received.</i> <i>All details completed in full?</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i> <i>Further information required?</i> <i>Date requested</i> <i>Date received.</i>
a) <i>Contact name:</i> b) <i>Position in organisation:</i>	<i>Date requested</i> <i>Date received.</i>

3. *If the applicant is a Joint Venture with other entity, provide particulars:*

a) <i>Official Names of Directors:</i> b) <i>Official Names of Partners:</i> c) <i>Nationality:</i> d) <i>Shareholding (%):</i>	<i>Further action required?</i> <i>Date requested</i>
e) <i>Physical address:</i> f) <i>Postal address:</i> g) <i>E-Mail:</i>	<i>Date received.</i>

Part 1B – Details of Construction

4. *Type of construction approval applied for:*

a) <input type="checkbox"/> <i>Natural Gas Processing</i> b) <input type="checkbox"/> <i>Natural Gas Transportation</i>	<i>FOR EWURA USE ONLY</i> <i>Further information required?</i>
c) <input type="checkbox"/> <i>Natural Gas Distribution</i> d) <input type="checkbox"/> <i>Natural Gas Storage</i>	<i>Further action required?</i>
e) <input type="checkbox"/> <i>Other (specify)</i>	<i>Date received.</i>

5. *Type of application*

a) <input type="checkbox"/> <i>New</i> b) <input type="checkbox"/> <i>Extension</i>	
--	--

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<p>6. <i>Application Fee amount and method of payment</i></p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>a) <i>Amount:</i> <input type="checkbox"/> <i>TShs</i>.....<input type="checkbox"/> <i>US\$</i> </p> <p>b) <i>Mode:</i> <input type="checkbox"/> <i>Cash</i> <input type="checkbox"/> <i>Cheque</i> <input type="checkbox"/> <i>Other</i> <i>(specify)</i></p> </div> <p>7. <i>Fees Payment Receipt No.</i></p>	<p><i>Correct fees paid?</i></p> <p align="center"><input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i></p> <p><i>Further action required?</i></p> <p><i>Action completed?</i></p> <p align="center"><input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i></p>
<i>Part IC – Financial Information</i>	
<p>8. <i>Provide Certified Audited Financial Statements and Accounts for the last 3 years (or latest 3 years) prior to application.</i></p> <p><input type="checkbox"/> <i>last year</i> <input type="checkbox"/> <i>last 2 years</i> <input type="checkbox"/> <i>last 3 years</i></p>	<p><i>All documents submitted</i></p> <p align="center"><input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i></p> <p><i>Further action required?</i></p>
<i>Part ID– Extension of a Construction Approval</i>	
<p>9. <i>Extension applied for:</i></p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>a) <input type="checkbox"/> <i>Natural Gas Transportation</i></p> <p>b) <input type="checkbox"/> <i>Natural Gas Distribution</i></p> </div>	<p><i>FOR EWURA USE ONLY</i></p> <p><i>Further information</i></p> <p align="center"><input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i></p>
<p>10. <i>Please provide reference number of the existing application approval</i></p>	<p><i>Is reference number</i></p>

Petroleum (Natural Gas)(Processing)

GN. No. 221 (contd.)

	<input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i>
	<p><i>Further information</i></p> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i>
<p><i>11. Provide the Duration of Extension</i></p>	<p><i>Action completed?</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i> <i>All details completed in</i></p> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i> <i>Action completed?</i>
<i>Part2 – Enclosures</i>	
<p><i>12. Provide your application with the following documents</i></p>	
<input type="checkbox"/> Project document showing: <ul style="list-style-type: none"> — Project definition — Technical analysis — Financial and economic analysis — Project implementation schedule — The proposed route or corridor of the pipeline — Maximum operating pressure — Technical and financial experts profiles <input type="checkbox"/> Site Maps <input type="checkbox"/> Land-use Plan <input type="checkbox"/> Proof of Land Use Rights <input type="checkbox"/> Environmental Impact Assessment Certificate <input type="checkbox"/> Safety Policy	<p><i>Further information</i></p> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i>

Petroleum (Natural Gas)(Processing)

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<input type="checkbox"/> relevant contracts, agreements, permits, conventions, or memorandum of understanding		
		FOR EWURA USE ONLY

13. State the specific areas to which regulated gas will be supplied.

	Further information
	<input type="checkbox"/> Yes <input type="checkbox"/> No Date received.

Part3- Declaration by the Applicant

I..... (insert name) being..... (insert title/position) hereby declare that I am authorized to make this application on behalf of the applicant (insert the name of the applicant.....). I further declare that to the best of my knowledge the information supplied herein are correct.

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...

BEFORE ME:

COMMISSIONER FOR OATHS

}
DECLARANT

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

Petroleum (Natural Gas)(Processing)

GN. No. 221 (contd.)

SECOND SCHEDULE

(Made under rule 7(1))

APPLICATION FOR A NATURAL GAS PROCESSING LICENSE



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

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

<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>	
1. <i>Name of Applying Entity:</i> <input type="text"/>	FOR EWURA USE ONLY <i>Details match with registration authorities?</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i> <i>Further action required?</i>
2. <i>Registration (attach documents)</i>	
a) Certificate of Incorporation No..... b) Memorandum and Articles of Association c) TIN № d) VAT №	

Petroleum (Natural Gas)(Processing)

GN. No. 221 (contd.)

3. Physical and Postal address

a) Physical address: b) Postal address: c) Landline: d) Facsimile: e) Cellular Phone: f) E-mail: g) Website address: h) Contact name i) Position in organisation
--

<i>Date requested</i> <i>Date received.</i> <i>All details completed in full?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No FOR EWURA USE ONLY
--

4. If the applicant is a Joint Venture with other entity, provide particulars:

a) Official Names of Directors: b) Official Names of Partners: c) Nationality: d) Shareholding (%): e) Physical address: f) Postal address: g) E-Mail:
--

<i>Further action required?</i> <i>Date requested</i> <i>Date received.</i>

Part1B – Details of Application

5. <i>Type of license applied for:</i> a) <input type="checkbox"/> Natural Gas Processing
--

FOR EWURA USE ONLY <i>Further information required?</i> <i>Further action required?</i>
--

6. <i>Type of application</i> a) <input type="checkbox"/> New b) <input type="checkbox"/> Renewal c) <input type="checkbox"/> Extension
--

Correct fees paid? <input type="checkbox"/> Yes <input type="checkbox"/> No
--

7. <i>Application Fee</i> a) Amount: <input type="checkbox"/> TShs..... <input type="checkbox"/> US\$ b) Mode: <input type="checkbox"/> Cash <input type="checkbox"/> Cheque <input type="checkbox"/> Other (specify)

<i>Further action required?</i>

8. <i>Fees Payment Receipt No.</i>

FOR EWURA USE ONLY <i>Action completed?</i>

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<i>Part1C – Financial Information</i>	
<p>9. <i>Provide financial capability either-</i> (a) an audited financial statement; or (b) a bank guarantee or a credit facility; or (c) a bank statement showing a credit balance; or (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> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i></p>
<p>10. <i>Bankers financial references in Tanzania</i> a) Banker’s Name b) Address c) Contact Person Please continue on a separate sheet (if necessary)</p>	<p><i>Further information required?</i> <i>Date requested</i></p>
<i>Part2A – 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>11. <i>Provide detailed description of the project and attach the detailed:</i></p> <div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> Feasibility Study Report of the proposed project including without limitation details of: — <i>Technical analysis</i> — <i>Project implementation schedule</i> <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><i>Further information required?</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i></p>
<i>Part 2B – Enclosure</i>	
<p>12. <i>Provide your application with the following enclosure</i> <i>(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)</i></p> <div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> Business Plan <input type="checkbox"/> Gas Sales/Supply Agreement(s) if any <input type="checkbox"/> Gas Processing Agreement(s) <input type="checkbox"/> Commissioning Report <input type="checkbox"/> As-built Project Drawings <input type="checkbox"/> Emergency Response Plan </div>	<p><i>FOR EWURA USE ONLY</i></p> <p><i>Further information required?</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i></p>

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<input type="checkbox"/> Commissioning Plan <input type="checkbox"/> Distribution System Plan <input type="checkbox"/> Integrity Pledge <input type="checkbox"/> Local Content Plan <input type="checkbox"/> Others (if any)	<i>Date received.</i>
<p>13. <i>State the specific areas to which regulated gas will be supplied.</i></p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>	<p><i>Further information required?</i> <input type="checkbox"/> <i>Yes</i> <input type="checkbox"/> <i>No</i> <i>Date received.</i></p>

<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 this day of20...</p> <div style="text-align: right; margin-right: 50px;"> } DECLARANT </div> <p>BEFORE ME:</p> <p align="center">_____ COMMISSIONER FOR OATHS</p> <p 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>	

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THIRD SCHEDULE

(Made under rule 13(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

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 facility without the written approval of EWURA, nor use the said facility 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			

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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.

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

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

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FOURTH SCHEDULE

(Made under rule 24(3))

APPLICATION FORMAT FOR FACILITY RELOCATION OR ALTERATION



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

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

	Particulars	Response
1.	Name of the licensee	
2.	License Number	
3.	Licensed activity	
4.	Describe the nature of alteration or relocation	
5.	Describe the financial implication (how the project will be funded)	
6.	Describe the environmental and social impact including remedial measures (attach any relevant document)	
7.	Time frame of the proposed alteration or relocation	
8.	Any other relevant information	

Dar es Salaam,
....., 2019

NZINYANGWA E. MCHANY,
Director General