

**THE ZANZIBAR UTILITIES REGULATORY AUTHORITY**  
**NO. 7 OF 2013**

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**THE PETROLEUM FILLING STATIONS REGULATIONS, 2016**  
**[Made Under Section (48)]**

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**IN EXERCISE** of the powers conferred under section 48 of the Zanzibar Utilities Regulatory Authority Act, No.7 of 2013, **I, SALAMA ABOUD TALIB**, Minister for Lands, Water, Energy and Environment do hereby make the following Regulations:

L.N. 84  
of 2016

**CHAPTER ONE  
PRELIMINARY PROVISIONS**

1. These Regulations shall be cited as the Petroleum Filling Stations Regulations of 2016 and shall come into operation on such date as published in the Official Gazette.

Short  
title and  
Commencement.

2. These Regulations shall apply to a person carrying out or intends to construct, operate or upgrade petroleum filling stations in Zanzibar and any other matter related.

Application.

3. In these Regulations, unless the context otherwise requires:

Interpretation.

“Authority” means the Authority established under section 3 of the Zanzibar Utility Regulatory Authority Act and its Acronym ZURA;

“applicant” means a legal or natural person applying for a license;

“person” means as prescribed under ZURA Act;

“decommission” means stop of operation, disposal process and site restoration;

"license" means a petroleum operation license issued under these Regulations and the term licensee shall be construed accordingly;

"Minister" means Minister responsible for petroleum matters;

"Petroleum product" means those fractions derived from petroleum that have commercial value;

"sensitive area" means an area where social or economic activities take place like hospital, park, school or mall;

"storage" means any artificial facilities or reservoir for the storage of petroleum product;

## CHAPTER TWO

### APPLICATION FOR A CONSTRUCTION APPROVAL

Applica-  
tion for a  
construc-  
tion ap-  
proval.

4.-(1) A person shall not construct a petroleum filling station facility without obtaining a construction approval from the Authority as prescribed under these Regulations.

(2) A person who intends to construct petroleum filling station facility shall apply in writing to the Authority by filling Application Form ZURA/01 as prescribed in the Third Schedule of these Regulations, with the following information:

- (a) particulars of the applicant;
- (b) a certificate issued by Zanzibar Environmental Management Authority and an approved Environment Impact Assessment Report;
- (c) land lease document;
- (d) structural and architectural drawings dully signed by Registered Engineer and Registered Architect;
- (e) technical specifications of storage and dispensing facilities;

- (f) a list of facilities to be constructed;
- (g) a list of dispenser and storage tanks;
- (h) pay the prescribed fees for the license to the Authority.

5. The application for a construction approval in regulation 4 shall be accompanied by non-refundable fees as prescribed in First Schedule.

Application to be accompanied by fee.

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

Grant of a construction approval.

(2) The Authority shall, while making a decision whether to grant or deny a construction approval, consider the compliance of law, regulations pertaining to environment, urban planning, occupational safety and health, and any other related rules and standards for any chosen plot planned for the construction of petroleum filling station.

(3) The applicant shall, after issuance of approval, be notified to come and collect the approval.

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

7. Approval and license under these Regulations shall be granted upon the payment of approval or license fee as prescribed in the First Schedule.

Approval or license fees.

8.-(1) A person intending to upgrade or renovate petroleum filling station shall, before commencing of such , upgrading or renovation, apply in writing to the Authority by filling in the Application Form as prescribed by the Authority.

Requirement of upgrading or renovation.



(2) The Authority shall consider the application made under sub regulation (1) and if satisfied with the request will approve in writing such renovation or upgrading.

Valid-  
ity and  
duration  
of con-  
struction  
approval.

**9.-(1)** A construction approval issued by the Authority under regulation 6 shall remain in force for a period of twelve months from the date it was issued.

(2) In the event the holder of the said approval fails to commence construction within the period specified in sub regulation (1), such construction approval shall cease to have effect.

Suspen-  
sion and  
revocation  
of a con-  
struction,  
upgrad-  
ing or  
renovation  
approval.

**10.-(1)** The Authority may, by notice in writing, withdraw or suspend a construction, upgrading or renovation approval, if any of the terms and conditions prescribed under regulation 6 and 7 has not been complied with.

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

(3) The Authority may, by notice in writing, reinstate a construction, upgrading or renovation approval revoked or suspended under sub-regulation (1) if satisfied that the reasons for the revocation or suspension do no longer exist.

Appeal.

**11.** A person who is aggrieved by the decision of the Authority under this Part Pat may lodge an appeal to the Board.

### **PART THREE**

#### **CONDITIONS FOR CONSTRUCTION, UPGRADING OR RENOVATION OF PETROLEUM FILLING STATION**

Criteria  
of plot  
planned  
for

**12.-(1)** The Authority shall consider the compliance of laws, regulations pertaining to environment, urban planning, occupational safety and health, and any other related rules and standards for any

chosen plot planned for the construction and upgrading of filling station.

construc-  
tion of  
petroleum  
filling sta-  
tion.

(2) The minimum plot size shall be 900m<sup>2</sup> including buffer zone for a petroleum filling station without a service bay and 1200m<sup>2</sup> with a service bay.

13.-(1) The petroleum product storage tanks shall be:

Location,  
design  
and instal-  
lation of  
petroleum  
storage  
tanks.

- (a) located underground, clear of the foundations of buildings and not within sensitive areas and shall be separated from fore courts.
- (b) single walled of rolled carbon or mild steel plate or fibre-reinforced plastic material; and
- (c) complied with relevant national and international standards on petroleum equipment.

(2) The locations of tanks with vent pipes, pipe works, fittings, pumps, dispensers and road tanker delivery stands shall be designed in accordance with the Zanzibar Bureau of Standards.

(3) The underground mild steel storage tanks shall be designed, manufactured, inspected and tested in accordance with relevant international petroleum products equipment standards as adopted by the Zanzibar Bureau of Standards.

(4) The tanks shall be placed on inert material such as dry sand in order to avoid corrosion and each compartment of the tank shall be fitted with connections for filling, discharging and venting.

(5) The filling pipe shall be carried down inside the tank not less than 400mm from the bottom of the tank.

14.-(1) The pipelines from tanks to off-set filling points, metering pumps, dispensers and vent pipes shall be channeled below the ground surface not under buildings or other obstructions at a depth not less than 300mm.

Loca-  
tion and  
design of  
pipelines.



(2) The Tubes for pipe work shall comply with Zanzibar Bureau of Standards, or any relevant international standards on petroleum equipment with respect to the thickness specified for medium tubes and, if intended for use with petrol, shall be protected against corrosion by petrol gauze wrapping together with a Poly Vinyl Chloride outer wrap or suitable non-metallic material.

(3) A check valve shall be fitted in each suction pipeline to restrain the fall back of petrol to the tank compartment between delivery operations or during prolonged shut down of the system and special consideration during overnight.

Location  
and design  
of vent  
pipes.

**15.-(1)** The vent pipes shall extend to a height greater than the maximum liquid level in any road tanker likely to deliver petrol to associated tanks and, in any case, not less than 3.5m above ground level.

(2) The off-set filling points shall be in the open air to ensure adequate ventilation for dispersing accumulations of vapor; and separated from occupied buildings.

Dispenser  
and pump-  
ing facili-  
ties.

**16.-(1)** Dispensers shall be:

- (a) digital type;
- (b) calibrated and acknowledged once a year;
- (c) certified and installed in accordance with approved relevant standard on petrol products; and
- (d) installed according to the manufacturer's instructions or procedure.

(2) The dispensers at unattended self-service stations shall include a limiting device designed to prevent a continuous outflow of petrol of more than 50 liters per one delivery.

(3) The Authority shall be present during checking of leakages in the dispensers and pumping units, hoses, nozzles together with associated valves after installation and before operation.

**17.** The minimum distance positioned along each dispenser shall be: Distance between dispenser.

- (a) 6m between adjacent dispensers; and
- (b) 7m parallel dispensers.

**18.** The road tanker stand for delivering white product into storage tanks shall be in the open, away from buildings, dispensing activities and emergency escape routes and large enough to allow a road tanker to be positioned wholly within it during delivery. Position of road tanker.

**19.** A building intended for use as a control point at an attended self-service station shall be located where an attendant at the control point can exercise adequate supervision over dispensing activities. Control point bureau.

**20.-(1)** The petroleum filling stations shall be sited at distance of not less than 1000m from each other on the same section of the single carriage road; this applies to either side of the dual carriage road. Distance from center line.

(2) The petroleum filling stations shall not be allowed on road curves and bends, and shall not be approved at adjoining residential areas.

(3) Car-washing and turbo-drying facilities are to be located so as not to interfere with residential amenities.

**21.** The fore court shall be of macadam or reinforced concrete designed to support the anticipated weight and a traffic area under the canopy shall be in a concrete. Forecourt construction.

**22.** The surface drainage of an area surrounding dispensers and road tanker delivery points shall be designed to handle the leakage of a petroleum product, through trapped gullies, channels, interceptors or oil-water separators before draining from the petroleum filling station. Surface drainage.

**23.-(1)** The buildings and the canopy structures shall be constructed by non-combustible materials and shall comply with relevant Zanzibar laws. Construction material selection.

**17.** The minimum distance positioned along each dispenser shall be: Distance between dispenser.

- (a) 6m between adjacent dispensers; and
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**23.-(1)** The buildings and the canopy structures shall be constructed by non-combustible materials and shall comply with relevant Zanzibar laws. Construction material selection.



(2) The construction of the canopy shall be with a minimum height of 5m.

Electrical  
installa-  
tion.

**24.-(1)** The vent pipes and road tanker delivery stands shall be located away from the area beneath the overhead lines such as medium and high voltage or telephone lines.

(2) Electrical and electronic installations shall comply with the requirements of the Zanzibar Bureau of Standards and any other health and safety requirements recommended for electrical installations as follows:

- (a) a device capable of emitting electromagnetic waves is installed, care shall be taken to ensure that it cannot induce a current or charge which could ignite a flammable material;
- (b) dispenser circuit shall be provided with an isolating circuit breaker for disconnection from the source of electrical energy;
- (c) means of isolation required for individual dispensers, attended self-service service stations controlled from a central control point shall have at each point a means of disconnecting all other forecourt circuits;
- (d) emergency stop shall be installed on every petroleum filling station to switch off the whole electrical power supply in case of electrical incident;
- (e) petroleum filling station site shall be supplied with electricity via underground cables suitably protected against mechanical and environmental damage and routed outside the hazardous areas as specified in Zanzibar Bureau Standards; and
- (f) back-up power supply shall not be located in the vicinity of the hazardous areas.

## CHAPTER FOUR

### PETROLEUM FILLING STATION OPERATION LICENSE

**25.** A person shall not carry out petroleum filling station operations without obtaining petroleum license by filling Application Form ZURA/02 as prescribed in the Third Schedule of these Regulations. Obligation to obtain license.

**26.** The application for a petroleum filling station operation license in regulation 25 shall be accompanied by non-refundable fees as prescribed in the First Schedule of these Regulations. Application accompanied with fee.

**27.-(1)** A person who intends to operate a petroleum filling station shall apply for a new license or renewal of the existing one to the Authority by filling a form as prescribed in regulation 25. Application or renewal of operation license.

(2) Applications for license shall be accompanied with the following information:

- (a) a copy of the construction approval;
- (b) a copy of a valid "Oil Supply Agreement" with a person or company licensed to undertake wholesale business in petroleum;
- (c) certificate of incorporation;
- (d) business plan for five (5) years;
- (e) proof of payment of the application fee;
- (f) land title or lease agreement;
- (g) business license;
- (h) tax clearance certificates;
- (i) land document delivered by the local competent authority; and
- (j) any other additional information that may be necessary to enable the Authority to make a decision regarding the issuing of the operation license.



(3) The Authority may grant the operation license within thirty (30) days from the date of submission of the application.

(4) In case of rejection of such application, the Authority shall notify the applicant of such refusal within thirty (30) days by specifying the reasons.

Grant of a license      **28.-(1)** The Authority may, upon consideration of an application for a license:

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

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

- (a) the applicant's record of compliance with the Act, these Regulations and other applicable laws;
- (b) the compliance of a petroleum filling station on matters related to:
  - (i) safety;
  - (ii) health;
  - (iii) security;
  - (iv) handling of hazardous substances; and
  - (v) environment; and

(d) any other matter relevant to the orderly conduct of petroleum filling station business in Zanzibar.

(3) The Authority may deny issuing a license where it determines that:

- (a) the applicant does not meet the requirements of sub-regulation (2) of this regulation;
- (b) the applicant's activities may not be conducted in accordance with safety, health and environment requirements; or

- (c) the application has violated the mandatory requirements provided under applicable law and the Act.

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

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

**29.** The Authority may reject the application due to the following reasons:

Reasons  
for rejection of  
license application.

- (a) incompleteness of the required information submitted by the applicant within the specified time.
- (b) failure to demonstrate the technical or financial capacity to carry out the licensed activities;
- (c) fraudulent acts, license violations within Zanzibar or other countries;
- (d) failure to comply with the Authority orders, information requests, or other decisions during a prior license term;
- (e) failure to pay outstanding regulatory fees to the Authority as prescribed in the license;
- (f) insolvency, bankruptcy or liquidation of applicant; or
- (g) any other reason that the Authority may find necessary to protect the Zanzibaris.

**30.-(1)** A petroleum filling station license shall expire on 31st day of December of every year.

Duration  
of license.

(2) Application of operation license for the successive year shall be done at least one month before the expiring of the previous license.

**31.-(1)** A License shall not be transferable or assigned from the licensee to another person without prior approval of the Authority.

Transfer  
of license.

(2) Without prejudice to subsection (1), a change of ownership in relation to which license has been issued shall require approval of Authority and subject to the payment of the prescribed fees as prescribe in the First Schedule.

(3) The duration of the license and the license terms and conditions shall remain the same, unless the license transferee requests a license modification as part of the transfer proceedings.

Alteration  
of license.

**32.** The Authority may vary, suspend or remove any of the license conditions or may include additional information or conditions:

- (a) on application by the licensee; or
- (b) in the case of emergency.

License  
modifica-  
tion.

**33.-(1)** A license modification proceeding may be initiated by the Authority or on request of the license holder.

(2) The Authority may modify a license before the expiration of the license term when it determines that an amendment of the license is needed in order to respond to:

- (a) significant changes in the controlling laws or regulations, or significant court decisions that directly affect the license provisions;
- (b) inability of the license holder to comply with controlling license provisions due to events beyond licensee's control;
- (c) changes in the ownership or organizational status of the licensee; and
- (d) significant non-compliance by the licensee with current license provisions, or other Authority rules, decisions or orders.

(3) Modification and transfer of licenses, including the direct or indirect sale, assignment, conveyance, lease or other transfer of assets

or activities subject to a license to a different individual or institution shall be subject to a prior written approval of the Authority.

(4) Such approval shall be granted after consideration of the matter and if the proposed transferee meets all the conditions for granting the relevant license.

(5) Failure to comply with such requirements shall amount to license suspension or revocation.

34.-(1) The license revocation proceeding shall be initiated by the Authority or upon request of the licensee. License suspension and revocation.

(2) The Authority may revoke the license before the expiration of the license term when it determines that revocation is needed in order to respond to:

- (a) failure to comply with license terms and conditions;
- (b) abandonment of licensed activities;
- (c) failure of the licensee to provide the Authority with monitoring and reporting data required by the license conditions or failure to cooperate with the Authority inspection and audits;
- (d) submittal of false or deliberately misleading data or information to the Authority in response to the Authority request or in response to the Authority monitoring reporting inspection or audit requirements;
- (e) failure to provide timely access to the Authority or inspection or audit of licensee facilities and corporate records;
- (f) bankruptcy, financial insolvency or liquidation of licensee; and,
- (g) failure of the licensee to pay the Authority fees.

35.-(1) When the Authority determines that a person is engaged in the operations of a petroleum filling station without operation license, the Authority shall direct that person to cease operation until that person obtains operation license. Cease the operations of a petroleum filling station.



(2) A person who operates the petroleum filling station without valid license, commits an offence and is liable to a fine of not less than Tanzania Shillings equivalent to Three Thousand (3,000) US Dollars.

## CHAPTER FIVE OPERATION AND MAINTENANCE OF A PETROLEUM FILLING STATION

General  
Condi-  
tions to  
operate  
petroleum  
filling sta-  
tion.

**36.** The Authority shall inspect the petroleum filling station before operation, to ensure its condition is safe for public access and use, these include:

- (a) initial tests of tanks, pipelines and fittings including electrical installations have been carried out and certified;
- (b) the site is free from combustible materials;
- (c) emergency equipment has been installed and working properly;
- (d) warnings and information notices are in place;
- (e) marking and identification of tanks and associated equipment have been accurately carried out;
- (f) drainage, intercept or sand liquid waste treatment unit if needed are installed and properly connected; and
- (g) standards adopted in operations are kept at the station premises.

Delivery  
and stor-  
age activi-  
ties.

**37.** The licensee shall ensure:

- (a) reasonable care is taken to prevent release of petroleum from vapor balancing system at ground level;
- (b) hoses prior to delivery of petroleum product is connected and the vapor hose shall be connected before the delivery hose;
- (c) road tankers which loaded petroleum product has a hose which take petroleum product into the tank and another hose for collecting vapor displaced out of the tank to the recovery unit;



- (d) on completion of the delivery operation and the vapor hose shall not be disconnected until the delivery hose has been discharged and disconnected;
- (e) tank gauging system be installed to underground tanks to avoid overflow of petroleum products; and
- (f) tanks be filled to an acceptable safe filling level corresponding to approximately 90% of capacity.

**38.**-(1) Dispensing equipment shall be operated in accordance with the manufacturer's instructions. Dispensing operations.

(2) Electronic equipment transmitting signals such as receivers, radios, mobile telephones and engines of vehicles shall be switched off at the vicinity of dispensing equipment at a filling station.

(3) The petroleum product shall be dispensed only by means of dispensing equipment into the fuel tanks of engines or into appropriately marked or labeled portable containers suitable for keeping petroleum product.

(4) Containers shall be securely closed as soon as dispensing finishes and shall be removed from the dispensing area promptly.

(5) Operators or petroleum filling stations attendants shall always stay with the nozzle while refueling.

(6) At an attendant operated petroleum filling station, the attendant shall not allow customers to operate the equipment with or without supervision.

(7) An operating attendant shall not be under the age of eighteen (18) years.

**39.** The licensee shall ensure the following:

Facilities  
identifica-  
tions.

- (a) tanks are marked with an identifying number to distinguish it from any other tank;
- (b) in the case of multi-compartment tanks, each compartment is marked with a separate number and type of fuel with specific color;
- (c) the blue color is for petrol, grey for diesel and yellow for kerosene;
- (d) dispensers, dispensers' panels and dispenser pumps, are clearly marked with the words to indicate the type of product dispenser as prescribed in the Second Schedule;
- (e) the pump price is displayed and visible to customers in local currency and the volume of product dispenser in liters.

A petroleum price bill board.

**40.-(1)** A petroleum price billboard shall be erected conspicuously at a retail outlet as a free standing structure or as part of the prime sign.

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

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

Warning signs.

**41.-(1)** Warning notices and pictogram shall be boldly displayed at a petroleum filling station for customers, visitors and attendants to communicate the following:

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

(2) The notices and pictogram described in sub regulation (1) of this regulation shall be installed in the vicinity of a dispensing pump, underground tanks, filling points and vent pipes and shall be conspicuous from a distance of 3 to 5 meters.

**42.** At all petroleum filling stations:

- (a) a supply of dry sand, foam or similar absorbent material shall be kept in a container with a close fitting lid and shall be installed in an accessible place within canopy area;
- (b) management emergency plan; and
- (c) any other fire and emergency equipment, including at least one fire extinguisher for each pump island, fire alarms which shall be available and accessible at the service station in an open space.

Fire and  
emergen-  
cy equip-  
ment.

**43.-(1)** The licensee shall conduct regular maintenance of equipment as specified by the manufacturers and general maintenance of the tanks and their accessories on a five year basis.

Regular  
mainte-  
nance,  
repair and  
cleaning.

(2) Modification, significant repair, removal or abandonment of tanks, tank compartments, pipelines, metering pumps, dispensers and associated equipment shall be carried out after being drained, free from fuel vapor.

(3) Subject to sub regulation (1) and (2) of this regulation, major works shall be under the control of the accredited competent technicians by the concerned oil marketing companies together with the Authority.

**44.-(1)** The licensee shall report the occurrence of major or significant petroleum spill or leakage immediately within twenty four (24) hours to the Authority including:

Reporting  
hazards.

- (a) the location, address and date of the incident;
- (b) a brief description of events leading to the incident;

- (c) accidents, injuries or fatality to people or property;
- (d) the corrective action, if any, which was taken at the time;
- (e) the emergency services such as police, fire, ambulance;  
or
- (f) any other emergencies authority.

(2) If the licensee fails to comply with the satisfaction of the Authority, the Authority may cause such steps to be taken as may be necessary to clean up the petroleum spill or leakage and to restore the petroleum filling station or premises.

(3) The licensee involved in the spill shall be liable to pay compensation for consequential damages to public or private property or resources which may be beyond the direct clean up and restoration cost, notwithstanding his right to recover damages from the holders or any third party which caused the spill negligence or willful misconduct.

(4) The small leaks or spills shall be cleared up promptly by using dry sand or other absorbent material.

(5) A person contravenes with sub regulation (1) of this regulation, commits an offence and is liable to a fine of not less than Tanzania Shillings equivalent to Three Thousand (3000) US Dollars.

Decom-  
mission-  
ing of  
petroleum  
filling  
station  
facilities.

**45.-(1)** The licensed facility may, subject to the provisions of these Regulations be decommissioned:

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



(2) The licensee seeking to decommission a licensed facilities shall notify the Authority not less than thirty (30) days prior to such decommissioning in order to enable the Authority make necessary inspection and to issue necessary approval.

(3) Notwithstanding any provision of this regulation, a licensee shall pay all cost associated with the decommissioning facilities, where such decommissioning has been done following the request of the licensee or by the order of the Authority.

**46.** A person who fails to decommission the petroleum facility, commits an offence is liable to a fine of not less than Tanzania Shillings equivalent to Three Thousand (3000) US Dollars. Failure to decommission.

**47.-(1)** A tank which has been removed from the excavation shall be disposed off safely and filled with the acceptable material filler (polyurethane foam); and the removal of pipe work shall comply with requirements of relevant authorities; Disposal of petroleum filling station facilities.

(2) A person or licensee contravenes this regulation, commits an offence and is liable to a fine of not less than Tanzania Shillings equivalent to Three Thousands (3000) US Dollars.

**48.-(1)** The Authority after confirming the decommissioned facility and the licensee restored the area to its original state, may issue a certificate of compliance to the licensee. Site restoration.

(2) For the purpose of sub regulation (1) of this regulation, restore means to:

- (a) return the area in which licensed facility is located into its original and natural state as it is prior to installation of that facility; and
- (b) render the area in which licensed facilities located or part thereof, compatible with its intended after-use including:



- (i) removing building, structures, plant and debris;
- (ii) establishing compatible contours and drainage;
- (iii) replacing top soil, re-vegetation, slope stabilization;  
and
- (iv) in filling excavations.

(3) Notwithstanding with the provision of sub regulation (2)(b)(i) of this regulation, the licensee may not after the approval of the Authority, decommission the building or structure in which he intends to use such building or structure for other purpose not associated with petroleum facilities.

## CHAPTER SIX

### GENERAL OBLIGATIONS FOR OPERATING PETROLEUM FILLING STATION

General  
obligations  
of operator  
of petroleum  
filling sta-  
tion.

**49.-(1)** An operator of petroleum filling station shall at all times:

- (a) comply with:
  - (i) any applicable law;
  - (ii) these Regulations;
  - (iii) orders and directions of the Authority;
  - (iv) applicable codes and standards on safety, hazardous substances, security, health and environment; and
  - (v) Good Petroleum Industry Practices;
- (b) ensure that it inspect and clean its storage facilities at least once in every five years in accordance with Good Petroleum Industry Practices;
- (c) procure a petroleum product from an authorized wholesaler and establish and maintain records of such procurements pursuant to the applicable law and orders and directives of the Authority;

- (d) establish and maintain records pursuant to the applicable law and orders and directives of the Authority;
- (e) as soon as practicable, but in any event not later than twenty-four hours after the fact, notify the Authority of the occurrence of a dangerous situation or incident within the licensed facility and steps taken or proposed to be taken by such operator to remedy such situation;
- (f) not off-load a petroleum product from any vehicle to a petroleum filling station from 18:00 hours to 06:00 hours;
- (g) provide the Authority with full access to its records, documents, sites and assets pursuant to these Regulations and applicable law;
- (h) ensure the safe disposal of any petroleum product;
- (i) procure and maintain in force a valid insurance cover in respect of all liabilities that may arise from the conduct of its licensed activity;
- (j) not keep fireworks or any other instruments or products in or near a licensed facility that might pose a risk of fire or otherwise;
- (k) ensure that its petroleum products comply with the approved specifications;
- (l) 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 the operator at a licensed facility shall perform the duties of a supervisor;
- (m) ensure that a licensed facility and related equipment are calibrated for correct measurements and are in good working condition in accordance with approved specifications and Good Petroleum Industry Practices;
- (n) pursuant to the written directives of the Authority, monitor, record and reconcile all stocks of a petroleum product

delivered to, stored in and dispensed from a licensed facility;

- (o) submit to the Authority in weekly basis all records described in paragraph (n) of this sub regulation;
- (p) retain for not less than twelve months and make available to the Authority on demand, records of the activities described in paragraph (n) of this sub regulation;
- (q) promptly notify the Authority of any apparent loss or gain of a petroleum product that is outside normal operating patterns;
- (r) maintain and make available to the Authority on demand documentary evidence demonstrating that all electrical equipment and installations in a licensed facility relevant to the delivery, storage and dispensing of a petroleum product, and to areas where inflammable gases or vapors capable of producing explosive or ignitable mixtures may occur; comply with approved specification and installation procedures in accordance with existing codes or applicable law;
- (s) display in a conspicuous place at licensed facility a license or a certified copy thereof;
- (t) print a license number on all accounting documents employed in its licensed activity, including invoices, delivery notes and receipts;
- (u) not engage in any activities that disrupt or interfere with competition; and
- (v) ensure that petroleum filling station has at least two clean public toilets one for Gents and one for Ladies.

(2) A person who refuses or fails to furnish records or statement as required under paragraph (o) of sub regulation (1) of this regulation or furnishes false data to the Authority, commits an offence and is liable to

a fine of not less than Tanzania Shillings equivalent to Two Thousand Five Hundred (2500) US Dollars.

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

Protection of lives and property.

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

(2) An operator shall dispose of a waste petroleum product in a manner and at a place intended for the safekeeping and dumping of such products pursuant to applicable law and Good Petroleum Industry Practices.

**51.**-(1) An operator shall be obliged to compensate any person who suffered any loss of life or property as a result of a licensed activity.

Compensation for loss suffered.

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

(3) In the event no settlement is reached under sub regulation (2), a person who has suffered 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 ZURA Act.

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

**52.** An operator shall ensure that it procures adequate insurance cover for a petroleum product, environment, personnel, customers and visitors of a licensed facility.

Insurance.



Confidential  
information.

**53.**(1) An information received by the Authority from an operator pursuant to these Regulations and applicable law shall be presumed to be not confidential.

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

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

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

## **CHAPTER SEVEN MONITORING AND ENFORCEMENT**

Monitoring. **54.**-(1) The Authority shall monitor the performance of each licensee for full compliance with all terms and conditions of the license.

(2) The Authority shall include terms and conditions in the license requiring licensee to report on financial, technical, organization and other data needed to allow the Authority to effectively monitor license compliance and progress toward a competitive market place;

(3) The Authority may also perform physical inspections of the license holder's facilities and corporate records on license holder's premises, these inspections may be conducted on an announced and unannounced basis.

(4) The inspections and audits shall be conducted during normal business hours, except when the Authority has a reasonable basis to believe that non-compliant activities occurring outside of normal business hours.



**55.**-(1) If the licensee fails to comply with any term or condition of the license, the Authority shall send a written warning to the licensee including a deadline for correction of the alleged license violation. License enforcement action.

(2) If the licensee fails to comply with the written warning, after receipt, the Authority may proceed for further actions which may consist fine or imprisonment or revocation.

**56.**-(1) The Authority shall handle any complaints for the sustainable operations in downstream petroleum industry. Handling of complaints.

(2) The Authority shall handle various types of complaints received from consumers or petroleum filling stations' operators.

## CHAPTER SIX OFFENCES AND PENALTIES

**57.** A person who contravenes the provisions of these Regulations, commits an offence, where no specific penalty has been prescribed, is liable to a fine of not less than Tanzania Shillings equivalent to Five Hundreds (500) US Dollars and surcharge of two percent of the amount in default for each day of default. General offences.

**58.** A person who is in continuous breach of these regulations, commits an offence and is liable to a fine to not less than Tanzania Shillings equivalent to One Thousand (1000) US Dollars for every day on which the contravention occurs or continuous. Penalty for continued defiance.

**59.** Payments under these Regulations are a debt due to the Government and shall be recovered in accordance with any relevant law. Recovery of payment.

**60.** Where the applicant is not satisfied with the decision of the Authority may appeal before the High Court. Appeal.

## CHAPTER SEVEN MISCELLANEOUS PROVISIONS

Licensee obligations. **61.**-(1) The licensee shall operate and maintain the petroleum filling stations facility, and shall comply with:

- (a) national and international standards;
- (b) the Environmental Impact Assessment Guidelines;
- (c) the Occupational Health and Safety Guidelines; and
- (d) laws and regulations protecting the consumers in general.

(2) The licensee shall always:

- (a) not allow loading or off-loading on its premises petroleum road tankers carrying out petroleum products that do not comply with the requirements of petroleum quality standards; and
- (b) provide to the Authority all the required information as specified under these Regulations.

Compliance with environmental laws and standards. **62.**-(1) An operator of petroleum filling station shall comply with the requirements of all applicable environmental laws and standards related to the licensed facility.

(2) Subject to applicable law an operator of petroleum filling station shall:

- (a) carry out an environmental impact assessment before establishing a licensed facility, or making a major improvement to an existing facility;
- (b) take all necessary preventive measures to avoid pollution resulting from operating its pumping stations, treatment plants, or networks;
- (c) observe strict environmental, health, and industrial safety standards as required by applicable law; and

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

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

**63.-(1)** Where saleable petroleum product is available or stored at the petroleum station, licensees shall ensure that pumpers under his license sell the petroleum product. Obligation to sell petroleum.

(2) A licensee contravenes sub regulation (1) of this regulation, commits an offence and is liable to a fine equivalent to twice value of the available or stored product.

**64.-(1)** A person intended to operate a petroleum filling station receive adequate theoretical training and practical instructions to ensure that person fully understands the hazardous characteristics of petroleum product, the operational and emergency procedures at the petroleum filling station. Training for filling station attendants.

(2) The training of fuel dispensing attendants includes procedures of:

- (a) supervising the dispensing of flammable and combustible liquids;
- (b) taking appropriate measures to prevent sources of ignition from creating a hazard at dispensers;
- (c) taking action in the event of spill to reduce risks of fire;
- (d) loading and off-loading procedures; and
- (e) shutting off the power to all dispensers in the event of a spill or fire.

**65.-(1)** A person intends to construct, upgrade or operate a petroleum filling station shall comply with the provisions provided under these Regulations. Transitional period.

(2) A person who commences construction, upgrading a petroleum filling station after the effective date of these Regulations shall submit an application for construction or an operation license in due form prior to commence of such activities.

(3) In case of existing petroleum filling station, the Authority has a right to demand the licensee to fulfill the condition stipulated in this regulation in the specified manner and time as deem fit.

Repeal  
of Legal  
Notice  
No. 11  
of 2016  
and other  
regula-  
tions.

**66.-(1)** The Legal Notice No. 11 of 2016 (Petroleum Filling Stations Regulations) is hereby repealed.

(2) All prior regulations made by other authorities relating to management of petroleum filling stations are hereby repealed.



**FIRST SCHEDULE**  
**APPLICABLE FEES**  
**(Made Under Regulation 5, 7 and 26)**

S/N	Application Fees	Amount (USD)		
1.	Application fees for construction approval	150		
2.	Application fees for renewal of construction approval	100		
3.	Application fee for operation license for petroleum filling station without bay	100		
4.	Application fee for operation license for petroleum filling station with bay	150		
License/Approval Fees				
	Urban West Region of Unguja	Northern and Southern Regions of Unguja	The Whole of Pemba Island	
1.	Fee for construction approval	USD 300	300 USD	USD 300
2.	Fee for renewal construction approval	USD 150	150 USD	USD 150
3.	Fee for operation license without bay	USD 1000	USD 500	USD 500
4.	Fee for operation license with bay	USD 1500	USD 750	USD 750

**SECOND SCHEDULE  
PETROLEUM PRODUCTS  
(Made Under Regulation 39)**

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1359

S/No.	TYPES OF PETROLEUM PRODUCTS
1.	PREMIUM MOTOR SPIRIT (PMS)
2.	ILLUMINATING KEROSENE (IK)
3.	AUTOMOTIVE GAS OIL (AUTOMOTIVE DIESEL) (AGO)
4.	INDUSTRIAL DIESEL OIL (IDO)
5.	HEAVY INDUSTRIAL FUEL

**REVOLUTIONARY GOVERNMENT OF ZANZIBAR UTILITIES  
REGULATORY AUTHORITY**

**APPLICATION FOR GRANTING, RENEWAL OR TRANSFER OF APPROVAL  
FOR THE CONSTRUCTION, RENOVATION OR UPGRADING OF  
PETROLEUM FILLING STATION**

(Made Under Section 4 of the Petroleum Filling Stations Regulations, 2016)

Granting <input style="width: 40px;" type="checkbox"/>	Renovation/Upgrading <input style="width: 40px;" type="checkbox"/>	Transfer <input style="width: 40px;" type="checkbox"/>
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**A. APPLICANT'S DETAILS**

Individual <input style="width: 40px;" type="checkbox"/>	Company <input style="width: 40px;" type="checkbox"/>	Cooperative <input style="width: 40px;" type="checkbox"/>	Other <input style="width: 40px;" type="checkbox"/>
Name of Individual, Cooperative or the Company :			
Business Registration No :			
Details of Company or Cooperative Representatives			
Full Name: .....			
ID Number / Passport Number: .....			
Position Held: .....			
Contact Address: .....			
Email Address: .....			
Telephone: .....			
Address of the location of the intended Petroleum-filling station			
Region: ..... District: .....			
Shehia: ..... Phone: ..... Email: .....			

**B. PRODUCT NAME TO BE STORED IN THE PREMISES:**

PRODUCT NAME	NO. OF TANKS	TOTAL CAPACITY TANKS
MSP		
GO		
IK		

Application Fee for First Approval USD 150

Application Fee for Renewal Approval USD 100

Cash or cheque should be deposited into ZURA's (Mamlaka ya Udhhibiti wa Huduma za Maji na Nishati Zanzibar) Bank Account No. 021103000695 (TZS) or 022103000079 (USD) People's Bank of Zanzibar Ltd., and submit the original Pay In Slip to ZURA offices. Please write your company name and purpose of deposit.

Has the Applicant or any of its shareholder/his promoter been previously granted construction Approval by the Regulatory Authority?		
<div>YES</div> <div>NO</div>		
If Yes,		
Approval Name	Activity	Approval No
1. ....	.....	.....
2. ....	.....	.....



## Details of Previous Approval Holder

Name: .....

ID No. /Passport No: .....

Business Registration No: ..... Address: .....

Phone : ..... Email : .....

## D. DECLARATION BY APPLICANT

I, the undersigned applicant, hereby confirm that to the best of my knowledge, the information contained in this application is true and correct, and that it represents accurately the data being requested.

I undertake to inform the Authority of any change in the information contained in this application, and I authorize the Authority to carry out the necessary investigations in order to verify this information.

I understand that with the grant of the license I am automatically being subjected to the conditions listed in the Act and its Regulations.

Name:..... Signature:..... Date: .....

## E. FOR OFFICE USE ONLY

DATE RECEIVED .....

APPLICATION APPROVED/NOT APPROVED      SIGNATURE.....

ISSUED ON: ..... ISSUED BY .....

**The application shall be accompanied with the following documents:**

1. a certificate issued by Zanzibar Environmental Management Authority and an approved EIA Report;
2. land lease document;
3. structural and architectural drawings dully signed by Registered Engineer and Registered Architect;
4. technical specifications of storage and dispensing facilities;
5. a list of facilities to be constructed;
6. a list of dispenser and storage tanks;

**REVOLUTIONARY GOVERNMENT OF ZANZIBAR  
ZANZIBAR UTILITIES REGULATORY AUTHORITY**

**APPLICATION FOR THE GRANTING, RENEWAL OR TRANS-  
FER OF AN AUTHORISATION TO OPERATE PETROLEUM  
FILLING STATION**

**(Made Under Section 25 of the Petroleum Filling Stations Regulations, 2016)**

Granting <input style="width: 50px; height: 20px;" type="checkbox"/>	Renewal <input style="width: 50px; height: 20px;" type="checkbox"/>	Transfer <input style="width: 50px; height: 20px;" type="checkbox"/>
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**C. APPLICANT'S DETAILS**

Individual	<input type="checkbox"/>	Company	<input type="checkbox"/>	Cooperative	<input type="checkbox"/>	Other	<input type="checkbox"/>
Name of Individual, Cooperative or the Company:							
Business Registration No:							
Details of Company or Cooperative Representatives							
Full Name: .....							
ID Number / Passport Number: .....							
Position Held: .....							
Contact Address: .....							
Email Address: .....							
Telephone: .....							

**B. PRODUCT NAME BEING SUPPLIED TO PETROLEUM-FILLING STATION:**

PRODUCT NAME	NO. OF TANKS	TOTAL CAPACITY IN LTS
MSP		
GO		
IK		
JET A-1		
AVGAS		

Application Fee for Service without Bay USD 100

Application Fee for Service with Bay USD 150

Cash or cheque should be deposited into ZURA's (Mamlaka ya Udhambi wa Huduma za Maji na Nishati Zanzibar) Bank Account No. 021103000695 (TZS) or 022103000079 (USD) People's Bank of Zanzibar Ltd., and submit the original Pay In Slip to ZURA offices. Please write your company name and purpose of deposit.

**C. OPERATIONAL DETAILS**

Please indicate details on the Petroleum-filling station		
Petroleum-filling station with bay	Petroleum-filling station without bay	
Address of Petroleum-filling station:	No. of Dispensers:	
Name:.....		
Location/street: .....	Total No. of Nozzles:	
Shehia: .....		
District: .....		
Region: .....		
Phone:.....		
Email:.....		



## D. LICENSING HISTORY OF THE APPLICANT

Has the Applicant or any of its shareholder/his promoter been previously licensed by the Regulatory Authority?		
YES		NO
If Yes,		
License Name	Activity	License No
1. ....	.....	.....
2. ....	.....	.....
<p>Details of Previous License Holder</p> <p>Name: .....</p> <p>ID No. /Passport No: .....</p> <p>Business Registration No: ..... Address: .....</p> <p>Phone : ..... Email : .....</p>		

**DECLARATION BY APPLICANT**

I, the undersigned applicant, hereby confirm that to the best of my knowledge, the information contained in this application is true and correct, and that it represents accurately the data being requested.

I undertake to inform the Authority of any change in the information contained in this application, and I authorize the Authority to carry out the necessary investigations in order to verify this information.

I understand that with the grant of the license I am automatically being subjected to the conditions listed in the Act and its Regulations.

Name:..... Signature:..... Date: .....

**E. FOR OFFICE USE ONLY**

DATE RECEIVED .....

TRADING LICENSE NO.: ....

APPLICATION APPROVED/NOT APPROVED      SIGNATURE .....

ISSUED ON : .....

ISSUED BY .....

The application shall be accompanied with the following documents:

1. a copy of the construction approval;
2. a copy of a valid "Oil Supply Agreement" with a person or company licensed to undertake wholesale business in petroleum;
3. certificate of incorporation;
4. business plan for five (5) years;
5. proof of payment of the application fee;
6. land title or lease agreement;
7. business license;
8. tax clearance certificates;
9. land document delivered by the local competent authority;
10. any other additional information that may be necessary to enable the Authority to make a decision regarding the issuing of the operation license.

**SIGNED** on this ..... day of ..... 2016.

{ SALAMA ABOUD TAALIB }  
*Minister For Lands, Water, Energy  
And Environment*