

THE PETROLEUM ACT

(*Cap.* 308)

THE PETROLEUM (LUBRICANTS FACILITY CONSTRUCTION
AND BUSINESS LICENSING) (NO. 2) REGULATIONS, 2025

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THE PETROLEUM ACT

(Cap. 308)

IN EXERCISE of the powers conferred by section 101 the Petroleum Act, the Cabinet Secretary for Energy and Petroleum makes the following Regulations—

THE PETROLEUM (LUBRICANTS FACILITY CONSTRUCTION AND BUSINESS LICENSING) (NO. 2) REGULATIONS, 2025

PART I – PRELIMINARY

18. These Regulations may be cited as the Petroleum (Lubricants Facility Construction and Business Licensing) (No.2) Regulations, 2025. Citation.
19. In these Regulations, unless the context otherwise requires— Interpretation.
- “Act” means the Petroleum Act; Cap. 308.
- “agent” means a person appointed in writing by the Authority to perform any of its functions;
- “Authority” means the Energy and Petroleum Regulatory Authority established under section 9 of the Energy Act; Cap. 314.
- “blending” means a process by which components of a lubricant are mixed to create a final product;
- “bulk lubricants road transportation” means the transportation in bulk of lubricants by road and does not include packaged lubricants;
- “bulk” means lubricants in a receptacle of capacity exceeding one thousand (1000) litres;
- “contractor” means a person registered under section 15 of the National Construction Authority Act; Cap. 118.
- “emergency works” includes all such works necessary to prevent the occurrence or further deterioration, damage, disaster, accident or incident that could seriously affect persons, property or the environment;
- “environment liability policy” means a statement of commitment by a party to the laws, regulations and other policy mechanisms concerning environmental issues;
- “Kenya Bureau of Standards” means the body responsible for standards in Kenya as established under the Standards Act; Cap 496
- “licence” has the meaning assigned to it under the Act;
- “licensing authority” means a person granted the power to issue, suspend or revoke a licence under the Act;
- “lubricants business” means a concern carrying on the importation, blending or bulk storage of lubricants;
- “lubricants facility” means a facility that is or can be used for receiving in bulk, blending, bulk storage, loading and offloading in bulk of lubricants but does not include retail dispensing sites;

“lubricants” means natural or synthetic oils, greases and fluids whose fundamental applications include reduction of friction and wear between moving parts in machinery, hydraulic power transmission, electrical insulation, heat transfer and sealing systems in machinery and equipment;

“modification” means any change in the facility that alters the existing technical design, storage capacity or impacts on compliance with local health, environmental and safety legal requirements or any change requiring local authority approval;

“person” means any natural or juridical person; and

“third parties” means other persons or entities who interact with the licensee’s premises in the course of doing business.

3. (1) These Regulations shall apply to the—

Application.

(i) construction of lubricants facilities; and

(j) licensing of lubricants import, export, blending, storage and wholesale businesses.

PART II –CONSTRUCTION PERMIT FOR A LUBRICANTS FACILITY

4. (1) A person shall undertake construction works or modification of a lubricant’s facility in accordance with the terms and conditions of a construction permit issued under the Act.

Requirement for a construction permit.

(2) Notwithstanding sub-regulation (1) emergency works may be undertaken without a construction permit provided that the approval from the Authority is sought within sixty days of commencement of the works.

(3) The emergency works in sub-regulation (2) may include construction works meant to prevent the escalation of an oil spill, gas release or fires.

(4) A person who undertakes the construction of a lubricants facility without a construction permit issued by the Authority commits an offence and is liable on conviction to a fine not exceeding one million shillings.

5. (1) A person who wishes to construct a lubricants facility shall make an application for a construction permit to the Authority in the form prescribed in Part I of the First Schedule.

Application for a construction permit.

(2) The application in sub-regulation (1) shall meet the requirements set out in Part II of the First Schedule and shall be accompanied by —

(a) a copy of detailed engineering designs and specifications prepared by a professional engineer or firm;

(b) a priced bill of quantities prepared by the respective class of engineers;

(c) an outline of the methods of financing the project;

- (d) proof of ownership of the land on which the lubricants facility is to be constructed;
- (e) a letter of allotment from the relevant Authority in case the title deed is yet to be issued;
- (f) a registered lease for a minimum period of five years in case the land is not in the name of the entity undertaking the development;
- (g) an environmental and social impact assessment licence issued by National Environment Management Authority;
- (h) an approval from the relevant county government;
- (i) an environment liability policy; and
- (j) proof of payment of the construction fees set in the Sixth Schedule.

(3) The engineering designs in sub-regulation (2) (a) shall, at minimum, take into consideration the provisions of the relevant Kenya Standards.

6. (1) The Authority shall review an application submitted in regulation 5 within forty-five days of receipt.

Determination of application for a construction permit.

(2) The Authority shall grant a construction permit to the applicant, provided that the application meets the prescribed requirements.

(3) Where the application for a construction permit is rejected, the Authority shall notify the applicant of such rejection within seven days of such a decision being made.

(4) The notification in sub regulation (3) shall specify the reasons for the rejection.

(5) Where the rejection relates to incomplete information, the applicant may make a fresh application by providing requisite information or documents.

(6) Where the rejection relates to the unsuitability of the site, the decision of the Authority shall be final and if the applicant is not satisfied with the Authority's decision, the applicant may lodge an appeal at the Tribunal.

7. (1) A construction permit for a lubricants facility shall be in the form set out in Part III of the First Schedule.

Form and validity of a construction permit.

(2) A construction permit shall be valid for a period of twelve months from the date of issue.

(3) Where the construction work has commenced within twelve months from the date of issue, the construction permit shall be valid for a maximum period of thirty-six months from the date of issue.

(4) The holder of a construction permit may make an application for extension of the validity period by submitting the documents set out in regulation 5 (2).

(5) The extension of the validity period of a construction permit shall be to a maximum of —

- (a) twelve months where construction work has not commenced; and
- (b) twenty-four months where construction work has commenced.

(6) An applicant shall be required to make a fresh application where the construction permit cannot be extended as provided in sub-regulation (5).

(7) A construction permit shall cease to be valid if —

- (a) the permit is suspended or revoked by the Authority in accordance with the provisions of section 89 of the Act, for non-compliance with any term or condition; or
- (b) execution of the works has not commenced at the expiry of twelve months from the date from which the construction permit was granted or upon the expiration of any extended period that the Authority may allow.

8. (1) In undertaking the construction of a lubricants facility, the construction permit holder shall—

Obligations of a construction permit holder.

- (a) comply with the terms and conditions of the construction permit;
- (b) engage contractors who are licenced by the National Construction Authority for their class of work;
- (c) comply with the Environmental Impacts Mitigation Plan approved by National Environment Management Authority;
- (d) comply with the Government policy on local content; and
- (e) comply with directions issued by the Authority from time to time.

(2) A person who contravenes this regulation commits an offence and shall, on conviction, be liable to the penalty set out under section 124 of the Act.

PART III – LICENSING OF A LUBRICANTS BUSINESS

9. (1) A person shall not conduct a lubricants business or operate a lubricants facility except in accordance with the terms and conditions of a lubricants facility licence or lubricants business licence issued by the Authority.

Requirement for a licence.

(2) The lubricants offered for sale shall comply with the applicable product quality standards approved by the Kenya Bureau of Standards and any other written law.

(3) A person who contravenes this regulation commits an offence and shall, on conviction, be liable to a penalty of not more than one million shillings.

10. (1) A person who wishes to apply for a lubricants business licence or facility licence shall make an application to the Authority in the form prescribed in Part 1 of the Second Schedule accompanied by the documents specified in Part II of the Second Schedule. Application for a licence.
- (2) The application in sub-regulation (1) shall be accompanied by proof of payment of the applicable fees set out in the Sixth Schedule.
- (3) The Authority may request additional documentation in support of the application for licence in sub-regulation (1).
- (4) The Authority shall review an application submitted under sub-regulation (1) within thirty days of receipt.
- (5) The Authority, upon consideration of the application, may grant a lubricants business licence or facility licence without conditions or subject to such conditions as the Authority may consider necessary.
- (6) The Authority shall reject an application where such an application does not meet the requirements for granting a lubricants business licence.
- (7) Where the Authority rejects an application for a lubricants business licence, the Authority shall give the applicant reasons for the rejection in writing within seven days of such rejection.
11. An application for a lubricants business licence shall be accompanied by an environment liability policy in the form set out in the Eighth Schedule. Environmental liability policy.
12. (1) A lubricants business licence or facility license issued under these Regulations shall be in the form set out in the Fifth Schedule. Form and duration of licence.
- (2) A lubricants business facility licence shall be valid for a period of twelve months or as set out in the license.
13. (1) An application for renewal of a lubricants business licence shall be made to the Authority or its agents at least thirty days prior to the expiry date. Renewal of a licence.
- (2) An application for renewal in sub-regulation (1) shall be in the form prescribed in Part 1 of the Second Schedule and shall be accompanied by the documents set out in the Third Schedule and proof of payment of the prescribed fees as set out in the Sixth Schedule.
- (3) Where an application for renewal of licence is made thirty days prior to the expiry date but the Authority does not make a decision when the licence expires, the lubricants business licence or facility licence shall be deemed valid until such a time that the Authority shall deal with the application.
14. (1) A person may make an application for amendment of a lubricants business licence in the form set out in the Fourth Schedule. Amendment of licence.
- (2) An application for the amendment of a lubricants business licence shall be accompanied by proof of payment of the prescribed fees as set out in the Sixth Schedule.

(3) An amended lubricants business licence shall have a new issue date but shall retain the existing expiry date.

(4) A lubricants business licence amended under sub-regulation (3) shall contain the word “Amended” in the title.

15. (1) A lubricants business licensee shall —

Obligations of a
Lubricants
business licensee.

- (a) require that third parties using or servicing its facilities to be in possession of valid licences, permits or certificates to carry out such services;
- (b) use road tankers for bulk lubricants road transportation that comply with Kenya Standards and have valid petroleum road tanker permits issued under the Act;
- (c) use petroleum road tanker drivers who are certified for that purpose under the Act;
- (d) submit information to the Authority as required under the Act and any Regulations made thereunder, including source and quantity of raw materials, records of packaging materials, purchase and sales data and any other information requested by the Authority;
- (e) purchase or acquire lubricants only from other lubricants business licensees or a licensed blending plant, except in the case of importation of lubricants;
- (f) obtain a consent from the Authority prior to transferring or otherwise divesting any rights, powers or obligations conferred or imposed upon the licensee by the licence or permit;
- (g) inform the Authority or its agents in writing of any changes of address or any other material particulars submitted as part of the application for the licence within thirty days of the relevant change taking effect; and
- (h) at all times comply with the Act and these Regulations and comply with any directions of the Authority.

(2) A person who contravenes sub-regulation (1) commits an offence and shall, on conviction, be liable to a penalty of not more than one million shillings.

16. (1) The Authority may revoke or suspend a lubricants facility or business licence if the licensee breaches the provisions of the Act, these Regulations or the terms and conditions of the licence.

Supervision or
Revocation of a
licence.

(2) Unless otherwise specified in the licence, the Authority may give a licensee fourteen days to show cause why the licence should not be suspended or revoked setting out the specific breach.

(3) The Authority shall determine the matter within thirty days from the expiry of the notice period prescribed under sub-regulation (2).

(4) The Authority may reinstate a licence that is revoked or suspended under sub-regulation (1) if satisfied that the reasons for the revocation or suspension no longer exist.

(5) Any suspension or revocation of a lubricants business licence or facility licence shall not indemnify the licensee of any penalties for which the licensee may have become liable under the Act or any other written law.

17. (1) The holder of a lubricants business licence shall not transfer or otherwise divest any rights, powers or obligations without the consent of the licensing Authority as prescribed under section 83 of the Act.

Transfer of
licence.

(2) An application to transfer a licence shall be made in the form and manner prescribed in the Fourth Schedule.

PART IV– MISCELLANEOUS

18. (1) A lubricants facility licence, lubricants business licence, construction permit, or certified copies thereof, shall be displayed in a prominent position at the premises in respect of which it is issued.

Display of permits
and licences.

(2) A licence or permit issued under the Act and these Regulations —

- (a) remains the property of the Authority;
- (b) may be suspended, revoked or amended by the Authority at any time in accordance with the provisions of the Act;
- (c) may be replaced if the holder provides proof of loss of the licence or permit to the Authority;
- (d) shall not be tampered with or defaced in any manner; and
- (e) shall not be transferred without the written consent of the Authority.

(3) A person who contravenes sub-regulation (1) commits an offence and shall upon conviction be liable to a penalty not exceeding one million shillings.

19. (1) A person licensed to undertake a lubricants business, shall within forty-eight hours of occurrence of an accident or incident, notify the Authority in the form set out in the Seventh Schedule—

Reporting of
accidents or
incidents.

(2) The threshold of reportable accidents or incidences includes those that cause—

- (a) loss of life or permanent total disability;
- (b) damage to property or to the environment of more than one million shillings; or
- (c) an oil-spill of one hundred litres or more or accidental gas release of 100 kilograms or more; or
- (d) a fire or explosion resulting in the damage set out in paragraphs (a) or (b).

(3) A licensee who fails to report the occurrence of an accident or incident in accordance with this regulation commits an offence and shall be liable on conviction to a fine of twenty thousand shillings.

20.(1) A lubricants business licensee shall conduct detailed investigations of any accident or incident reported under regulation 19 within fourteen days from the date of occurrence or any such extended period as approved by the Authority and submit a report that sets out the following—

Investigations of
Accidents and
Incidents.

- (a) cause of the accident;
- (b) environmental effects of the accident;
- (c) economic impacts of the accident;
- (d) health impacts of the accident; and
- (e) proposed remedial measures and timelines.

(2) The Authority shall review the report under sub-regulation (1) within thirty days and —

- (a) accept the report;
- (b) request for adjustments; or
- (c) reject the report giving reasons and further directions.

(3) Notwithstanding the provisions of sub-regulations (1) and (2), the Authority may commission its own investigation.

21. The Authority or any authorized person acting on its behalf may enter and inspect any lubricants facility or any premises where a lubricants business is conducted for the purposes of inspection or conducting investigations pursuant to the provisions of the Act or these Regulations.

Inspection.

22. (1) A person shall not obstruct, hinder, withhold information or provide false information to the Authority or its appointed agent where such information is requested.

Disclosure of
Information.

(2) A person who contravenes sub-regulation (1) commits an offence and shall be liable on conviction to a fine of twenty thousand shillings.

23. A person aggrieved by the decision of the Authority in —

Appeals.

- (a) refusing to renew, amend, replace, or grant a licence permit;
- (b) imposing conditions on a licence or permit; or
- (c) suspending or revoking a licence or a permit,

may appeal to the Tribunal within thirty days of receipt of the written notification of such action.

24. A person who commits an offence under these Regulations for which no express penalty is provided shall be liable on conviction to the penalty prescribed under section 124 of the Act.

General penalty.

25. (1) The Petroleum (Lubricants Facility Construction and Business Licensing) Regulations, 2025 are revoked.

Revocation.

L.N. No. 99 of
2025.

(2) Notwithstanding the provisions of sub-regulation (1)—

- (a) a licence, or permit issued prior to the coming into force of these Regulations, shall be deemed to be a licence or permit under these Regulations subject to the terms and conditions;
- (b) any pending application for a licence, certificate or permit prior to the coming into force of these Regulations, shall be processed in accordance with these Regulations;
- (c) any proceedings taken against or by the Authority or pending against the Authority or any other person prior to the coming into force of these Regulations, may be continued by or against the Authority as if instituted under these Regulations:

Provided that criminal proceedings shall be regarded as pending if the person concerned had pleaded to the charge in question;

- (d) any administrative investigation or inquiry instituted prior to the coming into force of these Regulations, shall be continued or disposed of as if instituted under these Regulations;
- (e) any disciplinary proceedings which were pending prior to the coming into force of these Regulations, shall be continued or concluded as if instituted under these Regulations;
- (f) all appeal processes, which were pending prior to the coming into force of these Regulations under the revoked Regulations, shall proceed as if instituted under these Regulations; and
- (g) any proceedings taken in exercise of any of the powers prior to the coming into force of these Regulations, shall be deemed to be proceedings under these Regulations.

FIRST SCHEDULE

r. 5(1)

PART I: APPLICATION FORM FOR A PETROLEUM LUBRICANTS FACILITY
CONSTRUCTION PERMIT*(A separate application form must be completed with respect to each proposed lubricant facility site)*

9. Application Type (tick as appropriate):

a. ☐ New Applicationb. ☐ Extension Application

i. Extension Details: _____

10. Name of business/applicant: _____

11. Details of applicant: _____

(j) Income Tax Person & Identification Number(s): _____

(k) Entity KRA pin: _____

(l) Postal address: _____

(m) Email Address: _____

(n) Telephone/Mobile Number: _____

(o) Business registration details (Date of Registration, Registration Number): _____

(p) Proposed location of the business premises:

(vi) Plot No: _____

(vii) Building Name: _____

(viii) Street/Market: _____

(ix) Town: _____

(x) County: _____

12. Location:- Longitude: _____ Latitude: _____

13. Details of proprietors or partners owning business or directors/shareholders of the company, as the case may be:

Name	Nationality	No of shares	Passport/ ID No.s
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Any additional information should be submitted on a separate sheet of paper)

14. Give full details on tanks, tank capacities and products to be blended or stored:

<u>Tank Acronym</u>	<u>Product</u>	<u>Tank Capacity (litres)</u>
Tank 1:	_____	_____
Tank 2:	_____	_____
Tank 3:	_____	_____

(Any additional information should be submitted on a separate sheet of paper)

r. 5(2)

PART II – REQUIREMENTS FOR A PERMIT FOR CONSTRUCTION
OF A LUBRICANTS FACILITY

1.	Certificate of Incorporation / Business Registration Certificate;
2.	<i>CR12 from the Registrar of companies (should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs);</i>
3.	Legible Copies of Identification Documents (IDs/Passports for all the directors);
4.	Valid Work Permits Class "G" for all foreign directors working in Kenya <i>(Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document);</i>
5.	An outline of the methods of financing the project;
6.	Development permission from the respective County Government (including County Physical Planning Office);
7.	<i>Proof of land ownership (copy of title deed in the name of company/director(s) and in the case of long-term land lease, copy of duly registered lease agreement in the name of the Applicant company plus the title deed of the land owner);</i>
8.	Mechanical engineer's drawings specifying materials and design/ operational limitations (product piping, above-ground tank(s), filling facility, pumps);
9.	Civil engineer's drawings (all civil works including drainage, Oil Water Separator, bund walls, tank pad/ foundation, hard standing surfaces);
10.	Certified copies of valid practicing Certificates issued by the Engineers Board of Kenya as per the Engineers Act (2011) for Engineers or Consulting Firms that shall have prepared the designs under items 8 and 9 above;
11.	Design of the Fire suppression system (firefighting water storage tanks and associated fittings, pumps) which should be accompanied by calculations showing adequacy of the same
12.	A valid Environmental Impact Assessment licence from NEMA for the project;

r.7(1)

PART III – FORM OF LUBRICANTS FACILITY CONSTRUCTION PERMIT



PERMIT NO. EPRA/PET/.....

THE PETROLEUM ACT, 2019

PETROLEUM CONSTRUCTION PERMIT

Construction Permit is hereby granted to _____ of P.O. Box
_____ to carry out construction of:

LUBRICANTS STORAGE DEPOT

On premises situated at:

Plot No. : _____
Street/Market : _____
Town/County : _____
This Permit expires on : _____
(If no Construction has
Started)

Approved max. Installation : _____
Capacity

Issue date: _____

Signature _____



Director General
Energy & Petroleum Regulatory

Authority

Conditions:

1. As per Section 76(1) and (2) of the Petroleum Act

SECOND SCHEDULE

APPLICATION REQUIREMENTS FOR NEW AND RENEWAL OF LICENCES

r. 11(1), 14(2)

PART I

APPLICATION FORM FOR A PETROLEUM LUBRICANTS BUSINESS LICENCE

(A separate application form must be completed in respect of each separate business category)

1. Application Type:
 - a. ☐ New Application
 - b. ☐ Renewal Application
2. Name of business/applicant: _____
3. Details of applicant: _____
 - (q) Income Tax Person & Identification Number(s): _____
 - (r) Entity KRA pin: _____
 - (s) Postal address: _____
 - (t) Email Address: _____
 - (u) Telephone/Mobile Number: _____
 - (v) Business registration details (Date of Registration, Registration Number): _____
 - (w) Proposed location of the business premises:
 - (xi) Plot No: _____
 - (xii) Building Name: _____
 - (xiii) Street/Market: _____
 - (xiv) Town: _____
 - (xv) County: _____

Location:

Longitude: _____ Latitude: _____

4. Details of proprietors or partners owning business or directors/shareholders of the company, as the case may be:

Name	Nationality	No of shares	Passport/ ID No.s
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	

(Any additional information should be submitted on a separate sheet of paper)

5. Give full details on tank capacities and products to be blended or stored:

<u>Tank Acronym</u> <u>(litres)</u>	<u>Product</u>	<u>Tank Capacity</u>
Tank 1:		
Tank 2:		
Tank 3:		

(Any additional information should be submitted on a separate sheet of paper)

PART II (a) – REQUIREMENTS FOR A LUBRICANTS BLENDING LICENCE

1.	Certificate of Incorporation / Business Registration Certificate;
2.	CR12 from the Registrar of companies (<i>should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs</i>);
3.	Legible Copies of Identification Documents (<i>IDs/Passports for all the directors</i>);
4.	Valid Work Permits Class “G” for all foreign directors working in Kenya (<i>Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document</i>);
5.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority;
6.	A valid Single Business Permit for the premises of operation from the respective County Government;
7.	Proof of ownership of the blending facility (<i>title deed or a registered lease in the name of applicant</i>);
8.	A valid Environmental Impact Assessment licence from NEMA for the project;
9.	A valid Fire Clearance Certificate for the facility from the respective County Government;
10.	A letter from the Kenya Bureau of Standards as proof of conformity assessment of the facility against the applicable Kenya Standard;
11.	Certificate of Compliance with the Physical Planning Act 2019 (<i>PPA5 or PPA2</i>);
12.	A valid certificate of registration of the facility as a work place from the Directorate of Occupational Safety and Health Services;
13.	A valid calibration certificate for each petroleum storage tank at the facility;
14.	A summary Emergency Response Plan for the facility; and
15.	Proof of training of a minimum of four employees in the safe handling of Petroleum from a National Industrial Training Authority approved personnel.
16.	Written Authority from the Lubricants brand owner.
17.	A duly executed Environment Liability Policy in accordance with Section 79 of the Act.

PART II(b) – REQUIREMENTS FOR BULK LUBRICANTS STORAGE LICENCE

1.	Certificate of Incorporation / Business Registration Certificate;
2.	CR12 from the Registrar of companies (<i>should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs</i>);
3.	Legible Copies of Identification Documents (<i>IDs/Passports for all the directors</i>);
4.	Valid Work Permits Class “G” for all foreign directors working in Kenya (<i>Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document</i>);

5.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority;
6.	A valid Single Business Permit for the premises of operation from the respective County Government;
7.	Proof of ownership of the bulk lubricants storage facility (<i>title deed or a registered lease in the name of applicant</i>);
8.	A valid Environmental Impact Assessment licence from NEMA for the project;
9.	A valid Fire Clearance Certificate for the facility from the respective County Government;
10.	A letter from the Kenya Bureau of Standards as proof of conformity assessment of the facility against the applicable Kenya Standard;
11.	Certificate of Compliance with the Physical Planning Act 2019 (<i>PPA5 or PPA2</i>);
12.	A valid certificate of registration of the facility as a work place from the Directorate of Occupational Safety and Health Services;
13.	A valid calibration certificate for each petroleum storage tank at the facility;
14.	A summary Emergency Response Plan for the facility; and
15.	Proof of training of a minimum of four employees in the safe handling of Petroleum from a National Industrial Training Authority approved personnel
16.	A duly executed Environment Liability Policy in accordance with Section 79 of the Act.

PART II(c) – REQUIREMENTS FOR LUBRICANTS IMPORTATION LICENCE

1.	Certificate of Incorporation / Business Registration Certificate;
2.	<i>CR12</i> from the Registrar of companies (<i>should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs</i>);
3.	Legible Copies of Identification Documents (<i>IDs/Passports for all the directors</i>);
4.	Valid Work Permits Class “G” for all foreign directors working in Kenya (<i>Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document</i>);
5.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority;
6.	Proof of registration of the Lubricant brand by the body responsible for brand registration in Kenya; and
7.	A valid Single Business Permit for the premises of operation from the respective County Government.
8.	Written authority from the brand owner.
9.	A duly executed Environment Liability Policy in accordance with Section 79 of the Act.

PART II(d) – REQUIREMENTS FOR LUBRICANTS EXPORT AND WHOLESALE
LICENCE

1.	Certificate of Incorporation / Business Registration Certificate;
2.	<i>CR12 from the Registrar of companies (should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs);</i>
3.	Legible Copies of Identification Documents (IDs/Passports for all the directors);
4.	Valid Work Permits Class "G" for all foreign directors working in Kenya (<i>Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document</i>);
5.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority;
6.	Written Authority from the Lubricants brand owner; and
7.	A valid Single Business Permit for the premises of operation from the respective County Government
8.	A duly executed Environment Liability Policy in accordance with Section 79 of the Act.

THIRD SCHEDULE
APPLICATION FOR RENEWAL OF A LICENCE

r. 13(2)

PART I – REQUIREMENTS FOR RENEWAL OF LUBRICANTS BLENDING
LICENCE

1.	<i>CR12 from the Registrar of companies (should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs);</i>
2.	Legible Copies of Identification Documents (IDs/Passports for all the directors);
3.	Valid Work Permits Class "G" for all foreign directors working in Kenya (Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document);
4.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority;
5.	A valid Single Business Permit for the premises of operation from the respective County Government;
6.	Proof of ownership of the blending facility (title deed or a registered lease in the name of applicant);
7.	An acknowledgement from NEMA of having submitted an annual Environmental Audit report for the facility (the acknowledgement should not be older than 1 year at the time of submission of the application);
8.	A valid Fire Clearance Certificate for the facility from the respective County Government;
9.	A valid certificate of registration of the facility as a work place from the Directorate of Occupational Safety and Health Services;
10.	A valid calibration certificate for each petroleum storage tank at the facility;
11.	A summary Emergency Response Plan for the facility;
12.	Proof of training of a minimum of four employees in the safe handling of Petroleum from a National Industrial Training Authority approved personnel; and
13.	Proof of compliance with Regulations on timely and accurate submission of statistics to the Authority.
14.	A duly executed Environment Liability Policy in accordance with Section 79 of the Act.

PART II – REQUIREMENTS FOR RENEWAL OF BULK LUBRICANTS STORAGE
LICENCE

1.	<i>CR12 from the Registrar of companies (should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs);</i>
2.	Legible Copies of Identification Documents (IDs/Passports for all the directors);

3.	Valid Work Permits Class “G” for all foreign directors working in Kenya (<i>Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document</i>);
4.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority;
5.	A valid Single Business Permit for the premises of operation from the respective County Government;
6.	Proof of ownership of the storage facility (<i>title deed or a registered lease in the name of applicant</i>);
7.	An acknowledgement from NEMA of having submitted an annual Environmental Audit report for the facility (<i>the acknowledgement should not be older than 1 year at the time of submission of the application</i>);
8.	A valid Fire Clearance Certificate for the facility from the respective County Government;
9.	A valid certificate of registration of the facility as a work place from the Directorate of Occupational Safety and Health Services;
10.	A valid calibration certificate for each petroleum storage tank at the facility;
11.	A summary Emergency Response Plan for the facility;
12.	Proof of training of a minimum of four employees in the safe handling of Petroleum from a National Industrial Training Authority approved personnel; and
13.	Proof of compliance with Regulations on timely and accurate submission of statistics to the Authority.
14.	A duly executed Environment Liability Policy in accordance with Section 79 of the Act.

PART III – REQUIREMENTS FOR A RENEWAL OF LUBRICANTS IMPORT
LICENCE

1.	CR12 from the Registrar of companies (<i>should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company’s CR12 plus all the Directors’ IDs</i>);
2.	Legible Copies of Identification Documents (<i>IDs/Passports for all the directors</i>);
3.	Valid Work Permits Class “G” for all foreign directors working in Kenya (<i>Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document</i>);
4.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority;
5.	Proof of registration of the Lubricant brand by the body responsible for brand registration in Kenya; and
6.	A valid Single Business Permit for the premises of operation from the respective County Government.
7.	Proof of compliance with Regulations on timely and accurate submission of statistics to the Authority.
8.	A duly executed Environment Liability Policy in accordance with Section 79 of the Act.

PART IV – REQUIREMENTS FOR A RENEWAL OF LUBRICANTS WHOLESALE
AND EXPORT LICENCE

1.	<i>CR12 from the Registrar of companies (should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs);</i>
2.	Legible Copies of Identification Documents (IDs/Passports for all the directors);
3.	Valid Work Permits Class "G" for all foreign directors working in Kenya (<i>Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document</i>);
4.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority;
5.	Written Authority from the Lubricants brand owner; and
6.	A valid Single Business Permit for the premises of operation from the respective County Government.
7.	Proof of compliance with Regulations on timely and accurate submission of statistics to the Authority.
8.	A duly executed Environment Liability Policy in accordance with Section 79 of the Act.

FOURTH SCHEDULE

r 14(1), 17(2)

APPLICATION FORM FOR AN AMENDMENT OR TRANSFER OF A
PETROLEUM LUBRICANTS LICENCE

1. Licence number for the licence you wish to amend:
2. Indicate the type of amendment you would wish to make:
 - ☐ Change of Premises
 - ☐ Change of Business/Company Name
 - ☐ Addition of petroleum product tanks
 - ☐ Decommission of petroleum product tanks
3. a) Criteria to be met for amendment of a licence is attached in this regulation.
 - a. Change of Premises
 - i. A valid Single Business Permit for the premises of operation from the respective County Government
 - b. Change of Business/Company Name
 - i. Certified copy of CR12 from the Registrar of companies (Not older than one (1) year) for limited companies; and
 - ii. Certified copy of Certificate of Change of Name
 - c. Addition of petroleum product tanks
 - i. Tanks inspection reports by an accredited competent person in compliance with the Kenya Standards or international standards ratified by the Bureau;
 - d. Decommission of petroleum product tanks
 - i. Tank decommissioning report by an accredited competent person;

FIFTH SCHEDULE

r 12(1)

FORM OF LUBRICANTS BUSINESS LICENCE



No. EPRA/PET _____

THE PETROLEUM ACT, 2019

PETROLEUM BUSINESS LICENCE (EXCEPT LPG)

Licence is hereby granted to _____ of P.O. Box _____
 _____ to carry on the following petroleum businesses:

LICENCE NAME

On premises situated at:

Plot No. : _____

Building : _____

Street/Market : _____

Town/County : _____

This licence expires on : _____

Issue date: _____

Signature _____



Director General
Energy & Petroleum Regulatory Authority

Conditions:

1. As per Section 76(1) and (2) of the Petroleum Act.

SIXTH SCHEDULE

r 5(2)(j), 10(2), 13(2), 14(2)

APPLICABLE PERMIT AND LICENCE FEES

Category of Licence	New Application (Amount in Kshs)	Renewal Application (Amount in Kshs)	Amendment Application (Amount in Kshs)
Lubricants Facility Construction Permit	5,000	2,000	1,000
Lubricants Blending Licence	10,000	5,000	1,000
Lubricants Bulk Storage Licence	5,000	2,000	1,000
Lubricants Importation Licence	10,000	5,000	1,000
Lubricants Export and Wholesale Licence	5,000	3,000	1,000

SEVENTH SCHEDULE

r. 19(1)

PETROLEUM RETAIL BUSINESS ACCIDENT REPORTING FORM

12. Name of Licensee: _____
13. Motor Vehicle Registration No.: _____
14. Accident Location:
5. County _____
6. Sub-County _____
7. Location _____
8. Village _____
15. Time and Date of the Accident: _____
16. Date Reported to Licensee: _____
17. Date Reported to the Authority: _____
18. Cause of Accident: _____
19. Accident Impact
20. Police Reference and Reported Date(*as applicable*): _____
21. Reported By:
- a. Name: _____
- b. Postal address: _____
- c. Email Address : _____
- d. Telephone: _____
22. Supporting Documents: (*As applicable including scene photos*)

EIGHTH SCHEDULE

r .11

ENVIRONMENT LIABILITY POLICY

(NAME OF COMPANY) is committed to the protection and preservation of the environment. We will continuously improve our performance and initiate additional projects and activities that will further reduce our impacts to the environment.

Our commitment to the environment extends to our customers, our staff and the community from where we operate. We are committed to:

10. Complying with all applicable environmental preservation and sustainability legislation;
11. Preventing pollution whenever possible through efficient waste management strategies that promote waste minimization, re-use, recovery, recycling, as appropriate;
12. Promoting and continually investing in technologies that provide alternatives to business travel and transport;
13. Adopting a procurement programme which takes into account the environmental impact of products and services;
14. Promoting the protection and enhancement of biodiversity and ecosystems through employee awareness programs and stakeholder engagement;
15. Ensuring our staff are aware of the environmental impacts of their work activities and encouraging them through regular awareness and training to minimize those impacts;
16. Communicating our environmental commitment and efforts to our customers, staff and the community;
17. Pursuing a programme of continuous improvement by reviewing our Environmental Management System and related objectives and targets, policies and practices; and
18. Reporting to the relevant authorities, accidents or incidents causing pollution of the environment, investigating the accidents/incidents and undertaking clean up or restoration of the affected areas.

Signature:

Designation:.....

Stamp/Seal:.....

Date:.....

This policy will be reviewed on a regular basis to evaluate continued relevance and to monitor compliance.

Made on the 10th November, 2025.

J. OPIYO WANDAYI,
Cabinet Secretary for Energy and Petroleum.