

10th April, 2012

LEGAL NOTICE NO. 24

THE ENERGY ACT
(No. 12 of 2006)

IN EXERCISE of the powers conferred by sections 102, 110 and 123 of the Energy Act, the Minister for Energy, makes the following Rules:—

THE PETROLEUM (AMENDMENT) RULES, 2012

1. These Rules may be cited as the Petroleum (Amendment) Rules, 2012.

2. The Petroleum Rules are amended by deleting Regulation 31A and substituting therefor the following new Regulation—
Sub. Leg.

31A. (1) The Kenya Petroleum Refineries Limited shall process such minimum quantities of petroleum crude oil per calendar year as the Minister may from time to time prescribe.

(2) Any person engaged in the importation of refined petroleum products other than bitumen for use in Kenya, shall purchase from the Kenya Petroleum Refineries Limited such quantities of refined petroleum products derived from the processing of the minimum quantity of petroleum crude oil indicated in paragraph 1, as the Minister may prescribe having regard to the market share, per product, of such importer.

(3) With effect from the 1st July, 2012, no person shall import or cause to be imported refined petroleum products except—

(a) liquefied petroleum gas;

(b) bitumen, and

(c) fuel oil

for use in Kenya other than through an Open Tender System centrally coordinated by the Ministry responsible for energy.

(4) All importation of refined petroleum products other than those specified under paragraph (3) shall except where exempted by the Minister in writing, be through the Kipevu Oil Storage Facility, Shimanzi Oil Terminal, Miritini LPG Import Terminal and Kenya Petroleum Refineries Limited, Changamwe, Mombasa.

(5) In these Rules, “market share” means the percentage of the total sales of each petroleum product in Kenya other than those specified under paragraph (2) attributable to an importer as determined by the Minister from time to time.

Dated the 4th April, 2012.

KIRAITU MURUNGI,
Minister for Energy.