

GOVERNMENT NOTICE No. 379 published on 3/08/2018

**THE PETROLEUM ACT,
(CAP 392)**

THE PETROLEUM (MARINE LOADING AND OFF LOADING OPERATIONS) RULES, 2018

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(Made under section 259 (1))
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THE PETROLEUM ACT,
(CAP 392)

THE PETROLEUM (MARINE LOADING AND OFF LOADING OPERATIONS) RULES, 2018

(Made under section 259(3))

PART I
PRELIMINARY PROVISIONS

- Citation 1. These rules may be cited as the Petroleum (Marine Loading and Off Loading Operations) Rules, 2018.
- Application 2. These Rules shall regulate the activities of petroleum marine loading and offloading operations and related matters in Mainland Tanzania.
- Interpretation
Cap. 392 3. In these Rules, unless the context otherwise requires:
“Act” means the Petroleum Act;
“adequate skilled personnel” means a person that has relevant knowledge and at least five years’ experience in petroleum handling operations;
“Agency” means the Petroleum Bulk Procurement Agency established under the Executive Agencies (The Petroleum Bulk Procurement Agency) Order, 2015;
“annual fee” means a fee payable annually by a Licencee as may be prescribed by the Authority from time to time;
“applicable law” means any principal law, treaty, convention, proclamation, regulations, rules, order or by-laws that is customarily treated in Tanzania as having legally binding force and which is relevant to matters pertaining to the regulation of marine loading and offloading operations;
“approved specification” means any specification or standard in relation to a petroleum product applied by the Authority and as approved by the Tanzania Bureau of Standards
- Cap. 130

- pursuant to the Standards Act, or any other standards that are widely used for Good Petroleum Industry Practices;
- Cap. 414 “Authority” means the Energy and Water Utilities Regulatory Authority established under the provisions of the EWURA Act;
- Cap. 245 “certification authority” means the Weights and Measures Agency established under the provisions of the Executive Agencies Act;
- Cap. 191 “Council” means the National Environment Management Council established under the provisions of the Environment Management Act;
- Cap. 414 “compliance order” means an order issued by the Authority pursuant to section 39 of the EWURA Act;
- “dangerous situation” means a situation involving a petroleum product that:
- (a) endangers the safety or health of a person, or the safety of a person’s property; or
 - (b) creates an immediate risk of significant environmental harm;
- Cap. 414 “EWURA Act” means the Energy and Water Utilities Regulatory Authority Act;
- “facility” means a port berthing infrastructure that is used for loading and offloading of petroleum or a petroleum product and includes a marine jetty, dolphin, single point mooring, pipeline, manifold, storage tank, building, and firefighting system in respect of which a regulated activity is carried out but does not include the pipeline from manifold to the shore tank;
- Cap. 285 “Fair Competition Commission” means the Commission established under the provisions of the Fair Competition Act;
- “good petroleum industry practice” means any conduct related to a petroleum product intended to preserve product quantity, quality and meets generally accepted health, safety and environmental requirements;
- “incident” means:
- (a) an event that involves a leakage of a petroleum product from a storage facility;
 - (b) a spill of a petroleum product as a result of dispensing or offloading activities;
 - (c) death or personal injury occurring as a consequence of an action that is related to a licenced activity;

- (d) a fire or an event incidental thereto that results from an action that is related to a licenced activity;
- (e) an event that results in an emergency shutdown of a licenced facility; and
- (f) any other significant event that may adversely affect the conduct of a licenced activity;

“inspector” means an officer or an agent of the Authority appointed by the Authority to perform the functions of inspection as required under the Act and applicable law;

“Licence” means an authorization issued by the Authority to undertake a regulated activity;

“Licensee” means the holder of a licence;

“licence fee” means a fee payable by a licensee as may be prescribed by the Authority from time to time;

“marine loading and offloading operations” means an activity related to receiving or discharging of petroleum or a petroleum product from the marine vessel to the shore tank and vice versa;

“marine vessel master” means a person in charge of a marine vessel;

“OMC” means a holder of a petroleum wholesale Licence issued by the Authority;

“operator ” means a person who conducts a regulated activity;

“petroleum” means petroleum crude and any liquid made from petroleum crude, coal, schist, shale, tree, peat or any produce of petroleum crude and includes condensate;

“petroleum independent surveyor” means an entity certified by the certification authority and registered by the Authority to supervise marine loading and offloading operations;

“petroleum product” means an organic compound, pure or blended, which is derived from the refining or processing of petroleum crude oils, bio-fuels, or synthetic fuels and include:

- (a) asphalts, bitumen, petroleum coke and other residual product;
- (b) bunkers or heavy residual fuel oils for combustion engines or industrial heat processes, such as burners for boilers or heating furnaces;
- (c) gasoil or automotive diesel, biodiesel, industrial marine diesels or synthetic diesel;
- (d) gasoline, bionaptha or a bioethanol product;
- (e) kerosene or other similar oils for illumination or

- combustion applications;
- (f) lubricating oils, base oil or refined and blended finished oil;
- (g) liquefied petroleum gas (LPG);
- (h) turbo fuels for jet propulsion engines; and
- (i) other product or by-products of petroleum crude processing having a Flash Point lower than 120 degrees Celsius, and determined in a Pensky-Martens Closed Cup (PMCC) test apparatus;

“petroleum product spill” means the discharge of a petroleum product of more than two hundred litres from its primary containment onto or into any land or water, or any structure or thing;

“pipeline” means all parts of physical facilities through which petroleum or a petroleum product moves from the marine vessel to the shore tank or from the shore tank to the marine vessel, including the pipes within a facility, pipes from manifold to the shore tank, valves, and other appurtenances attached to the pipe, metering station, pumping station, holder, and fabricated assembly;

“regulated activity” means an activity necessary to operate a facility and includes all activities in respect of such facility and any activity reasonably required in connection with marine loading and offloading operations;

“serious violation” means a breach of the requirements of occupational health, safety and environmental matters or a breach of the terms and conditions of a Licence, the Act or applicable law which are of such magnitude that pose an imminent danger to lives and property;

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

- (a) grant an inspector access to a Licenced facility, answer their questions and witness the taking of samples and the carrying out of inspections; and
- (b) identify physical defects and operational deficiencies within the Licenced facility and, as required, take decisions related to the suitability of such Licenced facility for use;

Cap. 285

“Tanzania Revenue Authority” means the authority established under the provisions of the Tanzania Revenue Authority

- Act;
- “tariff” means a written statement of rates and charges approved by the Authority for services relating to pipelines;
- “tariff order” means an order issued by the Authority that sets out the applicable charges, fees, price or rate in the operation of a pipeline.
- Cap. 285 “Tribunal” means the Fair Competition Tribunal established under the provisions of the Fair Competition Act;
- “vehicle” means any car, machinery, ship, truck, railway wagon, barge or other means of transporting a petroleum product; and
- Cap. 245 “WMA” means Weight and Measures Agency established under the provisions of the Executive Agencies Act.

PART II
APPLICATION FOR A CONSTRUCTION APPROVAL

Application for
Construction
Approval

4.-(1) A person shall not construct a facility without seeking and obtaining a construction approval from the Authority in a manner provided herein.

(2) Any person who intends to construct a facility shall lodge an application with the Authority by filling in the application form to be prescribed by the Authority providing the following:

- (a) the applicant’s name, business address, telephone number and fax number and email address;
- (b) the location and complete address of the proposed facility;
- (c) details of the proposed facility clearly showing the lay out plan and the coordinates of the proposed facility which shall include the proposed pipeline route and length;
- (d) the proposed maximum allowable operating pressure of the proposed pipeline;
- (e) the proposed dates for commencement and completion of the facility;
- (f) proof of land ownership and right of use of the land through which the proposed facility is to be constructed onshore;
- (g) a permit from a relevant authority including the Ministry responsible for Land affairs, Tanzania Port Authority, the Maritime Authority and the

- Local Authority approving the construction of the proposed facility offshore;
- (h) a business plan describing the scope of the regulated activity;
 - (i) financial closure of the facility;
 - (j) plans and design specifications of the proposed facility;
 - (k) a certified copy of an environmental impact assessment certificate issued by the responsible minister;
 - (l) details of any environmental impacts of the proposed facility and the proposed measures to eliminate or minimize those impacts; and
 - (m) any other information as shall be required by the Authority.

Application to
be
Accompanied
by a Fee

5. An application for a construction approval made under rule 4 (2) shall be accompanied by a non-refundable application fee as shall be prescribed by the Authority from time to time.

Grant of a
Construction
Approval

6.-(1) The Authority may, upon consideration of an application for construction approval:

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

(2) The Authority shall, when making a decision whether to grant or deny a construction approval, consider:

- (a) the applicant's compliance with the provisions of rule 4 (2);
- (b) the applicant's compliance to marine laws; and
- (c) the applicant's compliance to health, safety and environmental requirements;

(3) The Authority may, if it is of the view that the proposed construction of the facility should be altered in order to provide access to third parties, inform the applicant and request the applicant to supply reasons as to why the application should not be considered subject to the imposition of such condition.

(4) The Authority shall within sixty days of receipt of a complete application, evaluate the application together with comments received if any and make a decision whether to grant

or deny the application for a construction approval.

(5) The Authority shall, before issuing a construction approval under sub-rule (1), cause it to be published in the *Gazette* as required by the provisions of the Act.

(6) The applicant shall, after issuance of an approval by the Authority, be notified to collect the approval within fourteen days from the date of issuance.

(7) 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.

Validity and
Duration of a
Construction
Approval

7. A construction approval issued by the Authority in rule 6 shall remain in force for such period as the Authority may allow provided that in the event the holder of the said approval fails to commence construction within twelve months from the date it was issued such construction approval shall cease to have effect.

Notice of
Commencement

8. Any person with a construction approval shall issue a notice to the Authority of commencement of construction thirty days prior to the commencement of construction.

Suspension and
Revocation of a
Construction
Approval

9.-(1) The Authority may, by notice published in the *Gazette*, suspend or revoke a construction approval if any of the terms and conditions thereof have not been complied to.

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

(3) Notwithstanding the provisions of sub-rules (1) and (2), the Authority may, by notice published in the *Gazette*, withdraw or suspend a construction approval on the application or with the consent of the holder of such approval.

(4) The Authority may, by notice published in the *Gazette*, reinstate a construction approval revoked or suspended under sub-rule (1), if satisfied that the reasons for the revocation or suspension no longer exist.

PART III LICENSING PROCEDURES

Licensing of a
Regulated
Activity

10.-(1) A person shall not conduct a regulated activity without having a Licence.

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

Power to Enter
and Close a
Facility

11. Notwithstanding the penalty prescribed under rule 10 (2), the Authority shall enter upon any facility and close it down, in the event it determines that any person has contravened the provisions of rules 10 (1).

Licensing
Requirements

12.-(1) A person shall not be issued a Licence unless his application meets the technical requirements which include:

(a) possession of a facility that is constructed in accordance with approved specification; and

(b) possession of adequate skilled personnel;

(2) Notwithstanding the generality of sub-rule (1), the Authority may issue a Licence with specific conditions to be fulfilled within a prescribed time to an applicant who fails to meet some of the requirements in sub-rule (1).

Licence
Application

13.-(1) Any person may apply to the Authority for a Licence by filling in the appropriate form prescribed by the Authority, and shall lodge such application with the Authority, together with such other documents or records as may be required by the Authority or applicable law.

(2) Notwithstanding the provision of sub-rule (1), an application for a Licence shall be accompanied by:

(a) certified copies of the applicant's registration documents;

(b) details of the facility showing clearly the layout plan and the coordinates of the facility which shall include the pipeline route;

(c) if an environmental assessment study has been conducted, a certified copy of the certificate;

(d) a business plan describing the scope of the regulated

- activity;
- (e) a description of the proposed tariff to be applied to the facility;
 - (f) a certified copy of tax identification number certificate;
 - (g) proof of land ownership and right of use of the land through which the proposed facility is to be constructed onshore;
 - (h) a permit from the relevant authority approving the construction of the facility offshore;
 - (i) an integrity pledge prescribed in the First Schedule;
 - (j) tax clearance certificate; and
 - (k) any other information as shall be required by the Authority.

Licence
Application to
be
Accompanied
by a Fee

14. An application for a Licence shall be accompanied by a non-refundable application fee prescribed by the Authority from time to time.

Publication of a
Licence
Application

15.-(1) A Licence application received by the Authority shall be evaluated to verify its completeness and legality of information contained therein and thereafter a notice of the application shall be published in at least two newspapers of wide circulation in Tanzania one in English and another in Kiswahili with a view to soliciting comments and representations on the application.

(2) The costs of publication of notices under sub-rule (1), shall be borne by the Authority.

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

Grant of a

16.-(1) The Authority may, upon consideration of an

Licence

application for a Licence:

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

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

- (a) the licensing requirements set out in rule 12;
- (b) compliance to land ownership and land use laws;
- (c) a permit from the relevant authority approving offshore construction of the facility;
- (d) any objection or representation received from the public pursuant to rule 16;
- (e) the applicant's record of compliance with the Act, these Rules and other applicable laws;
- (f) economic efficiency of the facility and benefit to the public of the facility;
- (g) compliance of the facility on matters including:
 - (i) safety;
 - (ii) health;
 - (iii) security;
 - (iv) handling of hazardous substances; and
 - (v) environment; and
- (h) any other matter relevant to the orderly conduct of marine loading and offloading operations in Mainland Tanzania.

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

- (a) the applicant does not meet the requirements of sub-rule (2);
- (b) the applicant's activities may not be conducted in accordance with safety, health and environment requirements; or
- (c) the applicant has violated the mandatory requirements provided under applicable law and the

Act.

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

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

Validity and
Duration of a
Licence

17.-(1) A licence issued under these Regulations shall be valid for a period of five years.

(2) A licence shall remain valid for the period stated in sub-rule (1) , unless extended or renewed in accordance with rule 18 and 22, provided, that the Authority may, on the written application of a Licensee, extend the period for such further period as the Authority may determine.

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

Application for
Extension of a
Licence

18.- (1) A licensee may, not less than six months before expiration of a licence term, apply to the Authority for extension of its licence.

(2) Application for extension of a licence as provided in sub-rule (1), shall be in writing by filling in an application form to be prescribed by the Authority.

(3) The Authority shall, while making a decision whether to grant or deny an application for extension of a licence, consider the applicant's compliance to applicable law and the conditions of the licence which is due to expire.

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

Application for
Transfer of a
Licence

19.-(1) A person shall not assign or transfer a licence to another person without a written approval of the Authority.

(2) Any transferor or assignor shall apply to the Authority by filling in the appropriate form prescribed by the Authority, and lodge it with the Authority, together with other

documents or records as may be required by the Authority or applicable law.

(3) Notwithstanding the provisions of sub-rule (1), no application for a transfer or assignment of a Licence shall be entertained by the Authority unless it is endorsed by the transferor or assignor.

(4) An application received by the Authority under sub-rule (2), shall be evaluated to verify its completeness and legality of information contained therein and thereafter a notice of the application shall be published in at least two newspapers of wide circulation in Tanzania, one in English and another in Kiswahili with a view to soliciting comments and representations on the application.

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

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

(7) The Authority shall, after the expiration of the notice in sub-rule (3), evaluate the application together with comments received, if any, and make a decision whether to grant or deny the application for transfer or assignment as the case may be.

Change of
Name

20.-(1) A licensee may change its name pursuant to the provisions of these rules and applicable law.

(2) A licensee who has changed its name shall, within thirty days after such change, notify the Authority in writing about such change, which shall be accompanied by a certificate of change in name issued by the Registrar of Companies.

Change of
Shareholding
Structure

21.-(1) A change of ownership where a third party becomes a majority shareholder of a Company in relation to which a licence has been issued shall require the written approval of the Authority.

(2) The party seeking approval under sub rule (1), shall submit the following documents in support of his application-

- (a) a duly signed and stamped deed of share transfer;
- (b) the current shareholding structure approved by Business Registration and Licensing Agency;
- (c) a letter of no objection from Tanzania Revenue Authority

to carry on the proposed business;

- (d) a letter of clearance from the Commission; and
- (e) a duly signed integrity pledge prescribed in the first schedule.

(3) The Authority may before approving the application for change in shareholding structure in sub-rule (2) consult the Fair Competition Commission and the Tanzania Revenue Authority.

Application for
Renewal of a
Licence

22.-(1) A Licensee may, not less than six months before expiration of a Licence term, apply to the Authority for renewal of its Licence.

(2) Application for renewal of a Licence as provided in sub-rule (1), shall be in writing by filling in an application form to be prescribed by the Authority accompanied by clearance certificate from Tanzania Revenue Authority.

(3) The Authority shall, while making a decision whether to grant or deny an application for renewal of a Licence, consider the applicant's compliance to applicable law and the conditions of the Licence which is due to expire.

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

(5) The Authority shall not renew a licence of a licensee who has, during the term of the licence which has expired or is due to expire, failed to comply with the terms and conditions of the licence, refused or wilfully neglected to comply with any Order given by the Authority and such acts were not remedied by such licensee up to the time of determining the application.

Suspension or
Revocation of a
Licence
Cap 392

23. – (1) A licence may be suspended or revoked by the Authority for a period of twelve months if a licensee:

- (a) violates any of the provisions of the Act or conditions attached to the licence which affects the conduct of a regulated activity;
- (b) obtained a licence by fraud or deliberate submission of false information or statements;
- (c) fails to comply with obligations conferred within the terms stated in the licence;
- (d) persistently fails to comply with the approved local content plans;
- (e) interrupts services to other users without

- authorization of the Authority;
- (f) carries on business in a manner that is detrimental to the welfare or interest of other users;
- (g) violates the tariffs, rates and charges established by the Authority;
- (h) persistently fails or refuses to submit information to the NPGIS;
- (i) fails to comply with the applicable health, safety, service, quality or environmental standards, or any other additional standards as may be stated in the licence; or
- (j) is convicted or found guilty of an offence relating to corruption, money laundering, economic crimes or tax evasion.

(2) The Authority shall not suspend or revoke a licence, unless a twenty-one days' notice has been issued to a licensee of intention to suspend or revoke the said licence.

(3) The Authority may waive the licence suspension if it is satisfied that a licensee has abstained from the act that caused the suspension and the reason for suspension no longer exists.

PART IV
OBLIGATIONS OF A LICENCEE

General
Obligations of a
Licencee

24. A Licensee shall have obligation to:

- (a) comply with:
 - (i) any applicable law;
 - (ii) these rules;
 - (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) undertake reliable and safe marine loading and offloading operations;
- (c) not engage in any activity that impedes or may impede either proper implementation of the regulated activity or any regulated activity of another Licensee;
- (d) ensure it manages the regulated activity in a manner that is consistent with the principles of ensuring technical expedience and the objective of achieving the highest quality of marine loading and offloading operations;
- (e) operate and maintain the facility;

- (f) carry out all works related to the facility in accordance with Good Petroleum Industry Practices;
- (g) inform the Authority as soon as practicable, but in any event not more than twenty-four hours after the occurrence of a dangerous situation or incident related to its regulated activity, that occurs within its facility, including the steps taken or proposed to be taken to remedy such situation or to eliminate or minimize the danger arising from such situation;
- (h) ensure that when the facility is left unattended:
 - (i) all electrical power to the storage terminal and pumping equipment is switched off; and
 - (ii) all pipelines related equipment are adequately secured to prevent unauthorized access and use;
- (i) employ a sufficient number of qualified personnel to ensure that the conduct of its regulated activity complies with these terms and conditions;
- (j) conduct its regulated activity in compliance with health, safety and environmental laws;
- (k) pay applicable fees;
- (l) submit to the Authority in a true and correct form all data and information the Authority may require;
- (m) notify the Authority of any change of its address, name or location not later than seven days after such change;
- (n) notify the Authority for approval thirty (30) days before it installs additional facility related to its regulated activity;
- (o) notify the Authority and its customers in writing ninety (90) days prior to a planned disruption of a regulated activity;
- (p) ensure that any service to be provided in the course of the regulated activity shall be just and reasonable and the Licensee shall not show undue discrimination against any particular person of any class or description as regards any aspect of any service;
- (q) accord full cooperation to the Authority during investigation or monitoring exercise conducted over the regulated facility;
- (r) establish and maintain records pursuant to applicable

- law and orders and directions of the Authority;
- (s) provide the Authority with full access to its records, documents, sites and assets pursuant to these rules and applicable law;
 - (t) ensure the safe disposal of any petroleum product and waste oil;
 - (u) procure and maintain in force a valid insurance cover in respect of all liabilities that may arise from the conduct of its regulated activity;
 - (v) not keep fireworks or any other instruments or products in or near a regulated facility that might pose a risk of fire or otherwise;
 - (w) ensure that a supervisor is present at a facility at all times, and in his absence any person employed or acting as an agent of a Licensee at a facility shall perform the duties of a supervisor;
 - (x) not abandon a facility other than in accordance with the Licence conditions, these rules, the Act, applicable law or directions of the Authority;
 - (y) display in a conspicuous place at a facility a Licence or a certified copy thereof;
 - (z) provide appropriate security system for the facility;
 - (aa) not engage in any activities that disrupt or interfere with competition; and
 - (bb) as soon as practicable, but in any event not later than thirty days after it becomes aware of the fact, notify the Authority:
 - (i) if it is unable to conduct its regulated activity; or
 - (ii) if the conduct of its regulated activity would or might lead to the breach of any of these rules or materially affect

its operations.

Technical
Obligations of a
Licencee

25. The technical obligation of a Licensee shall be to:
- (a) maintain and operate a facility in a manner that is complaint with health, safety and environmental requirements;
 - (b) ensure that the marine loading and offloading operations are conducted in a manner that there is no petroleum or petroleum product contamination;
 - (c) ensure there is safe and secure infrastructure to undertake the regulated activity;
 - (d) ensure the availability of support infrastructure to facilitate berthing of a marine vessel;
 - (e) ensure the availability of adequate fire-fighting equipment;
 - (f) ensure the availability of adequate clear and visible warning signs through the facility;
 - (g) ensure availability of adequate skilled personnel to supervise marine loading and offloading operations;
 - (h) provide access to an independent surveyor to carry out its obligations;
 - (i) prepare and maintain a manual containing procedures for the facility operations, corrosion control, integrity management, maintenance and repair; and upon request, file a copy of such manual with the Authority for review; the manual shall include provision for evaluation and mitigation of stress corrosion cracking when the pipeline has been disbonded or has non-functional external coatings;
 - (j) ensure that the manual referred to in sub - paragraph (i) is updated as necessary to-
 - (i) ensure that the contents are correct; and
 - (ii) demonstrate that the procedures contained in the manual are being implemented;
 - (k) prepare and maintain an emergency response plan for the facility in accordance with Good Petroleum Industry Practice and submit a copy to the Authority for review on request;
 - (l) update the emergency response plan for the facility, as necessary;
 - (m) conduct training on carrying out emergency response plans;

- (n) ensure that it has the capability to immediately respond to spills;
- (o) maintain and submit upon request by the Authority records of all inspections conducted;
- (p) ensure that all warning signs are updated;
- (q) take necessary preventive measures to reduce pollution resulting from the regulated activity;
- (r) observe strict environmental, health, and industrial safety standards as required by applicable law;
- (s) not decommission its facility otherwise than pursuant to these rules and applicable law;
- (t) prior to effecting any major replacement or maintenance of a facility or part thereof, notify the Authority not less than fourteen days prior to commencing such replacement or installation;
- (u) ensure that a metering system at the facility and related equipment is calibrated for correct measurements by the certification authority; and
- (v) ensure that a metering system at the facility and related equipment is in good working condition in accordance with approved specifications and Good Petroleum Industry Practices.

Commercial
Obligations of a
Licencee

26. The commercial obligation of a Licensee shall be to:
- (a) charge customers a tariff as approved by the Authority;
 - (b) ensure that the agreed delivery schedule of the marine vessel is adhered to;
 - (c) remove discriminate between a customer or a class of a customer regarding access, tariff, conditions or service except for objectively justifiable and identifiable grounds approved by the Authority; and
 - (d) print a Licence number on all accounting documents employed in its regulated activity, including invoices, delivery notes and receipts.

Protection of
Lives and
Property

27.-(1) A Licensee shall, while conducting marine loading and offloading operations, take such precautions and

exercise such care as may be reasonable under the circumstances in order to:

- (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) A Licensee 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.

(3) A Licensee shall appoint not less than one health, safety and environment officer to address and be responsible on health, safety and environment matters and obligations related to the regulated activity.

Compensation
for Loss
Suffered

28.- (1) A Licensee shall be obliged to compensate any person who has suffered any injury, loss of life or property or the environment as a result of the regulated activity.

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

(3) In the event no settlement is reached under sub-rule (2), the person who has suffered injury or loss may refer the matter to the Authority for decision and the Authority shall deal with such matter as if it is a complaint lodged pursuant to the provisions of the EWURA Act.

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

Maintenance of
Records,
Provision and
Disclosure of
Information

29.-(1) A Licensee shall at all times:

- (a) keep complete and accurate records and data related to its regulated activity; and
- (b) in accordance with the Authority's requirements and pursuant to its directions, promptly provide to the Authority documents, records or information related to its regulated activity.

(2) Any person who refuses to furnish information or statement as required under sub-rule (1) (b) or furnishes false information or statement to the Authority shall be liable on

conviction to a fine of five million shillings.

(3) Any person who refuses to furnish information or statement as required under sub-rule (1) (b) or furnishes false information or statement to the Authority for the second time shall be liable to pay a fine of ten million shillings and shall have its Licence suspended for a period of twelve months.

(4) Any person who refuses to furnish information or statement as required under sub-rule(1)(b) or furnishes false information or statement to the Authority for the third time shall have its Licence revoked.

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

Confidential
Information

30.-(1) Any information received by the Authority from a Licensee pursuant to these rules and applicable law shall be presumed not to be confidential.

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

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

(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.

PART V

PROCEDURES FOR OFFLOADING AND LOADING OPERATIONS

Discharge of
Petroleum
Products

31.-(1) A Licensee, Agency, marine vessel master, supplier, independent surveyor and an OMC conducting a regulated activity shall ensure that:

(a) there is safe receipt and discharge of petroleum or a petroleum product;

(b) the quality of petroleum or a petroleum product is maintained as per Tanzania Bureau of Standards specification;

(c) there is proper accounting of quantities received or

discharged from marine vessel and quantities received or discharged from the shore tank; and

(d) any other procedure as provided for by applicable law is compiled to.

(2) Where under the provisions of these Rules there is a dispute between parties as to test results on:

(a) quality, Tanzania Bureau of Standards shall have the final decision; and

(b) quantity, Weight and Measure Agency, shall have the final decision.

Obligation to Submit delivery and Berthing Schedule

32. Agency shall ensure that:

(a) it submits delivery schedule to the Authority on monthly basis;

(b) submit berthing schedule on weekly basis;

Power to Change the Berthing Schedule

33. The Agency in consultation with the Authority may, if it deems appropriate, change the berthing schedule submitted in rule 32(a).

Nomination of a Petroleum Independent Surveyor

34. - (1) During marine loading and offloading operations the Agency and supplier shall, each nominate a separate petroleum independent surveyor to represent them.

(2) The petroleum independent surveyor appointed under sub - rule (1) shall supervise and record all the proceedings in respect of marine loading and offloading operations.

(3) The Authority and receiver may appoint a petroleum independent surveyor to represent it during loading and offloading operations.

Petroleum Independent Surveyor Not to Represent More than One Party

35. Subject to the provisions of rule 34(1), an independent surveyor nominated shall not represent more than one party.

Petroleum Independent Surveyor to be Registered by the Authority

36.-(1) A petroleum independent surveyor shall, pursuant to procedures prescribed by the Authority, be required to apply and be registered by the Authority, in order to undertake activities in connection with marine loading and offloading operations.

(2) The Authority shall issue a certificate of registration to such registered petroleum independent surveyor registered under rule 37(1).

(3) A person shall not be registered as a petroleum independent surveyor unless his application meets the necessary technical requirements which include:

- (a) submission of proof of certification or accreditation by the International certification Organizations;
- (b) submission of a Tax payer Identification Number Certificate;
- (c) Weight and Measures Authority certificate or permit;
- (d) submission of Curriculum Vitae of key personnel and proof of their relevant qualifications from recognized institutions which shall be either:
 - (i) Bachelor of Science (General); or
 - (ii) Bachelor of Science in Engineering (Mechanical, Chemical and Process, Petroleum, Industrial, Mineral Processing, Electromechanical or Geoscience Engineering).
- (e) without prejudice to sub rule 3(d), the key personnel shall:
 - (i) have attended any training in petroleum handling operations; and
 - (ii) in case of an engineer, be registered with the Engineers Registration Board.
- (f) the support staff who has at least technician certificate from a recognized institution supported with marine operations training;
- (g) certified copies of company registration documents;
- (h) possession of adequate equipment for marine surveying for petroleum cargo;
- (i) accreditation by the International certification organizations. This accreditation shall include but not limited to IFIA, ISO9001 and ISO 17020 and 1725;
- (j) Possession of a laboratory in Tanzania capable of performing every relevant test as specified by TBS or proof of permitted access thereof; and
- (k) submission of Standard Operating Procedures (SOPs).

Obligations of a

37. A petroleum independent surveyor shall have the

Petroleum
Independent
Surveyor

following obligations:

- (a) to verify the quantity of petroleum or a petroleum product in the marine vessel and shore tank before and after loading and offloading operations;
- (b) ensure that prior to commencement of loading and offloading operations the hoses of the facility are correctly connected and all necessary marine vessel and onshore valves and shore tanks have been aligned accordingly;
- (c) report for both vessels the bill of lading quantities, arrival quantities and outturn quantities and compare them to establish ship to shore losses and gains at Kurasini Oil Jetty, Single Buoy Moring and any other entry point;
- (d) establish outturn quantities receipts of the refined petroleum products received into oil terminals of oil marketing companies and compare them with the arrival quantity and report any loss or gain or unusual loss or gain that occurs with possible causes and remedial measures taken to prevent re-occurrence of such loss or gain;
- (e) maintain a comprehensive and accurate time log throughout the petroleum products discharge operation from marine vessels, highlighting any unusual delays and factors contributing to such delays;
- (f) write a report of findings after discharge operations are completed, indicating any surplus or deficit of receipt against the bill of lading quantity and indicate possible reasons for the difference;
- (g) monitor and report on a daily basis the vessels that are outer anchorage and those occupying Kurasini Oil Jetty and Single Buoy Moring and expected vessels including their Expected Time of Arrival, Expected Time to Berth and Expected Time of Completion;
- (h) report the vessels discharging performance and any possible cause of the poor performance if any;
- (i) report the certificate of quantity for each vessel to include but not limited to the followings, arrival quantity in Metric Tons in Air, USSBBL at 60 degrees farenheight, volume in liter at 20 degrees

- centigrade and density at 20 degrees centigrade;
- (j) report the vessel performance including the applicable pressure during the discharge and discharging rate whether it has met the standards set by the Tanzania Ports Authority or not; and
- (k) Immediately report to the Authority or the Agency incase of any abnormal incident.

Obligations of an OMC

38. An OMC shall:
- (a) ensure that it provides access to an independent surveyor to carry out its obligations;
 - (b) not load products from the receiving tanks when receiving or discharging from the vessel;
 - (c) ensure that the valve between the receiving tank and any other interconnected tanks are closed during loading and offloading operations;
 - (d) only receive products on tanks that are calibrated by the certification Authority;
 - (e) ensure that it installs electronic volume monitoring devices on receiving tanks; and
 - (f) ensure that it install electronic devices to monitor the pipeline valves.

Offences

39. Any person who contravenes the provisions of this Part commits an offence and upon conviction shall be liable to a fine not exceeding five million shillings or to imprisonment for a term not exceeding two years or to both.

Compensation

40. Without prejudice to rule 39 and the power of the Authority to impose any other type of penalty, any person who contravenes the provisions of this part may be ordered to:

- (a) pay demurrage resulting from non-compliance of these Rules and any cascading effects as shall be calculated by the Agency;
- (b) compensate any person for damages caused by such contravention; and
- (c) pay compensation in respect of any damage resulting from such correction or disposal.

PART VI
FINANCIAL PROVISIONS

Setting and

41.-(1) Upon application by a Licensee, the Authority

Approval of
Tariffs

shall set the tariffs to be charged by a Licensee in the operation of a facility.

(2) A tariff charged in terms of sub- rule (1) shall be:

(a) based on a systematic methodology applicable on a consistent and comparable basis;

(b) fair;

(c) non - discriminatory;

(d) simple and transparent;

(e) predictable and stable; and

(f) as to promote access to affordable petroleum products;

(g) effective from the date set out in the tariff order;

(h) reviewed by the Authority within the period set out in the Tariff Order; and

(i) as be adjusted by the Authority on review.

(3) The Authority shall monitor the implementation of tariffs and take appropriate action when necessary to ensure that they are applied in a non-discriminatory manner and a Licensee must provide the information required by the Authority in this regard.

(4) A Licensee may request the Authority to review its tariff from time to time and may submit an application to the Authority in this regard.

(5) A Licensee shall not charge a tariff for the regulated activity other than as set or approved by the Authority.

(6) Any person who contravenes the provisions of sub-rule (5), commits an offence and shall be liable upon conviction, to a fine of one hundred million shillings or imprisonment for a term not exceeding two years or to both.

PART VII
ENVIRONMENTAL PROTECTION

Compliance
with
Environmental
Laws and
Standards Cap.
191 and
Cap. 130

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

(2) Subject to applicable law a Licensee shall:

(a) carry out an environmental impact assessment before establishing a facility, or making any major improvement to an existing facility;

(b) take all necessary preventive measures to avoid

pollution resulting from its regulated activity;

(c) observe strict environmental, health, and industrial safety standards as required by applicable law; and

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

(3) For the purpose of sub-rule (2) (a) the term “major improvement” means an improvement that aims at expanding the size of the facility.

Sanctions for Violation of Environmental Laws Cap.191

43. In the event the Authority determines that a Licensee has violated these Rules or any applicable law on matters related to protection of the environment it shall take appropriate actions pursuant to provisions of the Environment Management Act and other applicable laws.

PART VIII
TECHNICAL PROVISIONS

Compliance with Specifications and Standards

44.-(1) A Licensee shall comply with specifications and standards pertaining to the facility which is consistent with these Rules and applicable law.

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

Preparation of an Emergency Preparedness Plan

45. A Licensee shall establish an emergency preparedness plan to be employed in the event of an emergency at a facility that shall:

(a) include a suitable and adequate emergency response team, spill and fire-fighting plan that comprises:

(i) the locations and types of all spill and fire-fighting equipment;

(ii) first aid and rescue equipment; and

(iii) an action plan that identifies, inter alia, assembly points and the tasks of all employees;

(b) include provisions for the training of employees to deal with a fire, spill and any emergency situation, the records of which shall be preserved;

- (c) be provided to employees employed in or on the relevant premises; and
- (d) be made available to the Authority on request.

Fire Precaution

46.-(1) A Licensee shall:

- (a) ensure that any building, right of way, structure or plant used in connection with a facility is designed, constructed, equipped and maintained:
 - (i) in such a way as to prevent fire and explosion; and
 - (ii) so as to minimize the harmful effects of fires or explosions if they occur;
- (b) ensure that personnel involved in the regulated activity exercise caution in respect of anything that may cause fire or an explosion, and that such personnel follow applicable law on matters related to fire and explosions; and
- (c) ensure that there are adequate clear and visible safety warning signs at the facility.

(2) A Licensee shall make reasonable efforts to ensure that no person throws, leaves or creates any open or uncontrolled naked light, spark or flame or any burning or smouldering material on a facility should be done safely.

(3) A Licensee shall take adequate precaution to prevent the outbreak of spill and fire at a facility.

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

(5) A Licensee shall:

- (a) position the equipment described in sub-rule (4), in accessible places at the facility; and
- (b) in any event, at least once a year, service the equipment described in sub-rule (4), pursuant to applicable law.

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

- (a) include a suitable and adequate fire-fighting plan that comprises:
 - (i) the locations and types of all fire-fighting equipment; and
 - (ii) an action plan that identifies, *inter alia*,

assembly points and the tasks of all employees;

- (b) include provisions for the training of employees to deal with a fire emergency situation, the records of which shall be preserved;
- (c) be provided to employees employed in or on the relevant premises; and
- (d) be made available to the Authority on request.

Control of a
Petroleum
Product Spill

47.-(1) A Licensee shall establish a spill containment plan to be employed in the event of spillage at a facility that shall:

- (a) include a suitable and adequate spill containment equipment and chemicals; and
- (b) include provisions for the training of employees to deal with a spillage, the records of which shall be preserved.

(2) A Licensee shall, in the event of a petroleum product spill:

- (a) as soon as practicable and in any event not more than twenty four hours after the occurrence of such spill, inform the Authority about such spill; and
- (b) take all necessary steps pursuant to good petroleum industry practices or otherwise as may be necessary to clean up such spill.

(3) In the event a Licensee fails to comply with sub-rule (2)(b) within the period of time established by the Authority, the Authority may, by written notice, order such Licensee to take such steps as the Authority may require in order to clean up a petroleum product spill at its own cost.

(4) Any Licensee who fails to comply with an order of the Authority issued pursuant to sub-rule (3) commits an offence and shall on conviction, be liable to a fine of five million shillings or to imprisonment for a term not exceeding two years or to both.

(5) Without prejudice to the provisions of sub-rules (2), (3) and (4), any person who is affected by any spill of a petroleum product and seeks redress, shall first lodge a complaint with a Licensee whose Licence has caused such spill with a view to reaching an amicable settlement.

(6) In the event no settlement is reached under sub-rule (5), the person who is affected by the spill may lodge a complaint to the Authority for compensation from the Licensee who is

Cap.414 responsible for the spill, and the Authority shall deal with such complaint in accordance with the provisions of Part VI of the EWURA Act.

Inspection of a Facility

48.-(1) The Authority may inspect a facility pursuant to these Rules and applicable law.

(2) The Authority may access and inspect a facility, equipment and documents, and an operator of the facility shall render such assistance to an inspector as may be required in the course of such inspection.

(3) Notwithstanding the generality of sub-rule (2), rule an inspector shall have the right and obligation to enter upon any facility for the purpose of conducting inspection.

(4) During inspection an inspector may:

- (a) take samples of any substance or articles at facility;
- (b) make copies or take extracts from any book, accounts or records kept on the facility;
- (c) inspect machinery, equipment, appliances, meters, fittings and apparatus; and
- (d) inspect any vehicle that is found at the facility.

Prohibited Acts Against Inspectors

49.-(1) A Licensee shall not:

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

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

Decommissioning Procedure

50.-(1) A Licensee shall, subject to the provisions of this rule, decommission a facility shall be done:

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

(2) A Licensee seeking to decommission a facility shall notify the Authority not less than thirty days prior to such decommissioning in order to enable the Authority make necessary inspections and to issue the necessary approvals.

(3) Notwithstanding any provision of these Rules, a Licensee shall pay all costs associated with the decommissioning of a facility, whether such decommissioning has been done following the request by the Licensee or by order of the Authority.

Site Restoration

51.-(1) The Authority shall, after confirming that the area where a facility has been constructed has been restored to its original state by a Licensee, issue a certificate of compliance to such Licensee.

(2) For the purposes of sub-rule (1) of this rule “restore” means to:

- (a) return the area in which a Licensed facility is located to its original and natural state as it was prior to the installation of such facility; or
- (b) render the area in which a Licensed facility is located, or part thereof, compatible with its intended after-use, including:
 - (i) removing buildings, structures, plant and debris;
 - (ii) establishing compatible contours and drainage;
 - (iii) replacing top soil, re-vegetation, slope

- stabilization; and
- (iv) in filling excavations.

(3) The Authority shall, before issuing a certificate of compliance under sub-rule (1), consult the Council.

PART IX
PENALTIES AND REMEDIAL MEASURES

Penalties and
Remedial
Measures

52. The Authority may, without prejudice to the penalties prescribed in these Rules and applicable law where it determines that a Licensee is in violation of these Rules or applicable law:

- (a) issue a warning;
- (b) issue a Compliance Order restraining a Licensee from continuing violation of these rules, Licence conditions, the Act or applicable law;
- (c) restrict the conduct of a regulated activity;
- (d) order a Licensee to remedy any situation as a result of such violation;
- (e) issue a partial suspension of a Licence for such period the Authority may determine;
- (f) suspend a Licence for such period the Authority may determine; or
- (g) revoke a Licence.

PART X
GENERAL PROVISIONS

Power to enter
and Close a
Facility

53.-(1) Notwithstanding any provision in these Rules an inspector shall, with an order in writing, have the right and obligation to enter upon any facility and close it down where he determines that a regulated activity is being conducted in contravention of these rules.

(2) An inspector may while discharging his obligation under sub-rule (1) of this rule seek the assistance of law enforcement institutions including the police and such institution shall provide the requested assistance to the inspector.

Transitional
Provision

54. Any person who conducts marine loading and

offloading operations whether Licensed or not shall within twelve months after coming into force of these Rules, adjust its operations and upgrade its facilities in order to comply with the provisions of these Rules.

General Penalty

55. Any person who commits an offence for which no specific penalty is prescribed in these Rules shall be liable on conviction to a fine of five million shillings or to imprisonment for a term not exceeding two years or both.

Penalty for a
Second or
Subsequent
Conviction

56. Any person who is convicted of a second or subsequent conviction of any offence under these Rules and the Act shall without prejudice to the penalties prescribed in rule 55, be liable to a fine of not less than ten million shillings or to imprisonment for a term of not less than three years or to both.

Authority to
Supplement
Procedures as
Needed

57. Where procedures are not provided for in these rules, the Authority may do whatever is necessary and permitted by law to enable it to effectively and completely adjudicate on any matter before it.

Appeal
Cap. 285

58. Any person who is aggrieved by a decision made by the Authority under any of these Rules may lodge an appeal to the Tribunal pursuant to the provisions of the Fair Competition Act.

Revocation of
GN No 99/2016

59.-(1) The Petroleum (Marine Loading And Off Loading Operations) Rules, 2016 are hereby revoked

(2) Notwithstanding the revocation of the Petroleum (Marine Loading and Off Loading Operations, Rules 2016, all orders, exemptions or directives made or issued or deemed to have been made or issued under those Rules shall be deemed to have been made under these Rules, and shall remain in force until revoked or otherwise expire or cease to have effect.

SCHEDULE

—————
FIRST SCHEDULE
—————

(Made Under Rule 13(2))

INTEGRITY PLEDGE

1. We do believe that, unethical business practices and corruption have been one of the biggest impediments to sustainable economic growth and prosperity in Tanzania and has been eroding public confidence in the Government and its institutions ability to serve its citizen fairly.
2. As a company involved in petroleum activities in Tanzania, we acknowledge our responsibility to ensure good governance because it is necessary for continued growth and business sustainability. We also acknowledge the importance of conducting our business with the highest standards of transparency, ethics and integrity.
3. While the Government through the Prevention and Combating of Corruption Bureau (PCCB) has its own initiatives for reducing corruption and other unethical practices, we realize that those initiatives cannot succeed without individual and collective commitment from business community to level the playing field and to build integrity in the business environment.
4. In view of the foregoing, we pledge the following:
 - (a) not, through any of our employees, representatives or agents, to involve in any form of bribery, corruption whether direct or indirect or unethical behavior in whatever form;
 - (b) to clearly communicate with all employees and business partners about stance on fighting all forms of bribe, corruption and other unethical behavior in whatever form;
 - (c) to maintain and share with our employees the code of conduct which will be a guide in executing our daily business operations in order to comply with high ethical standards of conduct and anti-corruption laws;
 - (d) to conduct regular training on anti-bribery and anti-corruption to our employees and business partners in order to ensure that they are updated and knowledgeable of the Company' s policy in implementing this pledge;
 - (e) to conduct integrity risk assessment that will help to identify corruption risks inherent in business operations and apply effective measures;

- (f) to maintain appropriate financial reporting mechanisms that are accurate and transparent;
 - (g) to enter into integrity pacts with business partners and government agencies when dealing with procedures related to the bidding and procurement of supplies, materials, equipment, and construction;
 - (h) to maintain channels by which employees and other stakeholders can raise ethical concerns and report suspicious circumstances in confidence without risk of reprisal, and a designated officer will be tasked with investigating all reports received and taking appropriate action;
 - (i) to refrain from engaging in business with parties who have demonstrated unethical business practices;
 - (j) not to engage in any arrangements that undermines or is prejudicial to the national security; and
 - (k) to maintain a proper insurance cover against losses, injuries or damage to environmental, communities, individual and properties that may be occasioned in the course of carrying business.
5. To ensure collective action in preventing any unethical and corrupt behavior and the highest standards of ethics, integrity and transparent in business transactions in Tanzania, we commit to:
- (a) support a nationwide initiative intended to create fair market conditions, transparency in business transactions, and ensure good corporate governance;
 - (b) participate in roundtable discussions, meetings, and forum to identify the key concerns and current problems affecting the private sectors related to integrity and transparency in business transactions;
 - (c) share the international best practices, tools and concepts which are intended to be used by all participating entities to achieve the goals of the nationwide integrity behavior initiative;
 - (d) participate in the creation of key measures and control activities intended to ensure transparency, integrity and ethical business practice;
 - (e) support the development of an audit and certification program (including a training program for advisers and auditors) that will offer a toolbox for enterprises to introduce and implement ethical practices in their business processes; and institutionalize the whole process to promote sustainability of the integrity initiative.
6. To confirm our commitment to this pledge, we hereby commit ourselves as a company and individuals to be bound in all aspects by this integrity pledge and shall be responsible for all the consequences which may result to non-compliance to this pledge.

- 7. To fight any form of corruption practices whereby zero tolerance action will be taken against any employee, staff or other person involved in corruption in relation to the business, regardless of position and status.
- 8. To report any corrupt or unethical practices that occur in the business place to the appropriate Authority.
- 9. We shall also ensure that our employees and agents comply with this pledge and in any event of non-compliance we commit ourselves to be responsible for their action.

Signed by
for and on behalf of

.....
this day of 20....

Signature
Designation:.....

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

SECOND SCHEDULE



CERTIFICATE OF REGISTRATION

FOR A PETROLEUM INDEPENDENT SURVEYOR

No. CRPIS – 2018 - 000

(Issued pursuant to Rule 38 of the Petroleum (Marine Loading and Offloading) Rules, 2018)

This is to certify that..... with its registered office at has been registered with the Authority as a Petroleum Independent Surveyor.

This certificate permits ----- to conduct petroleum independent surveying activities, in accordance with the

The Petroleum (Marine Loading and Off Loading Operations)

GN. No. 379 (Contd.)

provisions of the Petroleum (Marine Loading and Offloading) Rules, 2018.

This certificate shall be valid for one year from this..... day of20..... and shall remain in force until unless revoked by the Authority.

.....

Date of Issue
General

Director

Secretary to the Board

Dodoma,
.....2018

NZINYANGWA E MCHANY
Director General