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# GENERAL NOTICE

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## NOTICE 407 OF 2009

### DRAFT REGULATION FOR PUBLIC COMMENT

#### DEPARTMENT OF MINERALS AND ENERGY

March 2009

#### PETROLEUM PRODUCTS ACT, 1977 (ACT No.120 OF 1977)

The Minister of Minerals and Energy has, in terms of Sections 2 of the Petroleum Products Act, 1977 (Act No.120 of 1977) made Draft Regulations in the Schedule which are hereby published for public comments.

#### SCHEDULE

1. In these Regulations, any word or expression defined in the Act shall bear the meaning so assigned to it and, unless the context herein indicates otherwise-

"benefit" means-

(a) any money, article, service or concession having a commercial value; or (b) anything whatsoever which, either by itself or in conjunction with any other thing or with the performance of any act, entitles or purports to entitle the recipient thereof to receive such money, article, service or concession, or to participate in any competition.

"the Act" means the Petroleum Products Act, 1977 (Act No. 120 of 1977) as amended.

"retail" means the sale of petroleum products to and end-consumer at a site and a 'retailer' shall be interpreted accordingly.

#### 2. Retail price maintenance

(1) A retailer shall supply or offer to supply petrol at the outlet by way of sale for a wholly monetary consideration and at the price so prescribed.

(2) A retailer shall not give or offer any benefit to any consumer as a condition or as a result of any sale of petrol contemplated in sub-regulation.

### 3. Method of payment for sale of petrol and diesel

(1) A retailer must accept payment in the form of cash, debit, credit and hybrid cards for the payment of petrol and diesel supplied into the tanks of vehicles.

(2) The costs to a retailer arising from the acceptance of payment in the form of debit, credit and hybrid cards must not exceed the costs of cash as a form of payment determined by the Department of Minerals and Energy on an annual basis.

### 4. Repeal of Regulations

(1) Regulations promulgated by Government Notice R.1100 of 02 June 1986 and Regulations promulgated by Government Notice R. 275 of 17 January 1992 are hereby repealed.

#### SUBMISSION OF COMMENTS:

Comments on the Draft Regulation must be submitted in writing to the Department of Minerals and Energy not later than 30 days from the date of this publication.

Comments must be submitted to:

Mr R Maake

Director: Petroleum and Gas Operations

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