
GOVERNMENT NOTICES

DEPARTMENT OF ENERGY

No. R. 1061

19 December 2012

PETROLEUM PRODUCTS ACT, 1977

AMENDMENT OF REGULATIONS REGARDING PETROLEUM PRODUCTS SITE AND RETAIL LICENCES

The Minister of Energy has under section 12C, read with sections 2A, 2C, 2E and 2F of the Petroleum Products Act, 1977 (Act No. 120 of 1977), made the regulations in the Schedule.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the regulations published under Government Notice No. R. 286 of 27 March 2006.

Amendment of regulation 38 of the Regulations

2. Regulation 38 of the Regulations is hereby amended by the substitution for paragraph (a) of the following paragraph:

“(a) remains the property of the Department of Energy”.

Substitution of Annexure A to the Regulations

3. Annexure A to this Schedule is hereby substituted for Annexure A to the Regulations.

Substitution of Annexure B to the Regulations

4. Annexure B to this Schedule is hereby substituted for Annexure B to the Regulations.

ANNEXURE A: FORMS**energy**

Department:
Energy
REPUBLIC OF SOUTH AFRICA

DE 29

APPLICATION FOR SITE OR RETAIL LICENCE

PETROLEUM PRODUCTS ACT 120 OF 1977 AS AMENDED - PETROLEUM PRODUCTS SITE AND RETAIL LICENCE REGULATIONS 2006

INSTRUCTIONS

1. READ REGULATIONS BEFORE COMPLETING THIS APPLICATION FORM.
2. USE CAPITAL LETTERS AND WHERE APPLICABLE MARK WITH A ☒.
3. USE A SEPARATE FORM FOR EACH LICENCE APPLICATION.

4. INDICATE TYPE OF LICENCE YOU ARE APPLYING FOR.

☐ SITE LICENCE ☐ RETAIL LICENCE

5. INDICATE IF APPLICATION IS FOR AN EXISTING OPERATION (CONVERSION LICENCE) OR A NEW OPERATION APPLICATION.

☐ CONVERSION LICENCE ☐ NEW LICENCE

OFFICIAL USE ONLY**SITE LICENCE NUMBER**

/						/					
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RETAIL LICENCE NUMBER

/						/					
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SECTION 1: APPLICANT'S DETAILS (COMPLETE FOR SITE AND RETAIL LICENCE APPLICATIONS)

REGISTERED
NAME
IN FULL

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TRADE NAME
IN FULL

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POSTAL
ADDRESS OF
REGISTERED
OFFICE

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PHYSICAL
ADDRESS OF
REGISTERED
OFFICE

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POSTAL CODE

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BUSINESS
TEL NO.
(INCLUDE
CODE)

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MOBILE PHONE
NUMBER

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FAX NO.
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CODE)

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[illegible]

INDICATE PROVINCE WHERE THE RETAIL OPERATIONS ARE/WILL BE CARRIED OUT

- ☐ EASTERN CAPE ☐ FREE STATE ☐ GAUTENG ☐ KWAZULU-NATAL
- ☐ LIMPOPO ☐ MPUMALANGA ☐ NORTHERN CAPE ☐ NORTH WEST
- ☐ WESTERN CAPE

GLOBAL POSITIONING SYSTEM (GPS) COORDINATES OF PROPERTY WHERE RETAIL OPERATIONS ARE/WILL BE CARRIED OUT

NOTE: Coordinates must be recorded from the centre of the property.

LATITUDE: degrees, minutes, seconds

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LONGITUDE: degrees, minutes, seconds

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SECTION 4: COMPLETE FOR A RETAIL LICENCE APPLICATION ONLYTRADE NAME/
PROPOSED
TRADE
NAME[illegible]

NAME OF FUEL SUPPLIER (wholesaler / refiner)

[illegible]

OIL COMPANY BRAND DISPLAYED/TO BE DISPLAYED ON SITE

[illegible]

INDICATE TYPE OF RELATIONSHIP BETWEEN SITE OWNER AND RETAILER (DEALER)
(Select one of the following)

- | | | | | | | | | | |
|---|--|--|---|--|--|---|--|---|--|
| <input type="checkbox"/> RETAILER OWNED, RETAILER OPERATED | <input type="checkbox"/> 3 rd PARTY OWNED, OIL COMPANY LEASED.
RETAILER OPERATED | | | | | | | | |
| <input type="checkbox"/> OIL COMPANY OWNED, RETAILER OPERATED | <input type="checkbox"/> OIL COMPANY TRAINING SITE
(Include wholesale licence number if issued) | | | | | | | | |
| <input type="checkbox"/> OTHER | <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px; text-align: center;">/</td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px; text-align: center;">/</td> <td style="width: 20px; height: 20px;"></td> </tr> </table> | | / | | | | | / | |
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[illegible]

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DOCUMENTS TO BE ATTACHED FOR A NEW SITE LICENCE APPLICATION

1. A motivation for the site.

2. A certified copy of the applicant's identity document, if the applicant is a natural person, and in the case of a non- South African citizen, permanent residence permit or employment permit and proof of residence in South Africa, or proof of domicile in South Africa, as the case may be.

OR

a certified copy of the business entity's registration documents, if the applicant is a corporate entity or a trust.

3. A certified copy of the land use-zoning certificate issued by a competent authority, authorising retailing from the site.

4. A certified copy The Record of Decision of the environmental authorities in accordance with the Environmental Conservation Act, 1989 (Act No. 73 of 1989), permitting retailing operations on the site.

5. A Certified copy of, in the case of-

a. An owner, the title deed to the land on which the site is located.

OR

b. Publicly owned land, the written permission of the landowner.

6. The permission by the National Roads Authority to develop the site, if the site allows or is intended to allow access by vehicles to a national road.

7. If necessary, the original or certified copy of a declaration by the applicant giving reasons why any attachment required is not provided.

DOCUMENTS TO BE ATTACHED FOR CONVERSION SITE LICENCE APPLICATION

1. A certified copy of the applicant's identity document, if the applicant is a natural person, and in the case of a non- South African citizen, permanent residence permit or employment permit and proof of residence in South Africa, or proof of domicile in South Africa, as the case may be.

OR

a certified copy of the business entity's registration documents, if the applicant is a corporate entity or a trust.

2. Certified copy of, in the case of-

a. An owner, the title deed to the land on which the site is located.

OR

b. Publicly owned land, the written permission of the land owner.

OR

c. A lease agreement or an offer to purchase the site or an offer to lease the site.

3. A declaration by the applicant stating that the applicant is in compliance with the Act, the referred Regulations and all other national, provincial and local government laws applicable for the operation of the activity concerned, including but not limited to laws relating to labour, safety, hazardous substances, security, health and the environment.

4. If retailing operations were being conducted on the site at the commencement of the Amendment Act's, a declaration by the applicant to that effect.

5. If the applicant is in the process of developing a site at the commencement of the Amendment Acts, a statement signed by the appropriate building inspector or other competent authority stating-
- a. the date on which building plans for the site were approved by the appropriate authorities, and
 - b. that construction in accordance therewith had begun at the commencement of the Amendment Acts.

6. If necessary, the original or certified copy of a declaration by the applicant giving reasons why any attachment required is not provided.

DOCUMENTS TO BE ATTACHED FOR A NEW RETAIL LICENCE APPLICATION

1. A motivation for the retailing activity.

2. A certified copy of the applicant's identity document, if the applicant is a natural person, and in the case of a non- South African citizen, permanent residence permit or employment permit and proof of residence in South Africa, or proof of domicile in South Africa, as the case may be.

OR

a certified copy of the business entity's registration documents, if the applicant is a corporate entity or a trust.

3. In the case of an application made by a natural person claiming to be a historically disadvantaged South African, a declaration by that person to that effect.

4. The net present value calculation including-

- a. the result of the net present value calculation, and
- b. all data and assumptions used in the calculation of the net present value.

5. A declaration by the applicant stating that the applicant is not owned in any way by a licensed wholesaler.

6. In the case of an application made by a juristic person, a declaration on the extent of ownership of the business by historically disadvantaged South Africans as defined in the Charter.

7. In the case of a retail business owned by a licensed wholesaler for training purposes, declaration by the licensed wholesaler stating that the licensed retailing activity will be used for training purposes.

8. If necessary, the original or certified copy of a declaration by the applicant giving reasons why any attachment required is not provided.

**DOCUMENTS TO BE ATTACHED IF THIS IS AN APPLICATION FOR CONVERSION RETAIL
LICENCE**

1. A certified copy of the applicant's identity document, if the applicant is a natural person, and in the case of a non- South African citizen, permanent residence permit or employment permit and proof of residence in South Africa, or proof of domicile in South Africa, as the case may be.

OR

a certified copy of the business entity's registration documents, if the applicant is a corporate entity or a trust.

2. In the case of an application made by a natural person claiming to be a historically disadvantaged South African, a declaration by that person to that effect.

3. In the case of an application made by a juristic person, on the extent of ownership of the business by historically disadvantaged South Africans as defined in the Charter.

4. A declaration by the applicant stating that the applicant is in compliance with the Act, these Regulations and all other applicable national, provincial and local government laws, including but not limited to laws relating to labour, safety, hazardous substances, security, health and the environment.

5. A declaration by the applicant stating that the applicant is not owned in any way by a licensed wholesaler.

6. In the case of a retail business owned by a licensed wholesaler for training purposes, declaration by the licensed wholesaler stating that the licensed retailing activity will be used for training purposes.

7. If necessary, the original or certified copy of a declaration by the applicant giving reasons why any attachment required is not provided.

DECLARATION

I (full names).....hereby
declare that all information provided herein is within my personal knowledge and that-

- a) I am duly authorised to make this declaration;
- b) I am the designated person responsible for this licence and any conditions attached thereto;
- c) I have read and understood the regulations related hereto, with specific reference to Regulation 34 regarding any false declaration; and
- d) all information provided herein is to the best of my knowledge true and correct.

Signed at.....(place) on this..... day of.....(month)
..... (year)

.....
Signature

I certify that the deponent-

- (a) has acknowledged that he/she knows and understands the contents of this application form and its annexures, that he/she has no objection to taking the prescribed oath and that he/she considers the oath binding on his/her conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at
..... (place) on thisday of
.....(month).....(year).

COMMISSIONER OF OATHS

Name: _____

Address: _____

Capacity: _____

NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents and submitted to the appropriate regional office using the relevant address, mentioned below.

<p><u>Gauteng</u> Private Bag X96 Pretoria 0001 (012) 406 8000</p> <p><u>Physical Address</u> Corner Paul Kruger & Visagie Visagie Street, 192 Pretoria 0001</p>	<p><u>Western Cape</u> Private Bag X9 Roggebaai 8012 (021) 418 3724</p> <p><u>Physical Address</u> 34 The Terraces Building Riebeek & Bree Streets Cape Town 8001</p>	<p><u>Kwazulu- Natal</u> Private Bag X54307 Durban 4000 (031) 335 9647/ 9638</p> <p><u>Physical Address</u> Durban Bay House (3rd floor) Anton Lembede street, 333 Durban 4000</p>
<p><u>Eastern Cape</u> Private Bag X6013 Port Elizabeth 6000 (041) 396 3914</p> <p><u>Physical Address</u> 690 Crispin Hall Cnr Mount and Diaz Road Port Elizabeth 6000</p>	<p><u>Free State</u> Private Bag X3658 Welkom 9463 (057) 391 1300</p> <p><u>Physical Address</u> The Strip Building Stateway & Bok Street, 314 Welkom 9460</p>	<p><u>Mpumalanga</u> Private Bag X7297 Witbank 1035 (013) 653 0500</p> <p><u>Physical Address</u> Province Building Cnr Paul Kruger & Botha Avenue Witbank 1035</p>
<p><u>North West</u> Private Bag XA1 Klerksdorp 2570 (018) 464 2460</p> <p><u>Physical Address</u> Vaal University of Technology Building Cnr Voortrekker & Margareta Prinsloo street Klerksdorp 2570</p>	<p><u>Northern Cape</u> Private Bag X6093 Kimberley 8301 (053) 807 1710</p> <p><u>Physical Address</u> 65 Phakamile Mabija Street Perm Building Northern Cape Kimberley 8300</p>	<p><u>Limpopo</u> Private Bag X9712 Polokwane 0699 (015) 287 4720</p> <p><u>Physical Address</u> Broll Building Dorp Street 101 Polokwane 0699</p>



energy

Department:
Energy
REPUBLIC OF SOUTH AFRICA

DE 44

APPLICATION FOR TEMPORARY LICENCE

PETROLEUM PRODUCTS ACT 120 OF 1977 AS AMENDED - PETROLEUM PRODUCTS LICENCE REGULATIONS 2006

INSTRUCTIONS

1. READ REGULATIONS BEFORE COMPLETING THIS APPLICATION FORM.
2. USE CAPITAL LETTERS AND WHERE APPLICABLE MARK WITH A ☒.

PLEASE COMPLETE

RETAIL WHOLESALE /
MANUFACTURING LICENCE NUMB

/				/			
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SECTION 1: APPLICANTS DETAILS

FULL NAME OF TEMPORARY LICENCE APPLICANT IF NOT AN INDIVIDUAL (for example, company name or trust name etc.)

[illegible]

ENTER FULL NAME OF TEMPORARY LICENCE APPLICANT IF AN INDIVIDUAL

NOTE: In the event that a corporate entity or partnership, trust or body other than an individual makes the application, state here the personal particulars of the person authorised to make this application on behalf of such body.

TITLE

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FAMILY NAME

[illegible]

FIRST NAME

[illegible]

IDENTITY NO.

[illegible]

INDICATE REASONS WHY APPLICANT (ABOVE) IS THE APPROPRIATE PERSON TO BE ISSUED WITH A TEMPORARY LICENCE

[illegible]

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page or a sheet of stationery. There is no handwriting or other markings on the page.

1. A certified copy of the applicant's identity document, if the applicant is a natural person, and in the case of a non - South African citizen, permanent residence permit or employment permit and proof of residence in South Africa, or proof of domicile in South Africa, as the case may be.

OR

a certified copy of the business entity's registration documents, if the applicant is a corporate entity or a trust.

DECLARATION

I (full names).....hereby declare
that all information provided herein is within my personal knowledge and that-

- a) I am duly authorised to make this declaration;
- b) I am the designated person responsible for this licence and any conditions attached thereto;
- c) I have read and understood the regulations related hereto, with specific reference to regulation 34 (retail licence), regulation 25 (wholesale licence) and regulation 27 (manufacturing licence) regarding any false declaration; and
- d) all information provided herein is to the best of my knowledge true and correct.

Signed at.....(place) on this..... day of.....(month)
..... (year)

.....
Signature

I certify that the deponent-

- (a) has acknowledged that he/she knows and understands the contents of this application form and its annexures, that he/she has no objection to taking the prescribed oath and that he/she considers the oath binding on his/her conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at (place) on thisday of(month).....(year).

COMMISSIONER OF OATHS

Name: _____

Address: _____

Capacity: _____

NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents and submitted to the appropriate regional office using the relevant address, mentioned below.

<p><u>Gauteng</u> Private Bag X96 Pretoria 0001 (012) 406 8000</p> <p><u>Physical Address</u> Corner Paul Kruger & Visagie Visagie Street, 192 Pretoria 0001</p>	<p><u>Western Cape</u> Private Bag X9 Roggebaai 8012 (021) 418 3724</p> <p><u>Physical Address</u> 34 The Terraces Building Riebeeck & Bree Streets Cape Town 8001</p>	<p><u>Kwazulu- Natal</u> Private Bag X54307 Durban 4000 (031) 335 9647/ 9638</p> <p><u>Physical Address</u> Durban Bay House (3rd floor) Anton Lembede street, 333 Durban 4000</p>
<p><u>Eastern Cape</u> Private Bag X6013 Port Elizabeth 6000 (041) 396 3914</p> <p><u>Physical Address</u> 690 Crispin Hall Cnr Mount and Diaz Road Port Elizabeth 6000</p>	<p><u>Free State</u> Private Bag X3658 Welkom 9463 (057) 391 1300</p> <p><u>Physical Address</u> The Strip Building Stateway & Bok Street, 314 Welkom 9460</p>	<p><u>Mpumalanga</u> Private Bag X7297 Witbank 1035 (013) 653 0500</p> <p><u>Physical Address</u> Province Building Cnr Paul Kruger & Botha Avenue Witbank 1035</p>
<p><u>North West</u> Private Bag XA1 Klerksdorp 2570 (018) 464 2460</p> <p><u>Physical Address</u> Vaal University of Technology Building Cnr Voortrekker & Margareta Prinsloo street Klerksdorp 2570</p>	<p><u>Northern Cape</u> Private Bag X6093 Kimberley 8301 (053) 807 1710</p> <p><u>Physical Address</u> 65 Phakamile Mabija Street Perm Building Curry Street, 29-31 Northern Cape Kimberley 8300</p>	<p><u>Limpopo</u> Private Bag X9712 Polokwane 0699 (015) 287 4720</p> <p><u>Physical Address</u> Broll Building Dorp Street 101 Polokwane 0699</p>



energy

Department:
Energy
REPUBLIC OF SOUTH AFRICA

DE 26

RETAIL LICENCE ANNUAL INFORMATION (SUBMISSION FORM)

PETROLEUM PRODUCTS ACT 120 OF 1977 AS AMENDED - PETROLEUM PRODUCTS SITE AND RETAIL LICENCE REGULATIONS 2006

INSTRUCTIONS

1. READ REGULATIONS BEFORE COMPLETING THIS APPLICATION FORM.
2. USE CAPITAL LETTERS AND WHERE APPLICABLE MARK WITH A ☒.

PLEASE COMPLETE

SITE LICENCE NUMBER

	/					/				
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RETAIL LICENCE NUMBER

/				/			
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SECTION 1: COMPLETE LICENSEE'S PARTICULARS

REGISTERED
NAME
IN FULL

[illegible]

TRADE NAME
IN FULL

[illegible]

ENTER DETAILS OF CONTACT MEMBER OF ENTITY

TITLE

--	--	--	--

FAMILY NAME

[illegible]

FIRST NAME

[illegible]

IDENTITY NO.

[illegible]**SECTION 2: COMPLETE IF THERE IS A CHANGE IN LICENSEE'S PARTICULARS**

TRADE NAME
IN FULL

[illegible]

POSTAL
ADDRESS OF
REGISTERED
OFFICE

[illegible]

POSTAL CODE

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BUSINESS
TEL NO.
(INCLUDE
CODE)

[illegible]

INDICATE NUMBER OF EMPLOYEES BY RACE, GENDER AND DISABILITY

BLACK EMPLOYEES: MALE FEMALE DISABLED COLOURED EMPLOYEES: MALE FEMALE DISABLED INDIAN EMPLOYEES: MALE FEMALE DISABLED WHITE EMPLOYEES: MALE FEMALE DISABLED TOTAL NUMBER OF EMPLOYEES

SECTION 4: COMPLETE DETAILS ON TRAINING OF LICENSEE'S EMPLOYEES

NUMBER OF EMPLOYEES TRAINED

INDICATE TITLE AND QUALIFICATIONS OBTAINED BY EMPLOYEES

DOCUMENTS TO BE ATTACHED TO THE SUBMISSION OF ANNUAL INFORMATION FORM

- | |
|---|
| 1. A declaration that the ownership of the licensed activity has not changed. |
| 2. A declaration that a wholesaler, with an exception of a retail activity licensed to a wholesaler for training purposes, does not own the licensed retail business. |
| 3. Progress and an updated plan in respect of compliance with the objectives of the Charter. |
| 4. A declaration that the retail licence is not held directly or indirectly by a licensed wholesaler. |

DECLARATION

I (full names).....hereby declare
that all information provided herein is within my personal knowledge and that-

- a) I am duly authorised to make this declaration;
- b) I am the designated person responsible for this licence and any conditions attached thereto;
- c) I have read and understood the regulations related hereto, with specific reference to Regulation 34 regarding any false declaration; and
- d) all information provided herein is to the best of my knowledge true and correct.

Signed at.....(place) on this..... day of.....(month)
..... (year)

.....
Signature

I certify that the deponent-

- (a) has acknowledged that he/she knows and understands the contents of this application form and its annexures, that he/she has no objection to taking the prescribed oath and that he/she considers the oath binding on his/her conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at (place) on thisday of(month).....(year).

COMMISSIONER OF OATHS

Name: _____

Address: _____

Capacity: _____

NOTE: If this application form is completed electronically it must be printed out, signed before a Commissioner of Oaths and submitted with the necessary supporting documents and submitted to the appropriate regional office using the relevant address, mentioned below.

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<p><u>Eastern Cape</u> Private Bag X6013 Port Elizabeth 6000 (041) 396 3914</p> <p><u>Physical Address</u> 690 Crispin Hall Cnr Mount and Diaz Road Port Elizabeth 6000</p>	<p><u>Free State</u> Private Bag X 3658 Welkom 9463 (057) 391 1300</p> <p><u>Physical Address</u> The Strip Building Stateway & Bok Street, 314 Welkom 9460</p>	<p><u>Mpumalanga</u> Private Bag X7297 Witbank 1035 (013) 653 0500</p> <p><u>Physical Address</u> Province Building Cnr Paul Kruger & Botha Avenue Witbank 1035</p>
<p><u>North West</u> Private Bag XA1 Klerksdorp 2570 (018) 464 2460</p> <p><u>Physical Address</u> Vaal University of Technology Building Cnr Voortrekker & Margareta Prinsloo street Klerksdorp 2570</p>	<p><u>Northern Cape</u> Private Bag X6093 Kimberley 8301 (053) 807 1710</p> <p><u>Physical Address</u> 65 Phakamile Mabija Street Perm Building Northern Cape Kimberley 8300</p>	<p><u>Limpopo</u> Private Bag X9712 Polokwane 0699 (015) 287 4720</p> <p><u>Physical Address</u> Broll Building Dorp Street 101 Polokwane 0699</p>

ANNEXURE B: LICENCE FEES

Site licence fee	R 1000
Retail licence fee	R 500
Annual retail licence fee	R 500
Temporary retail licence fee	R 500
Duplicate licence fee	R 500
Site licence transfer fee	R 500
Amendment licence fee	R 500

Payment must be deposited into the following relevant regional account closest to the region where the application is lodged –

Bank: Nedbank

Account holder: Department of Energy

Include your reference number, which will be provided by the Controller, on the deposit slip.

Account Holder Name	Account Number	Branch code	Branch Name
Department of Energy - GP	1454 117 761	14 54 05	Corporate Client Services, Johannesburg
Department of Energy - KZN	1454 117 788	14 54 05	Corporate Client Services, Johannesburg
Department of Energy - NW	1454 117 796	14 54 05	Corporate Client Services, Johannesburg
Department of Energy - WC	1454 117 818	14 54 05	Corporate Client Services, Johannesburg
Department of Energy - MP	1454 117 826	14 54 05	Corporate Client Services, Johannesburg
Department of Energy - FS	1454 117 834	14 54 05	Corporate Client Services, Johannesburg
Department of Energy - EC	1454 117 842	14 54 05	Corporate Client Services, Johannesburg
Department of Energy – LP	1454 117 850	14 54 05	Corporate Client Services, Johannesburg
Department of Energy - NC	1454 117 869	14 54 05	Corporate Client Services, Johannesburg