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 SOU	TH AFRICA									
PETROLEUM P	ON FOR SITE OR RETAIL LICENCE RODUCTS ACT 120 OF 1977 AS AMENDED - PETROLEUM PRO E REGULATIONS 2006	DDUCTS SITE AND								
INSTRUCTIONS 1. READ REGULA	OFFICI TIONS BEFORE COMPLETING THIS APPLICATION FORM.	AL USE ONLY								
	.ETTERS AND WHERE APPLICABLE MARK WITH A ☒. SITE LIC .TE FORM FOR EACH LICENCE APPLICATION.	SITE LICENCE NUMBER								
	E OF LICENCE YOU ARE APPLYING FOR.	///////////////////////////////////////								
_		L LICENCE NUMBER								
(CONVERSION	PPLICATION IS FOR AN EXISTING OPERATION LICENCE) OR A NEW OPERATION APPLICATION.	///////////////////////////////////////								
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(INCLUDE CODE)										
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☐ INDIVIDUAL	_	ARTNERSHIP	∐ ВО	DY CORPORATE
TRUST	Ц٥	THER		
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LIMPOPO	MPUMALANGA	□ NORT	THERN CAP	E 🗌 N	ORTH WE	ST			
☐ WESTERN CAPE									
GLOBAL POSITIONIN AREWILL BE CARRIE	G SYSTEM (GPS) CO	ORDINATES	S OF PROPE	ERTY WHE	ERE RETA	IL OPEF	RATIO	NS	
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LONGITUDE: degrees	, minutes, seconds	1 1	0 1 1	, I	Т "				
SECTION 4: COMPLE	ETE FOR A RETAIL LIC	CENCE APF	PLICATION	ONLY					
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INDICATE TYPE OF R (Select one of the folio	RELATIONSHIP BETWI	EEN SITE C	DWNER AND 3 rd PAR RETAILS	RETAILE	R (DEALE D, OIL CO ATED PAINING S	R) MPANY ITE			1
INDICATE TYPE OF R (Select one of the folio	RELATIONSHIP BETWINDWING)	EEN SITE C	DWNER AND 3 rd PAR RETAILS	RETAILE TY OWNEI ER OPERA	R (DEALE D, OIL CO ATED PAINING S	R) MPANY ITE			1

IF OTHER (SPECIFY)	4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4
SITE LICENCE N Note: Where a ne licence number.	O. (IF ISSUED) w retailer applies for a retail licence to replace an existing retailer, in such a case please enter the site
1 / 1 1	
VOLUMES (LITRI 2006)	ES) SOLD IN LAST CALENDAR YEAR, (For retailing operations that existed before the 31 March
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4	
DIESEL	
ILLUMINATING PARAFFIN	
ENTER PROJEC	TED VOLUMES (FOR NEW RETAILING OPERATION AS INDICATED IN THE NPV SUBMITTED)
PETROL	1 1 1 1 1 1 1 1 1 1
DIESEL	1 1 1 1 1 1 1 1 1 1
ILLUMINATING PARAFFIN	1 1 1 1 1 1 1 1 1 1

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

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.

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.
- 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.
- 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
 - the date on which building plans for the site were approved by the appropriate authorities, and
 - 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.
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$\frac{\text{DOCUMENTS TO BE ATTACHED IF THIS IS AN APPLICATION FOR CONVERSION RETAIL}}{\underline{\text{LICENCE}}}$

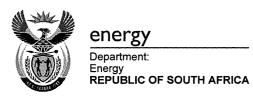
1.	A certified copy of the applicant's identity document, if the applicant is a natural person, and in the case of a non- South African citizen, permanent residence permit or employment permit and proof of residence in South Africa, or proof of domicile in South Africa, as the case may be.
	OR
	a certified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

DECLARAT	TION
I (full names	s)hereby
declare that	all information provided herein is within my personal knowledge and that-
b)	I am duly authorised to make this declaration; I am the designated person responsible for this licence and any conditions attached thereto;
·	I have read and understood the regulations related hereto, with specific
	reference to Regulation 34 regarding any false declaration; and 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(year).
	(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.

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

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APPLICATION FOR TEMPORARY LICENCE

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INSTRUCTIONS															T			PL	EAS	SE C	OMF	LE?	ſΕ		
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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

OR

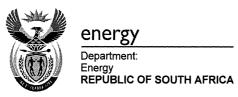
a certified copy of the business entity's registration documents, if the applicant is a corporate entity or a trust.

	ION
l (full name	s)hereby
that all inforn	nation provided herein is within my personal knowledge and that-
a) l	am duly authorised to make this declaration;
•	am the designated person responsible for this licence and any conditions attached thereto;
r	have read and understood the regulations related hereto, with specific eference to regulation 34 (retail licence), regulation 25 (wholesale cence) and regulation 27 (manufacturing licence) regarding any false
d	leclaration; and
•	all information provided herein is to the best of my knowledge true and correct.
Signed at	(place) on this day of(month)
	(year)
Signature	
· ·	the deponent-
I certify that t	the deponent- 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
-	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
(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 has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at
(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 has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at

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0001	8001	4000					
Eastern Cape	Free State	<u>Mpumalanga</u>					
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Port Elizabeth	Welkom	Witbank					
6000	9463	1035					
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6000	9460	1035					
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Private Bag XA1	Private Bag X6093	Private Bag X9712					
Klerksdorp	Kimberley	Polokwane					
2570	8301	0699					
(018) 464 2460	(053) 807 1710	(015) 287 4720					
Physical Address	Physical Address	Physical Address					
Vaal University of Technology	65 Phakamile Mabija Streeet	Broll Building					
Building	Perm Building	Dorp Street 101					
Cnr Voortrekker & Margareta	Curry Street, 29-31	Polokwane					
Prinsloo street	Northern Cape	0699					
Klerksdorp	Kimberley						
2570	8300						
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RETAIL LICENCE ANNUAL INFORMATION (SUBMISSION FORM)

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INDICATE NUMBER OF EM	PLOYEES BY RA	ACE, GENDER AND DISABILITY
BLACK EMPLOYEES:	MALE	
	FEMALE	
	DISABLED	
COLOURED EMPLOYEES:	MALE	
	FEMALE	
1	DISABLED	
INDIAN EMPLOYEES:	MALE	
	FEMALE	
	DISABLED	
WHITE EMPLOYEES:	MALE	
	FEMALE	
	DISABLED	
TOTAL NUMBER OF EMPLO	YEES	
SECTION 4: COMPLETE DET	TAILS ON TRAIN	NING OF LICENSEE'S EMPLOYEES
NUMBER OF EMPLOYEES T	RAINED	
INDICATE TITLE AND QUA	LIFICATIONS C	BTAINED BY EMPLOYEES
		iii

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)
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(wonth)(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.

Gauteng	Western Cape	Kwazulu- Natal
Private Bag X96	Private Bag X9	Private Bag X54307
Pretoria	Roggebaai	Durban
0001	8012	4000
(012) 406 8000	(021) 418 3724	(031) 335 9647/ 9638
Physical Address	Physical Address	Physical Address
Corner Paul Kruger & Visagie	34 The Terraces Building	Durban Bay House (3 rd floor)
Visagie Street, 192	Riebeek & Bree Streets	Anton Lembede street, 333
Pretoria	Cape Town	Durban
0001	8001	4000
	0001	4000
Eastern Cape	Free State	Mpumalanga
Private Bag X6013	Private Bag X 3658	Private Bag X7297
Port Elizabeth	Welkom	Witbank
6000	9463	1035
(041) 396 3914	(057) 391 1300	(013) 653 0500
(041) 390 3914	(037) 391 1300	(013) 033 0300
Physical Address	Physical Address	Physical Address
690 Crispin Hall	The Strip Building	Province Building
Cnr Mount and Diaz Road	Stateway & Bok Street, 314	Cnr Paul Kruger & Botha Avenue
Port Elizabeth	Welkom	Witbank
6000	9460	1035
North West	Northern Cape	Limpopo
Private Bag XA1	Private Bag X6093	Private Bag X9712
Klerksdorp	Kimberley	Polokwane
2570	8301	0699
(018) 464 2460	(053) 807 1710	(015) 287 4720
Physical Address	Physical Address	Physical Address
Vaal University of Technology	65 Phakamile Mabija Street	Broll Building
Building	Perm Building	Dorp Street 101
Cnr Voortrekker & Margareta	Northern Cape	Polokwane
Prinsloo street	Kimberley	0699
Klerksdorp	8300	
2570		

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