THE UNITED REPUBLIC OF TANZANIA

Supplement No. 16

17th April, 2020

SUBSIDIARY LEGISLATION

to the Gazette of the United Republic of Tanzania No.16. Vol.101 dated 17th April, 2019 Printed by the Government Printer, Dodoma by Order of Government

GOVERNMENT NOTICE No. 270 published on 17/4/2020

THE PETROLEUM ACT (CAP.392)

REGULATIONS

(Made under section)

THE PETROLEUM (NATURAL GAS MIDSTREAM AND DOWNSTREAM) GENERAL REGULATIONS, 2020

ARRANGEMNENT OF REGULATIONS

PART I PRELIMINARY PROVISIONS

- 1. Citation.
- 2. Application.
- 3. Interpretation.

PART II

GENERAL PRINCIPLES IN RELATION TO MIDSTREAM AND DOWNSTREAM NATURAL GAS OPERATIONS

- 4. Function of the Authority.
- 5. Safety requirements in relation to natural gas.
- 6. Licensing of natural gas service worker.
- Application for natural gas service worker licence. 7.
- 8. Removal of obstruction over existing gas main, etc.
- 9. Carrying out of earthworks within vicinity of gas infrastructure.
- 10. Savings of way leaves or easements.
- Damage to gas infrastructure. 11.

PART III GENERAL LICENCING CONDITIONS

- 12. National Oil Company consent.
- 13. Application through competitive tendering.
- 14. Licensing procedure.
- 15. Conditions of licences.
- 16. Conditions in relation to transportation licence.
- 17. Conditions in relation to distribution licence.

PART IV

REGULATION OF COMPRESSED NATURAL GAS (CNG)

- 18. Standards.
- 19. Certification.
- 20. Maintenance of CNG register.
- 21. CNG condition and repair.
- 22. Construction approval.
- 23. Application for licence.
- 24. Installation of meters.
- 25. Right to information.
- 26. Meter data.

PART V

IMPORT, TRANSIT AND EXPORT OF NATURAL GAS

- 27. Conditions for import, transit and export.
- 28. Requirement for approval.
- 29. Application for approval.
- 30. Criteria for approval.
- 31. Consultation.
- 32. Grant or Refusal of application.
- 33. Revocation and suspension.
- 34. Power of the Authority to confiscate.
- 35. Declaration.

PART VI

RECORDS, REPORTS AND OTHER INFORMATION

- 36. General obligation as to records.
- 37. Power to obtain information.
- 38. Form of records, reports and accounts.
- 39. Duration for keeping records, reports and accounts.
- 40. Obligation against dealing in records and reports.
- 41. Confidentiality.
- 42. Offences and Penalty.

PART VII MONITORING, INSPECTION AND AUDIT

- 43. Monitoring of infrastructure by the licensee.
- 44. Monitoring of infrastructure by the Authority.
- 45. Audit of infrastructure monitoring activity.
- 46. Inspection and access to information.
- 47. Powers of the Authority.
- 48. Investigation.
- 49. Report of investigation.
- 50. Impersonation.
- 51. Remedial measures.

PART VIII MISCELLANEOUS PROVISIONS

- 52. Prohibited acts against inspectors.
- 53. Protection of authorised officers from liability.
- 54. General penalties.
- 55. Compounding of offences.

THE PETROLEUM ACT (CAP.392)

REGULATIONS

(Made under sections 258)

THE PETROLEUM (NATURAL GAS MIDSTREAM AND DOWNSTREAM) GENERAL REGULATIONS, 2020

PART I PRELIMINARY PROVISIONS

	Preliminary Provisions
Citation	1. These Regulations may be cited as the Petroleum (Natural Gas Midstream and Downstream) General Regulations, 2020.
Application	2. These Regulations shall govern the conduct of midstream and downstream natural gas activities in Mainland Tanzania.
Interpreta- tion	3. In these regulations, unless the context otherwise requires:
Cap. 392	"Act" means the Petroleum Act;
	"applicable law" means any principal legislation, treaty, convention, proclamation, regulation, rule, order or by-law that is customarily treated in the United Republic of Tanzania as having legally binding force and which is relevant to matters pertaining to the regulation of natural gas activities;
	"approved person" means a licensee granted approval for import, transit, or export of natural gas by the Authority;
Cap. 414	"Authority" means the Energy and Water Utilities Regulatory Authority established under the provisions of the EWURA Act;
Cap. 235	"Certifying Authority" means the Contractors Registration Board (CRB) established under the CRB Act;
Cap. 414	"compliance order" means an order issued by the Authority
4	

pursuant to section 39 of the EWURA Act;

"compressed natural gas" or in its acronym "CNG" means petroleum in the form of a mixture of hydrocarbon gases and vapours, consisting principally of methane (CH₄) which have been compressed;

"CNG facility" means any facility used for compression, transportation and storage of CNG and it includes CNG cylinders, CNG refuelling stations, receiving stations and meters;

- "CNG Fuel System" means a system approved by the CNG Fuel System Certifiers consisting of the following components:
 - (a) CNG cylinders;
 - (b) CNG cylinders' fastening devices;
 - (c) manual valves to be installed in cylinders outlets, including their safety systems;
 - (d) high pressure tubing and its fastening device;
 - (e) connector for high pressure tubing;
 - (f) pressure regulator and its fastening device;
 - (g) CNG filling valve and its fastening device;
 - (h) mixer;
 - (i) solenoid valves;
 - (j) fuel selector switch and its electrical connections;
 - (k) pressure gauge;
 - (1) low pressure gas conduit;
 - (m) venting system; and
 - (n) any other component connected to a CNG system

"CNG cylinder" means a container constructed, inspected and maintained according to the standards issued by the Tanzania Bureau of Standards or such other relevant authority;

"CNG installation workshop" means workshop approved by Certifying Authority to be technically capable of performing the operations of CNG Fuel System installation, repair, routine maintenance, modification, dismounting or withdrawal of fuel system components.

"CNG filling station" means premises on which CNG is

dispensed for use by end-users;

- "CNG Fuel System Certifiers" means any person responsible for certification of CNG system installation and other fuel system components of CNG-fuelled vehicles.
- "CNG Fuel System Inspector" means any person responsible for inspection of cylinder, valves, pressure relief devices (PRDs) including vent system and other fuel system components of CNG-fuelled vehicles.

"CNG system" means CNG refuelling station equipment and all components thereto used in the refuelling facility; "earthworks" means-

- (a) any act of excavating earth, rock, or other material;
- (b) any act of boring, dredging, jacking, levelling, piling or tunnelling on or under any premises by any mechanical means; or
- (c) the driving or sinking of any earth rod, casing or tube into the ground;

"export" means to take, or cause to be taken, out of Mainland Tanzania by any means natural gas produced in Mainland Tanzania;

"facility" means any facility, system or equipment used for natural gas processing, transportation, distribution, liquefaction, regasification, storage, compression and for connection to end users in respect of which a regulated activity is carried out;

"natural gas leakage" means a non-expected release of natural gas from a facility or other containment into a living area or any other area and which could create a hazardous situation:

"natural gas appliance" means any appliance in which natural gas is consumed as a source of power or heat such as domestic, industrial, or commercial requirements;

"natural gas fitting" means any fitting including pipe, valve, meter, regulator or any other device for the control, measurement and use of natural gas;

"natural gas installation" mean spiping, fittings and appliances downstream of the point of supply.

"natural gas installation" means any installation used to perform particular function in natural gas value chain and includes receiving, processing, transportation, compression, storage, distribution or any other related activity.