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TUESDAY 23RD DECEMBER, 2014

THE OFFICIAL GAZETTE 23RD DECEMBER, 2014
LEGAL SUPPLEMENT — B

GUYANA

No. 10 of 2014

REGULATIONS

Made Under

THE GUYANA ENERGY AGENCY ACT

(Cap. 56:04)

IN EXERCISE OF THE POWERS CONFERRED ON ME BY SECTIONS 5C
AND 33 OF THE GUYANA ENERGY AGENCY ACT, I MAKE THE
FOLLOWING REGULATIONS:-

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FIRST SCHEDULE

SECOND SCHEDULE

PART ONE PRELIMINARY

Citation. 1. These Regulations may be cited as the Petroleum and Petroleum Products Regulations 2014.

Interpretation 2. In these Regulations, unless the context otherwise requires, a word or expression has the same meaning as defined in the Act, and –

Cap.56:04 “Act” means the Guyana Energy Agency Act:

“additive” means any substance, other than one composed solely of carbon and hydrogen, that is intentionally added to petroleum and petroleum products and that is not intentionally removed prior to sale or use;

“approved specification” means any specification or standard applied by the Agency under these Regulations;

“blending” means the mixing of one or more petroleum products with or without another product if the product obtained by blending is capable of use in the generation of power and is in keeping with the approved specification;

“bulk quantity” means an aggregate quantity in excess of 2000 litres:

“bulk transportation carrier” means a vehicle capable of transporting 2000 litres or more of petroleum and petroleum products;

“bulk transportation carrier licence” means a licence issued under section 5A (1)(e) of the Act;

“bulk transportation carrier licence-holder” means the holder of a bulk transportation carrier licence;

“business of a wholesaler” means the selling as a wholesaler and the conduct of any activity reasonably required in connection with petroleum and petroleum products or incidental thereto, including the handling, possession, conveying and storage of such petroleum and petroleum products;

“CIF” means cost, insurance and freight;

“consumer installation” means a petroleum and petroleum products installation, including any pump, storage tank and piping used in relation thereto, for the purpose of dispensing petroleum and petroleum products into own or hired petroleum and petroleum products consuming equipment or own or hired vehicles;

“consumer installation licence” means a licence issued under section 5A(1)(g) of the Act;

“consumer installation licence-holder” means the holder of a consumer installation licence;

“container” means any container in which petroleum and petroleum products are stored whether stationary or not;

“dangerous situation” means –

- (a) a situation that is endangering the safety or health of a person, or the safety of a person's property; or
- (b) a situation that is creating a risk of significant environmental harm, and includes a petroleum and petroleum products spill;
- (c) a situation of abandonment of the premises of a wholesale outlet, retail outlet or consumer installation;

"diesel" means a distillate oil which can be used as fuel for the operation of a compression ignition engine and which has an approximate boiling temperature of between 150 °C and 400 °C;

Cap.20:05

"Environmental Protection Agency" means an Agency established by section 3 of the Environmental Protection Act;

"export licence" means a licence issued under regulation 13;

"exporting licence-holder" means the holder of an export licence;

"fob" means free on board;

"gas" means liquid or non-liquid gas which can be used as fuel for the operation of a spark ignition engine or flame or heat generating appliance;

"gasoline" has the same meaning as petrol;

"import licence" means a licence issued under section 5A(1)(a) of the Act;

"import licence-holder" means the holder of an import licence;

“importing wholesale licence” means a licence issued under section 5A(1)(c) of the Act;

“importing wholesale licence-holder” means the holder of an importing wholesale licence;

“inspector” means a person appointed as such by the Agency under section 13(1) of the Act and includes the Chief Executive Officer (CEO) and the Deputy Chief Executive Officer (DCEO);

“licence” means an import licence, importing wholesale licence, wholesale licence, retail licence, consumer installation licence, storage licence, a bulk transportation carrier licence or any other licence issued by the Agency;

“licensed premises” means the premises in respect of which a licence is granted and which premises are described and specified in the licence;

“operate” means to conduct the operations of an operator;

“operate a consumer installation” means to install and to conduct the activity of an operator in respect of such an installation, and to conduct any activity reasonably required in connection with petroleum and petroleum products or incidental thereto, including the obtaining, handling, possession, storage and dispensing of such petroleum and petroleum products;

“operate a retail outlet” means to conduct the activity of an operator in respect of the outlet, and to conduct any activity reasonably required in connection with petroleum and petroleum products incidental thereto, including the obtaining, handling, possession

and storage of such petroleum and petroleum products;

“operator” means a person who is responsible for the day to day activities of a terminal, wholesale facility, retail outlet, consumer installation, storage facility or bulk transportation carrier, whether or not the person is located on the relevant premises during business hours and whether or not the person is the owner of the terminal, wholesale depot, retail outlet, consumer installation, storage facility or bulk transportation carrier;

“petrol” means a light distillate fuel which can be used as fuel for the operation of a spark ignition engine and which has an approximate boiling temperature of between 30 °C and 200 °C;

“petroleum and petroleum products” means petrol, diesel, bunker-C and any other heavy oils, liquefied natural gas, liquefied petroleum gas, aviation fuel, kerosene and any other hydrocarbon-based fuel source or product of the petroleum refining process, whether in liquid or gaseous form;

“petroleum and petroleum products spill” means the discharge of any petroleum and petroleum products onto or into any land or water, and volatilization into the air whether caused accidentally or otherwise;

“premises” means —

- (a) in the case of a retail licence-holder, the licensed premises;
- (b) in the case of a wholesale licence-holder or importing wholesale licence-holder, the premises where the licence-holder’s storage facilities are situated;
- (c) in the case of a consumer installation licence-holder, the

premises where the consumer installation is installed;

(d) in the case of a storage licence-holder, the premises where petroleum and petroleum products are stored;

(e) in the case of unlicensed premises, the premises on which petroleum and petroleum products are suspected to be stored or where petroleum and petroleum products are discovered;

“retail licence” means a licence issued under section 5A(1)(d) of the Act;

“retail licence-holder” means the holder of a retail licence;

“retail outlet” means any place from where petroleum and petroleum products are sold or are offered for sale to consumers for purposes of use or consumption;

“retail sale” means the sale of petroleum and petroleum products at a retail outlet for the purpose of use or consumption;

“Revenue Authority” means the Authority established by section 9 of the Revenue Authority Act;

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“site” means —

(a) in the case of a below-ground storage tank or an above-ground storage tank that is permanently fixed to the ground, the premises on which such storage tank is installed;

(b) in the case of an above-ground storage tank, drums, or other containers that are not permanently fixed to the ground, the premises where such storage tank, drums or other containers are housed;

“storage facility” means a facility in which any petroleum and petroleum products are stored, including a storage facility at a harbour terminal or inland depot;

“storage licence” means a licence issued under section 5A(1)(f) of the Act;

“storage licence-holder” means the holder of a storage licence;

“storage tank” means a closed container that is used for storing petroleum and petroleum products;

“waste oil” means any petroleum-based product, that through use, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties;

“wholesale licence” means a licence issued under section 5A(1)(b) of the Act;

“wholesale licence-holder” means the holder of a wholesale licence;

“wholesaler” means any person who imports or distributes petroleum and petroleum products for the purposes of the wholesale sale thereof by that person; and

“wholesale sale” means the sale of petroleum and petroleum products in bulk quantities.

PART TWO LICENCES

Licences.

3. The Agency shall issue licences in accordance with the Act and these Regulations.

Licensing.

4. (1) A person shall not —

- (a) offer petroleum and petroleum products for sale without the appropriate licence issued by the Agency;
- (b) import petroleum and petroleum products without an import or importing wholesale licence issued by the Agency;
- (c) operate a retail outlet or conduct the business of a wholesaler, unless authorised to do so under a retail licence or a wholesale licence or importing wholesale licence, respectively;
- (d) transport petroleum and petroleum products in bulk quantities whether on land, air or sea unless the vehicle, is licensed by the Agency to transport petroleum and products in bulk quantities;
- (e) operate a consumer installation without a consumer installation licence issued by the Agency;
- (f) possess or store petroleum and petroleum products in a total quantity exceeding 2000 litres without a storage licence issued by the Agency;
- (g) export petroleum and petroleum products without an export licence issued by the Agency.

(2)(a) Any person who fails to comply with the provisions of paragraph (1) (a), (c), (d) or (f) commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars or six months imprisonment;

(b) Any person who fails to comply with the provisions of paragraphs (1) (b) and (g) commits an offence and is liable on summary conviction to a fine of three million dollars or one year imprisonment;

(c) Any person who fails to comply with the provisions of paragraph (1)(e) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars or three months imprisonment;

(3) The Agency may -

- (a) determine the class or category of petroleum and petroleum products to which the specific licence applies in accordance with paragraph (1);
- (b) designate as many persons as are necessary for the performance or exercise of its powers, duties and functions under these Regulations.

(4) The Agency shall, in making a decision in respect of the issue of a licence take into account such matters, in so far as they are applicable, as are likely to -

- (a) promote an efficient and competitive petroleum industry;
- (b) facilitate an environment conducive to investment and fair competition;
- (c) ensure countrywide availability of petroleum and petroleum products at competitive prices;
- (d) ensure compliance with product quality;
- (e) ensure compliance with environment, health and safety standards;
- (f) promote employment opportunities and small business development in the petroleum sector; and
- (g) comply with Government policy as determined from time to time.

Second Schedule

(5) An applicant for a licence may utilize any form in the Second Schedule for the purpose of applying for the required licence.

Retail Licence

Application and
supporting
documents.
Second
Schedule

5. (1) A person desirous of operating a retail outlet shall apply to the Agency in Form PP/1 in the Second Schedule for a retail licence, and shall lodge the application with the Agency together with the required documents or records required by these Regulations.

(2) An applicant for a retail licence shall lodge with the application the following documents or records -

- (a) a certified copy of the applicant's identity document and, in the case of a non-Caricom national, a valid work permit;
- (b) a certified copy of its registration document, if the applicant has a registered business, or certificate of incorporation if the applicant is a company;
- (c) a certified copy of an environmental permit from the Environmental Protection Agency and where an environmental impact assessment study has been conducted, a certified copy of the document setting out the outcome of the study;
- (d) a police clearance certificate, if the applicant is an individual;
- (e) a tax compliance certificate issued by the Revenue Authority, if not a first time applicant;
- (f) approved plans, final design or construction drawings of all buildings, road works, structures and plant to be erected on the proposed premises, including the location of the proposed premises and a general layout plan thereof, including confirmation of meeting industry

standards with respect to buildings, quantities and sizes of tanks, number of pumps, piping and materials;

(g) any other permits or approvals so required for the facilities;

(h) proof of ownership of land or evidence of right to occupy same;

(i) a signed declaration of the number of retail outlets already operated by the applicant, if any;

(j) a copy of the petroleum licence issued by the Guyana Fire Service;

(k) revenue licences issued by the Revenue Authority, if not a first time applicant;

(l) a valid verification certificate from the Guyana National Bureau of Standards certifying the accuracy of the meters used to quantify the amount of petroleum and petroleum products being sold;

(m) a copy of a valid certificate of compliance from the National Insurance Scheme, if not a first time applicant.

Issue of retail licence.

6. (1) Subject to the applicant's compliance with the Act, these Regulations and any other law, the Agency may issue a separate retail licence for each retail outlet an applicant intends to operate.

First Schedule

(2) The Agency may issue a retail licence under this Part upon payment of the fee as stated in the First Schedule.

Criteria for decisions relating to retail licence.

7. (1) In making a decision in respect of the grant, issue or amendment of a licence under regulation 47, or any other matter pertaining to a retail licence, the Agency shall take the following matters, in so far as they are applicable, into account -

- (a) the protection of employees, public safety and health through coordination and cooperation with the relevant authorities;
 - (b) the protection of the environment;
 - (c) the record of compliance with the Act, these Regulations and other relevant laws;
 - (d) the suitability of the premises concerned with regard to safety, health, security, hazardous substances, environment and town planning requirements, in coordination with the relevant authorities;
 - (e) the need for facilities and services to be provided for consumers at the location concerned and the extent to which the interests of petroleum product consumers shall be served;
 - (f) the avoidance of monopolistic conditions in the petroleum or petroleum products retail industry and the maintenance of fair and reasonable competition;
 - (g) any comments by the Environmental Protection Agency to which the matter was referred under regulation 43;
 - (h) any other matter relevant to the orderly provision of petroleum or petroleum products; and
 - (i) the applicant's dealings, if any, in illegal petroleum and petroleum products.
- (2) The Agency may request additional information from the applicant relating to the matters referred to in paragraph (1) so that an informed decision may be made regarding the grant, issue or amendment of, or any other matter pertaining to the retail licence.

Conditions of retail
licence.

8. (1) General conditions that apply to retail licences include the following -

- (a) the retail licence-holder shall at all times comply with the Act, these Regulations and any other law, including laws relating to labour, safety, hazardous substances, security, health and environment;
- (b) the retail licence-holder shall immediately inform the Agency of any dangerous situation arising from the conduct of activities authorised under the retail licence, including the steps taken or proposed to be taken by the licence-holder to rectify such situation or to eliminate or minimise the danger arising from such situation;
- (c) the retail licence-holder shall keep such records and shall submit such information to the Agency as required by or under these Regulations;
- (d) the retail licence-holder shall comply with all provisions of these Regulations and any other law relating to petroleum or petroleum product spills;
- (e) the retail licence-holder may not abandon the licensed premises otherwise than in accordance with these Regulations;
- (f) the retail licence-holder shall ensure that petroleum and petroleum products sold to consumers comply with the approved specifications made applicable by the Guyana National Bureau of Standards or any law;
- (g) the retail licence-holder shall at all times hold a licence relating to the sale of petroleum and petroleum products at the retail outlet;
- (h) the retail licence-holder may not possess, obtain, store or offer for sale any petroleum and petroleum products from any person other than an importing wholesale licence-holder or wholesale licence-holder or another retail licence-holder.

- (2) The Agency may determine special conditions applicable to a retail licence for -
- (a) the reporting of dangerous situations or accidents;
 - (b) the preparation and submission to the Agency of assessments of the safety, health, environment and security risks associated with the activities authorised under the retail licence;
 - (c) the safe disposal of petroleum and petroleum products, including the collection and discarding of waste oil generated or collected through the operation of the retail outlet and any associated service stations;
 - (d) insurance against, or guarantee for, petroleum product spills, which assurance or guarantee shall cover the cost involved in the cleaning-up of such spills.

(3) Any person who contravenes, or fails to comply with the provisions of paragraph (1) or (2) commits an offence and is liable on summary conviction to a fine of six hundred thousand dollars.

Bulk quantity sale.

9. (1) A retail licence-holder may only sell petroleum and petroleum products in bulk quantities by dispensing it directly into -
- (a) a container used for the storage of petroleum and petroleum products, other than the tank of a vehicle;
 - (b) the tank of a vehicle with a mass of 3,500 kilograms or more for purposes of propelling such vehicle.
- (2) Any person who fails to comply with the provisions of paragraph (1) commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

Commencement
and cessation of
business under
retail licence.

10. (1) A retail licence-holder shall commence retail sales at the licensed premises within a period of six months after the date on which a retail licence has been issued.

(2) During the validity of a retail licence, if the retail licence-holder wishes to close the licensed premises for whatever reason for a continuous period of more than three months, the retail licence-holder shall -

(a) notify the Agency in writing within a reasonable period before the proposed date of closure detailing the reason for the closure; or

(b) in the case of a personal emergency, inform the Agency within the first consecutive three months of the closure.

(3) Failure to comply with the provisions above may result in the cancellation of the licence by the Agency after giving the licence-holder a reasonable opportunity of making representations.

Information to be
submitted to the
Agency by the
retail licence-
holder.

11. (1) The Agency may by written notice request that a retail licence-holder make written submissions within twenty-one calendar days from receipt of the notice of -

(a) information the Agency may request regarding any dangerous situation existing on the licensed premises and the remedial measures taken in respect thereof; and

(b) information the Agency may request in order to enable the Agency to effectively exercise its powers under these Regulations.

(2) A retail licence-holder shall submit to the Agency, during the validity of the licence, on a quarterly basis and not later than one month after the preceding quarter, the following information in respect of the preceding quarter -

Second Schedule

- (a) any change of the information supplied under regulation 5 and Form PP/1 in the Second Schedule;
- (b) opening and closing petroleum and petroleum products stock, stating –
 - (i) different types;
 - (ii) quantity of each type in kilolitres;
 - (iii) unit value of each type per litre;
- (c) in the case of petroleum and petroleum products bought locally and not purchased through the Agency –
 - (i) the name and address of the seller;
 - (ii) the type and specification of the petroleum and petroleum products bought; and
 - (iii) the quantity bought and price paid per unit in kilolitres on a monthly basis;
- (d) in the case of petroleum and petroleum products sold locally –
 - (i) the type of petroleum and petroleum products sold;
 - (ii) the quantity sold in kilolitres on a monthly basis; and
 - (iii) the unit selling price per litre and all variations as they may occur.

(3) Any person who fails to comply with the provisions of paragraph (1) or (2) commits an offence and is liable on summary conviction to a fine of six hundred thousand dollars.

Wholesale Licence, Import Licence, Importing Wholesale Licence, Export Licence

Application and
supporting
documents.

Second Schedule

12. (1) (a) A person desirous of conducting the business of a wholesaler or importing wholesaler shall apply to the Agency in Form PP/2 and PP/5, respectively, in the Second Schedule for a wholesale licence or an importing wholesale licence, and shall lodge with the Agency the application together with any other documents or records as may be required by these Regulations.

(b) A person desirous of importing for own use shall apply to the Agency in Form PP/5 in the Second Schedule for an import licence, and shall lodge with the Agency the application together with any other documents or records as may be required by these Regulations.

(c) A person desirous of exporting petroleum and petroleum products shall apply to the Agency in form PP/6 for an export licence and shall lodge with the Agency the application together with any other documents or records as may be required by these Regulations.

(2) An applicant for a wholesale licence, import licence or importing wholesale licence shall lodge with the respective application the following documents -

(a) a certified copy of the applicant's document of identity and, in the case of a non-Caricom national, a valid work permit;

(b) a certified copy of its registration document, if the applicant has a registered business, or certificate of incorporation if the applicant is a company;

- (c) a list of all retail outlets which at the time of the application, the applicant intends to supply with petroleum and petroleum products;
- (d) a list of the ports of entry through which the petroleum and petroleum products will enter Guyana;
- (e) a list of all storage facilities the applicant intends to use including shared storage facilities, stating -
 - (i) the location of the storage facilities;
 - (ii) the type and capacity of the storage facilities for each type of petroleum and petroleum products;
 - (iii) the ownership of the storage facilities (including the ownership of the land on which the storage facilities are situated, if different) and, in the case of shared ownership, the basis of sharing;
 - (iv) the names of other wholesalers sharing the same storage facilities, if any;
- (f) a tax compliance certificate issued by the Revenue Authority, if not a first time applicant;
- (g) a police clearance certificate, if the applicant is an individual;
- (h) a certificate of compliance from the National Insurance Scheme, if not a first time applicant;
- (i) in the case of storage facilities to be erected, approved plans of buildings, road works, structures and plant, including the location thereof, and in the case of existing storage facilities, the as-built drawings of buildings, road works, structures and plant, including the location thereof;
- (j) a certified copy of an environmental permit from the Environmental Protection Agency and where an environmental impact assessment study has been

conducted, a certified copy of the document setting out the outcome of the study;

(k) proof of ownership of land or evidence of right to occupy same;

(l) a copy of a petroleum licence issued by the Guyana Fire Service.

(3) An applicant for an importing licence for own use shall lodge with the application for an importing licence the same documents as for a wholesale or importing wholesale licence except the document in regulation 12(2)(c) above and shall further supply the following information to the Agency -

(a) specifications of the petroleum and petroleum product to be imported; and

(b) estimates of the volumes of petroleum and petroleum products to be imported.

(4) An applicant for an export licence shall lodge with the application for an export licence the same documents as for a wholesale or importing wholesale licence except those listed in regulations 12(2)(c) and (d) and shall further supply the following information to the Agency -

(a) specifications of the petroleum and petroleum products to be exported;

(b) estimates of the volumes of petroleum and petroleum products to be exported;

(c) a list of all ports of exit or export for the petroleum and petroleum products to be exported.

(5) Notwithstanding the aforementioned required documents, the Agency may request additional information from an applicant to enable it to make an informed decision regarding the issue of the wholesale licence, importing wholesale licence, import licence or

export licence.

Issue of wholesale,
import,
importing
wholesale licences,
export licences.

First Schedule

Criteria for
decisions relating
to the wholesale,
import,
importing
wholesale licences,
export licence.

13. Subject to the applicant's compliance with the Act, these Regulations and any other law, the Agency may issue a wholesale licence, importing wholesale licence, import licence or export licence under this Part upon payment of the fee as stated in the First Schedule.

14. (1) In making a decision in respect of the grant or issue, or the amendment of a licence under regulation 47, or any other matter pertaining to a wholesale licence, importing wholesale licence, import licence or export licence, the Agency shall take the following matters, in so far as they are applicable, into account -

- (a) the matters listed in the provisions of regulation 7 (1)(a),
- (b), (c), (f), (g), (h) and (i); for which purpose the Agency shall construe any reference in those provisions to "retail sale" as a reference to wholesale sale;
- (b) the suitability of the storage facilities proposed to be used with regard to safety, health, security, hazardous substances, environment and town planning requirements;
- (c) the need for import and distribution of wholesale petroleum and petroleum products to be provided;
- (d) the demand for, existing availability of and overall sale and supply of petroleum and petroleum products in the specified region or jurisdiction;
- (e) any significant negative impact such decision may have on the energy sector;
- (f) the extent to which the interests of petroleum and petroleum products consumers shall be served; and
- (g) any other matter relevant to the orderly provision of petroleum and petroleum products in Guyana.

Conditions of
wholesale,
import, or
importing
wholesale
licences, export
licences.

15. (1) General conditions that apply to wholesale licences and importing wholesale licences, where applicable, include the following, that the wholesale licence-holder, importing wholesale licence-holder or exporting licence-holder as the case may be -

- (a) shall at all times comply with the Act, these Regulations and any other law, including laws relating to labour, safety, hazardous substances, security, health and environment;
- (b) may sell petroleum and petroleum products only in bulk quantities;
- (c) that if the wholesale licence-holder or importing wholesale licence-holder, as the case may be, sells petroleum or petroleum products to a person other than a retail licence-holder, consumer installation licence-holder, Government institution, local democratic organ or any person approved by the Agency, the provisions of regulation 9 shall apply;
- (d) may not sell petroleum and petroleum products to a person referred to in sub-paragraph (c) from a place other than from a dispensing point situated at the premises of the wholesaler or importing wholesaler;
- (e) shall obtain licences and permits as required under these Regulations or any other law relating to importing, importing wholesale, wholesale sale or export of petroleum and petroleum products;
- (f) shall import and export petroleum and petroleum products through the Agency;
- (g) shall keep records and shall submit the information relating thereto to the Agency as may be required from time to time by the Agency under these Regulations;

- (h) shall ensure that petroleum and petroleum products imported, exported or distributed comply with approved specifications as made applicable under these Regulations;
 - (i) may only abandon storage facilities in accordance with these Regulations and any other law;
 - (j) shall pay all duties, levies and taxes to the Revenue Authority which shall go into the Consolidated Fund;
 - (k) shall inform the Agency in writing, of any changes to be effected to storage facilities prior to effecting such changes;
 - (l) shall immediately inform the Agency of any dangerous situation arising from the conduct of activities authorised under the licence, including the steps taken or proposed to be taken by the licence-holder to rectify the situation or to eliminate or minimise the danger arising from the situation;
 - (m) that the wholesale licence-holder or importing wholesale licence-holder, as the case may be, shall adhere to fair pricing and commercial practices and reasonable competition policies within the industry.
- (2) General conditions that apply to import licences include those listed in regulation 15(1)(a), (e), (f), (g), (h), (i), (j), (k) and (l).
- (3) The Agency may make special conditions applicable to a wholesale licence, importing wholesale licence or import licence relating to -
- (a) the reporting of dangerous situations or accidents;
 - (b) the preparation and submission to the Agency of assessments of the safety, health, environment and security risks associated with the activities

authorised under the wholesale licence or importing wholesale licence;

- (c) the safe disposal of petroleum and petroleum products, including the collection and discarding of waste oil generated or collected through the operation of the wholesale outlet and any associated service stations;
- (d) insurance against, or guarantee for, petroleum and petroleum products spills which insurance or guarantee covers the cost involved in the cleaning-up of such spills.

- (2) The Agency may request additional information from an applicant to enable it to make an informed decision regarding the issue of the wholesale licence, importing wholesale licence or import licence.
- (3) If requested by the Agency, the licence-holder shall bear the costs involved in conducting specification tests required by the Agency of a product being sold under the wholesale licence or importing wholesale licence by the wholesale licence-holder, import licence-holder or importing wholesale licence-holder, as the case may be.
- (4) Any person who contravenes, or fails to comply with paragraph (1), (2), (3), (4) or (5) commits an offence and is liable on summary conviction to a fine of one million dollars and the court may, on convicting a licence-holder, cancel his licence in a case of serious or repeated breaches of these Regulations.

Information to be submitted to the Agency by the wholesale, import,

- 16. (1) A wholesale licence-holder, importing wholesale licence-holder, import licence-holder or export licence-holder as the case may be, shall supply to the Agency, on written notice

importing
wholesale licence-
holder, export
licence-holder.

given by the Agency and within the period of time specified in the notice, information the Agency may request -

- (a) regarding any dangerous situation existing on the premises and remedial measures taken in respect thereof;
- (b) regarding the storage and place of storage of petroleum and petroleum products by the wholesaler or importing wholesaler, as the case may be, in order to enable the Agency to effectively exercise its powers under these Regulations.

(2) A wholesale licence-holder or importing wholesale licence-holder as the case may be, shall submit to the Agency, during the validity of the licence, on a quarterly basis, not later than one month after the preceding quarter, the following information in respect of the preceding quarter-

- (a) monthly opening and closing petroleum and petroleum products stock stating -
 - (i) different types of petroleum and petroleum products;
 - (ii) quantity of each type of petroleum and petroleum products in kilolitres; or
 - (iii) unit value of each type of petroleum and petroleum products per litre;
- (b) in the case of petroleum and petroleum products not purchased through the Agency -
 - (i) the technical specification of the type of petroleum and petroleum products;
 - (ii) the CIF price paid per shipment during the month specified, according to the different petroleum and petroleum products;

- (iii) the quantity of each petroleum and petroleum products purchased in kilolitres;
 - (iv) the name and address of the seller;
- (c) in the case of petroleum and petroleum products bought locally –
 - (i) the name and address of the seller;
 - (ii) the type of petroleum and petroleum products bought;
 - (iii) the quantity bought and price paid per litre of each type of petroleum and petroleum products;
- (d) in the case of petroleum and petroleum products sold locally –
 - (i) the name and address of the buyer;
 - (ii) the type of petroleum and petroleum products sold;
 - (iii) the quantity sold in kilolitres and the selling price and variations, as they may occur, on a monthly basis;
- (e) the total quantity of petroleum and petroleum products and their respective unit prices imported, specified according to the different petroleum and petroleum products and dated per shipment;
- (f) in the case of petroleum and petroleum products imports, the source from where those products were obtained (the name of the seller);
- (g) all ports of entry used with regard to the import of petroleum and petroleum products;
- (h) the cost, insurance and freight (CIF) price of each type of petroleum and petroleum products referred to in subparagraph (d) at the date of import;

- (i) the selling price of each type of the products referred to in paragraph (d) above stating the price variations throughout the quarter dated per shipment;
- (j) a list of all storage facilities used, including shared storage facilities, with specific reference, according to different petroleum and petroleum products, to -
 - (i) the location of the storage facilities;
 - (ii) the capacity of the storage facilities;
 - (iii) the ownership of the storage facilities (including the ownership of the land on which the storage facilities is situated, if different) and, in the case of shared ownership, the basis of sharing; and
 - (iv) the names of other wholesalers sharing the same storage facilities;
- (k) retail outlets, consumer installations, bulk transportation carriers which it supplied, or which it discontinued to supply, with petroleum and petroleum products, specifying the name of the retail licence-holder, the number of the retail licence, the name of the consumer installation operator, the location of the consumer installation, the licence plate number of the bulk transportation carrier, the number of the bulk transportation carrier licence and the total quantity of petroleum and petroleum products supplied to the retail outlet, consumer installation operator and bulk transportation carrier during the period specified according to the different petroleum and petroleum products;
- (l) any person other than a person mentioned in paragraph (k) to whom any petroleum and petroleum products were supplied, specifying the name and address of such person and the total quantity of petroleum and petroleum

products supplied to such person during the period specified according to the different petroleum and petroleum products, and price per unit of each type of petroleum and petroleum products with the date of each such supply;

Second Schedule

(m) any change of the information required under regulation 12 and Form PP/2 and PP/5 as set out in the Second Schedule.

- (3) An import licence-holder, shall supply to the Agency, on written notice given by the Agency and within the period of time specified in the notice, information the Agency may request such as that listed at regulation 16(2) above except information listed at regulation 16(2)(d),(j)(iv),(k) and (l).
- (4) An export licence-holder shall submit to the Agency, during the validity of the licence, on a quarterly basis, not later than one month after the preceding quarter, the following information in respect of the preceding quarter, the information listed in paragraph (2) above except paragraph (2)(d) and shall supply the following further information -
- (a) the name and address of the purchaser, consignee or receiver of the petroleum and petroleum products exported;
 - (b) the type of petroleum and petroleum products exported;
 - (c) the quantity in kilolitres and fob price of each sale.
- (5) Any person who contravenes or fails to comply with the provisions of paragraph (1) or (2) commits an offence and is liable on summary conviction to a fine of six hundred thousand dollars.

Consumer Installation Licence

Consumer
installation licence.

Second Schedule

17. (1) A person desirous of operating or constructing a consumer installation, storing a bulk quantity of petroleum products shall apply to the Agency and shall lodge the application in Form PP/3 in the Second Schedule with the Agency and documents or records required by these Regulations under regulation 18.

(2) The Agency may issue a consumer installation licence in respect of –

- (a) a petrol consumer installation;
- (b) a diesel consumer installation;
- (c) a kerosene consumer installation; or
- (d) any other petroleum and petroleum products installation.

(3) The Agency may only issue the licence referred to in paragraph (1) for a commercial, agricultural or industrial undertaking, inclusive of a transportation, farm, fishing, forestry and mining operation.

(4) (a) A person may submit one application for all consumer installations he intends to operate at the same physical location or address, provided that full particulars are detailed for each such consumer installation.

(b) Where an applicant intends to operate numerous consumer installations at various physical locations or addresses, the applicant must submit a separate application for each consumer installation.

Application and
supporting
documents.

18. (1) An applicant for a consumer installation licence shall lodge with the application for a consumer installation licence the following –

- (a) a certified copy of the applicant's document of identity and, in the case of a non-Caricom citizen, a valid work permit;
- (b) a certified copy of its registration document, if the applicant has a registered business, or certificate of incorporation if the applicant is a company;
- (c) proof that the applicant operates a commercial, agricultural or industrial undertaking, inclusive of a transport, farm, fishing, forestry and mining operation;
- (d) a certified copy of an environmental permit from the Environmental Protection Agency and where an environmental impact assessment study has been conducted, a certified copy of the document setting out the outcome of the study;
- (e) a police clearance certificate, if the applicant is an individual;
- (f) a tax compliance certificate issued by the Revenue Authority, if not a first time applicant;
- (g) approved plans, final design or construction drawings of all buildings, road works, structures and plant to be erected on the proposed premises, including the location of the proposed premises and a general layout plan, including a confirmation of meeting industry standards with respect to buildings, quantities and sizes of tanks, number of pumps, piping and materials;
- (h) any permits required for such facilities, including those of the Guyana Fire Service, Guyana National Bureau of Standards and Central Housing and Planning Authority; and
- (i) proof of ownership of land or evidence of right to occupy same;
- (j) a copy a petroleum licence issued by the Guyana Fire Service.

Second Schedule

- (2) An applicant for a storage licence shall submit to the Agency the application in Form PP/3 in the Second Schedule and shall lodge together with the application the other documents or records required in regulation 18(1) save and except for regulation 18(1)(c).

Issue of consumer installation licence.

First Schedule

19. The Agency may issue a consumer installation licence under this Part upon payment of the fee stated in the First Schedule.

Criteria for decisions relating to the consumer installation licence.

20. (1) In making a decision in respect of the grant, issue or amendment or any other matter pertaining to a consumer installation licence, the Agency shall take the following matters, in so far as they are applicable, into account -
- (a) the protection of the environment;
 - (b) the record of compliance with the Act, these Regulations and other applicable laws;
 - (c) the history of the site;
 - (d) if applicable, the suitability of the site concerned with regard to safety, health, security, hazardous substances, environment, proximity to neighbouring buildings and town planning requirements;
 - (e) any significant negative impact on the petroleum and petroleum products industry;
 - (f) a study and review of any recommendation by the Environmental Protection Agency to which the matter was referred under regulation 43; and
 - (g) any other matter relevant to the orderly provision of petroleum products.

- (2) The Agency may request the person with regard to whom a decision referred to in paragraph (1) has to be made to submit to the Agency additional information relating to matters mentioned

in that paragraph in order to enable the Agency to make an informed decision regarding the grant, issue or amendment or any other matter pertaining to the licence.

Conditions of
consumer
installation
licence.

21. (1) The following general conditions apply to all consumer installation licences -

- (a) the licence-holder shall at all times comply with the Act, these Regulations and any other law, including laws relating to labour, safety, hazardous substances, security, health and environment;
- (b) any petroleum and petroleum products purchased pursuant to the licence may only be used by the licence-holder for his own personal use with regard to owned or hired petrol or diesel consuming equipment or owned or hired vehicles or plant, and may not be resold, subject to subparagraph (2) below;
- (c) the licence-holder shall only purchase the type of petroleum and petroleum products specified in the licence;
- (d) the licence-holder shall immediately inform the Agency of any dangerous situation arising from the conduct of activities authorised under the licence, including the steps taken or proposed to be taken by the licence-holder to rectify the situation or to eliminate or minimise the danger arising from the situation;
- (e) the licence-holder shall not permit another person to use the licence to purchase petroleum and petroleum products for a person other than the licence-holder;
- (f) the licence-holder shall keep such records and submit the information to the Agency as are required by or under these Regulations;

- (g) the licence-holder shall comply with all provisions of these Regulations and related legislation relating to petroleum product spills; and
- (h) the licence-holder may not abandon a site otherwise than in accordance with these Regulations.

(2) The Agency may make special conditions applicable to a licence relating to –

- (a) the reporting of dangerous situations or accidents;
- (b) the preparation and submission to the Agency of assessments of the safety, health, environment and security risks associated with the activities authorised under the licence;
- (c) the safe disposal of petroleum and petroleum products, including the collection and discarding of used oil;
- (d) insurance against, or guarantee for, petroleum and petroleum product spills which assurance or guarantee covers the cost involved in the cleaning-up of such spills in keeping with the Environmental Protection Act and any other applicable law.

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(3) The conditions outlined in regulation 21(1) and regulation 21(2) shall apply to a storage licence save and except for regulation 21(1) (b).

(4) Any person who contravenes or fails to comply with the provisions of paragraph (1) or (2) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Exemption.

22. Regulation 21 (1) (b) shall not apply in respect of the use or purchase of diesel by one contractor from another contractor who has a diesel consumer installation licence if such diesel is

used in connection with construction works in which both contractors are involved.

Information to be
submitted to the
Agency by
consumer
installation licence-
holder.

23. (1) The Agency shall by written notice give the licence-holder a specific time to supply the following –
- (a) any information the Agency may request regarding a dangerous situation existing at the licensed premises and remedial measures taken in respect thereof;
 - (b) any information the Agency may request regarding the site where a consumer installation is being operated by the licence-holder;
 - (c) any information the Agency may request in order to enable the Agency to effectively exercise its powers under these Regulations;
 - (d) confirmation that the consumer installation concerned is still in operation.
- (2) A licence-holder shall submit to the Agency, during the validity of the licence and on a quarterly basis, not later than one month after the preceding quarter, the total throughput of the type of petroleum and petroleum products specified in the licence for the preceding quarter or portion of a quarter, as the case may be.
- (3) A person who fails to comply with the provisions of paragraph (1) or (2) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Storage Licence

Storage licence

24. (1) All licence holders may be granted a storage licence at the time of issuance of the respective licence in accordance with these Regulations, subject to the satisfactory fulfillment of all

conditions and any other requirements by the Agency regarding the safe handling, storage and conveying of petroleum and petroleum products.

(2) Where a person is involved in the storage of petroleum and petroleum products only, and not for the purposes of retail or wholesale sale, consumer installation or transporting same, he shall apply to the Agency for a storage licence, and shall lodge the application together with the documents or records required by these Regulations.

Application and supporting documents.

25. An applicant for a storage licence under regulation 24(2) shall lodge with the application for the storage licence the following -

- (a) a certified copy of the applicant's document of identity and, in the case of a non-Caricom citizen, permanent residence permit or valid work permit;
- (b) a certified copy of its registration document, if the applicant has a registered business, or certificate of incorporation if the applicant is a company;
- (c) a certified copy of an environmental permit from the Environmental Protection Agency and where an environmental impact assessment study has been conducted, a certified copy of the document setting out the outcome of the study;
- (d) a police clearance certificate;
- (e) a tax compliance certificate issued by the Revenue Authority, if not a first time applicant;
- (f) approved plans, final design or construction drawings of all buildings, road works, structures and plant to be erected on the proposed premises, including the location of the proposed premises and a general layout plan, including a confirmation of meeting industry standards

- with respect to buildings, quantities and sizes of tanks,
- number of pumps, piping and materials;
- (g) any permits required for such facilities, including those of the local authority and Central Housing and Planning Authority;
- (h) proof of ownership of land or evidence of right to occupy same; and
- (i) a copy of a petroleum licence issued by the Guyana Fire Service.

Issue of storage
licence.

First Schedule

26. The Agency shall grant and issue a storage licence under this Part upon payment of the licensing fee stated in the First Schedule.

Criteria for -
decisions relating
to storage licence.

27. (1) In making a decision in respect of the grant, issue or amendment or any other matter pertaining to a storage licence, the Agency shall take the following matters, in so far as they are applicable, into account -
- (a) the protection of the environment;
 - (b) the record of compliance with the Act, these regulations and other applicable laws;
 - (c) the history of the site;
 - (d) if applicable, the suitability of the site concerned with regard to safety, health, security, hazardous substances, environment, proximity to neighbouring buildings and town planning requirements;
 - (e) any significant negative impact on the petroleum and petroleum products industry;
 - (f) a study and review of any recommendation by the Environmental Protection Agency to which the matter was referred under regulation 43; and
 - (g) any other matter relevant to the orderly provision of petroleum products.

(2) The Agency may request the person with regard to whom a decision referred to in paragraph (1) has to be made to submit to the Agency additional information relating to matters mentioned in that paragraph in order to enable the Agency to make an informed decision regarding the grant, issue or amendment or any other matter pertaining to the licence.

Conditions of
storage licence.

28. (1) The following general conditions apply to all storage licences -

- (a) the licence-holder shall at all times comply with the Act, these Regulations and any other law, including laws relating to labour, safety, hazardous substances, security, health and environment;
- (b) the licence-holder shall only purchase and store the type of petroleum and petroleum products specified in the licence;
- (c) the licence-holder shall immediately inform the Agency of any dangerous situation arising from the conduct of activities authorised under the licence, including the steps taken or proposed to be taken by the licence-holder to rectify the situation or to eliminate or minimise the danger arising from the situation;
- (d) the licence-holder shall not permit another person to use the licence to store petroleum and petroleum products for a person other than the licence-holder;
- (e) the licence-holder shall keep such records and submit the information to the Agency as are required by or under these Regulations;
- (f) the licence-holder shall comply with all provisions of these Regulations and related legislation relating to petroleum product spills; and

(g) the licence-holder shall not abandon a site otherwise than in accordance with these Regulations.

(2) The Agency may make special conditions applicable to a licence relating to -

- (a) the reporting of dangerous situations or accidents;
- (b) the preparation and submission to the Agency of assessments of the safety, health, environment and security risks associated with the activities authorised under the licence;
- (c) the safe disposal of petroleum and petroleum products, including the collection and discarding of used oil;
- (d) insurance against, or guarantee for, petroleum and petroleum product spills which assurance or guarantee covers the cost involved in the cleaning-up of such spills in keeping with the Environmental Protection Act and any other applicable law.

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(3) Any person who contravenes or fails to comply with the provisions of paragraph (1) or (2) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Storage tank.

29. (1) This regulation applies, in the case of an above-ground storage tank, to a storage tank with a capacity of 2,000 litres or more and in the case of a below-ground storage tank, to a storage tank with a capacity of 4,500 litres or more.

(2) A licence-holder who possesses, installs or replaces a storage tank referred to in paragraph (1) shall, not later than three months after the coming into operation of the storage tanks, submit such information as requested by the Agency.

(3) A person who owns or operates a storage tank or facility with a capacity exceeding 2000 litres shall apply to the Agency, in keeping with regulation 4 (1) (f), for a licence to operate such a facility, including a fuel barge, fuel tanker whether land or water based.

(4) Any person who contravenes, or fails to comply with the provisions of paragraph (2) or (3) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Bulk Transportation Carrier Licence

Application and
supporting
documents.

Second Schedule

30. (1) A person desirous of transporting petroleum and petroleum products in bulk quantities shall apply to the Agency in Form PP/4 in the Second Schedule for a bulk transportation carrier licence and shall lodge with the Agency, the application together with the required fee and documents or records as may be required by these Regulations.

(2) An applicant for a bulk transportation carrier licence shall lodge with the application for a bulk transportation carrier licence the following documents -

- (a) a certified copy of the applicant's identity document and, in the case of a non-Caricom national, a valid work permit;
- (b) a certified copy of its registration document, if the applicant has a registered business, or certificate of incorporation if the applicant is a company;
- (c) a police clearance certificate, if the applicant is an individual;

- (d) a tax compliance certificate issued by the Revenue Authority, if not a first time applicant;
- (e) a copy of a valid certificate of compliance from the National Insurance Scheme, if not a first time applicant;
- (f) for fuel tankers, trucks, canters, tractors, or any other road vehicles, provide copies of -
 - (i) certificate of registration (only first time applicants);
 - (ii) certificate of fitness;
 - (iii) revenue licences (vehicle licence and huckster licence, where applicable);
 - (iv) certificate of insurance;
 - (v) calibration certificate from the Guyana National Bureau of Standards, where applicable;
 - (vi) any other permits required for the transportation of goods by any other authority;
 - (vii) driver's licences of all potential drivers;
- (g) For cargo boats, tanker ships, tugs, or any other oceangoing vessels, provide copies of -
 - (i) vessel registration (only first time applicants);
 - (ii) certificate of inspection from the Maritime Administration Department;
 - (iii) certificate of inspection from the Guyana Fire Service, if applicable;
 - (iv) any other permits required for the transportation of goods by any other authority;
 - (v) captain's licences of all potential captains.

Criteria for
decisions relating
to the bulk
transportation
carrier licence.

31. (1) In making a decision in respect of the grant, issue or amendment of a licence under regulation 47, or any other matter pertaining to a bulk transportation carrier licence, the Agency shall take the following matters, in so far as they are

applicable. into account -

- (a) the protection of employees, public safety and health through coordination with the relevant authorities;
- (b) the protection of the environment;
- (c) the record of compliance with the Act, these Regulations and other relevant laws;
- (d) the suitability of the bulk transportation carrier concerned with regard to safety, health, security, hazardous substances and environmental requirements, in coordination with the relevant authorities;
- (e) satisfactory inspection of the bulk transportation carrier by the Agency;
- (f) the need for services to be provided for consumers by the bulk transportation carrier concerned and the extent to which the interests of petroleum product consumers shall be served;
- (g) the avoidance of monopolistic conditions in the petroleum or petroleum products transport industry and the maintenance of fair and reasonable competition;
- (h) in the case of road tanker wagons, satisfactory verification and calibration by the Guyana National Bureau of Standards;
- (i) any matter relevant to the orderly provision of petroleum or petroleum products in Guyana including unserved areas; and
- (j) the applicant's dealings, if any, in illegal petroleum and petroleum products.

(2) The Agency may require the person with regard to whom a decision referred to in paragraph (1) has to be made, to submit additional information to the Agency relating to matters mentioned in paragraph (1) in order to

enable the Agency to make an informed decision regarding the grant, issue or amendment of, or any other matter pertaining to the bulk transportation carrier licence.

Conditions of a
bulk transportation
carrier licence.

32. (1) General conditions that apply to bulk transportation carrier licences include the following -

- (a) the bulk transportation carrier licence-holder shall at all times comply with the Act, these Regulations and any other law, including laws relating to labour, safety, hazardous substances, security, health, road safety and environment;
- (b) the bulk transportation carrier licence-holder shall immediately inform the Agency of any dangerous situation arising from the conduct of activities authorised under the bulk transportation carrier licence, including the steps taken or proposed to be taken by the bulk transportation carrier licence-holder to rectify such situation or to eliminate or minimise the danger arising from such situation;
- (c) the bulk transportation carrier licence-holder shall keep such records and shall submit such information to the Agency as required by or under these Regulations;
- (d) the bulk transportation carrier licence-holder shall comply with all provisions of these Regulations and any other law relating to petroleum or petroleum product spills;
- (e) the bulk transportation carrier licence-holder may not abandon or discontinue use of the licensed bulk transportation carrier otherwise than in accordance with these Regulations;

- (f) the bulk transportation carrier licence-holder shall at all times hold a licence relating to the bulk transportation of petroleum and petroleum products by this bulk transportation carrier;
- (g) the bulk transportation carrier licence-holder may not possess, obtain, store or transport any petroleum and petroleum products from any person other than an import licence-holder, importing or wholesale licence-holder, wholesale licence-holder or retail licence-holder;
- (h) the bulk transportation carrier licence-holder shall ensure that, in the case of the bulk transportation carrier bearing enclosed compartments or tanks, that the bulk transportation carrier is calibrated by the manufacturer or an approved authority and is provided with a calibration certificate where all tanks are calibrated such that the minimum and maximum volumes are established and, where required, be provided with a calibrated measurement tool and documented tank table;
- (i) the bulk transportation carrier licence-holder shall ensure that the quantity of petroleum or petroleum products transported at one time in bulk transportation carrier shall not exceed the maximum calibrated volume for that vehicle or vessel;
- (j) the bulk transportation carrier licence-holder shall ensure that placards and warning signs depicting the words "NO SMOKING" and "HIGHLY FLAMMABLE" in ten centimetre high red letters on a white background are conspicuously placed on the bulk transportation carrier;
- (k) the bulk transportation carrier licence-holder shall ensure that petroleum or petroleum products are

transported in an enclosed tank or containers so constructed as to be free from leakage:

- (l) the bulk transportation carrier licence-holder shall ensure that proper care is taken to prevent any petroleum or petroleum products escaping from the tanks or containers, or into a drain or sewer;
- (m) the bulk transportation carrier licence-holder shall ensure that working fire extinguishers are present on the bulk transportation carrier at all times;
- (n) the bulk transportation carrier licence-holder shall ensure that all necessary precautions for the prevention of accidents by fire or explosion, and for preventing unauthorised persons having access to the bulk transportation carrier containing petroleum and petroleum products are taken;
- (o) the bulk transportation carrier licence-holder shall ensure that his employees or agents abstain from smoking or such other acts on or near the bulk transportation carrier that may cause fire or explosion and are not reasonably necessary for the purpose of transportation petroleum or petroleum products;
- (p) the bulk transportation carrier licence-holder shall ensure that no article or substance of an explosive or inflammable nature other than petroleum, nor any article liable to cause or spread fire or an explosion is on the bulk transportation carrier being used for the purpose of transporting petroleum or petroleum products;
- (q) the bulk transportation carrier licence-holder shall ensure that all conditions laid down by the Guyana Fire Service for the safe transportation of petroleum and petroleum products are satisfied;

(r) the bulk transportation carrier licence-holder shall be prohibited from engaging in huckstering, sale or business of offering for sale petroleum and petroleum products from the bulk transportation carrier, unless he is the holder of a retail licence issued by the Agency and all Regulations relating to the issuance of a retail licence shall therefore apply to the satisfaction of the Agency.

(2) Prior to the issuance of a Bulk Transportation Carrier Licence by the Agency, the applicant shall ensure the following is conducted -

- (a) in the case of Road Tank Wagons, verification and calibration by the Guyana National Bureau of Standards;
- (b) satisfactory physical inspection and certification by the Guyana Fire Service;
- (c) satisfactory inspection or provision of appropriate photographs to the Agency where vehicles are not readily available; and
- (d) knowledge of all Regulations, Standards, legislation and fire safety precautions.

(3) All bulk transportation carriers shall be inspected and monitored by the Agency in accordance with the relevant Standard as issued by the Guyana National Bureau of Standards.

(4) Any bulk transportation carrier licence-holder who contravenes, or fails to comply with the provisions of paragraph (1) above commits an offence and is liable on summary conviction to a fine of six hundred

thousand dollars.

Information to be
submitted to the
Agency by the bulk
transportation
carrier licence-
holder.

33. (1) The Agency may by written notice request that a bulk transportation carrier licence-holder make written submissions within twenty-one calendar days from receipt of a notice --

- (a) such information as the Agency may request regarding any dangerous situation in relation to the bulk transportation carrier, and the remedial measures taken in respect thereof;
- (b) information the Agency may request in order to enable the Agency to effectively exercise its powers under these Regulations;
- (c) regarding whether the vehicle or vessel is still in operation;
- (d) regarding whether the vehicle or vessel was out of operation for a continuous period of more than three months during the validity of the bulk transportation carrier licence and reasons therefor.

(2) The bulk transportation carrier licence-holder shall submit to the Agency, during the validity of the licence, not later than 30th day of April each year any change of the information supplied in terms of regulation 30(2) and Form PP/4 in the Second Schedule.

Second Schedule

(3) Any bulk transportation carrier licence-holder who fails to comply with the provisions of paragraph (1) or (2) above commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

- (4) Where a Bulk Transportation Carrier is no longer in operation or is undergoing repairs for an extended period of time, the bulk transportation carrier licence-holder shall be required to inform the Agency, in writing, of the status of the respective vehicle or vessel and provide relevant supporting documentation and pictures to evidence same.

General

Form of
application and
submission of
documents.

34. (1) Applications for licences and supporting documents as listed in regulations 5, 12, 18, 25 and 30 may be submitted in paper form, by way of facsimile or electronically through email.

(2) Upon receipt of a facsimile application or document or an electronic application or document, the Agency shall dispatch to the applicant a response detailing any additional documents required and the Agency may stipulate that in cases of certified copies of any document being required, that same be hand delivered or sent to the Agency by registered mail.

(3) Upon uplifting the requisite licence, the applicant shall provide evidence of all original documents to the licensing officer for verification of copies submitted by way of electronic mail or facsimile.

Validity and
duration of licence.

First Schedule

35. (1) The Agency may grant a retail licence for a period of one, three, five, or ten years subject to the applicant's eligibility for such period as stated in the First Schedule.

(2) The Agency may grant a wholesale licence, import licence or importing wholesale licence for a period of ten or twenty years subject to the applicant's eligibility for such period as stated in the First Schedule.

(3) The Agency may grant a bulk transportation carrier licence for a period of one, three or five years subject to the applicant's eligibility for such period as stated in the First Schedule.

(4) The Agency may grant a consumer installation licence for a period of one, five, ten, fifteen or twenty years subject to the applicant's eligibility for such period as stated in the First Schedule.

(5) The Agency may grant an export licence for a period of ten years subject to the applicant's eligibility for such period as stated in the First Schedule.

(6) A storage licence granted under regulation 24(2) is valid for one year as stated in the First Schedule.

(7) The Agency shall not grant a licence for a period of ten years or more unless the applicant is a company, body corporate or other statutorily established body.

(8) The Agency may grant a storage licence under regulation 24(1) for the same period as granted to an applicant in the accompanying retail, import, importing wholesale, wholesale, export or consumer installation licence under paragraphs (1) to (5).

(9) Any licence issued by the Agency is valid from the date of issue and is renewable upon the submission of the prescribed application form and payment of the prescribed fees.

(10) An application for the renewal of a licence may be submitted one year before the expiration of the licence.

Payment of
licensing fee.
First Schedule

36. (1) A licence-holder shall be required to pay the prescribed licence fee as stated in the First Schedule prior to uplifting a licence.

(2) A licence-holder shall pay an annual fee as stated in the First Schedule not later than the annual issue date stated in the licence.

(3) Notwithstanding the provisions in paragraph (2), the licence-holder may pay the annual licence fee in advance.

(4) The Agency may in accordance with regulation 48, suspend the licence of a licence-holder who fails to comply with the provisions of paragraph (2).

(5) Notwithstanding the provisions in paragraph (4), if a licence-holder fails to pay the licence fee in the required time, the licence holder shall be liable to pay a penalty of two thousand five hundred dollars for each week the annual fee is outstanding.

(6) The Agency may attach the outstanding penalty in paragraph (5) to the prescribed fees in the First Schedule on payment of the outstanding annual fee.

Obligations during
validity of licence.

37. (1) During the validity of a licence, the licence-holder shall provide updated documentation to the Agency to ensure compliance with the Act, these Regulations and any other law.

(2) A licence-holder who fails to submit updated documentation under paragraph (1) within one week of the documentation's expiry shall be liable to pay a penalty of two thousand five hundred dollars for each week the documentation is outstanding.

(3) Where a licence-holder fails to pay the penalty stated in paragraph (2) during the validity of the licence, the Agency may attach the outstanding penalty to the prescribed fees in the First Schedule on submission of an application for renewal and issue the licence upon the payment of the total sum.

First Schedule

(4) The Agency reserves the right to review the terms and conditions of the licence during its validity and may request status reports from the licence-holder for the purpose of monitoring operations and ensuring adherence to the Act, these Regulations and any other law.

Delay and non-
submission of
supporting
documents.

38. (1) Upon expiration of the licence, where the person is unable, for any reason, to provide all required supporting documents for the issuance of the renewed licence, the person shall submit to the Agency, in writing, reasons for the apparent delay within 21 days of the date of expiration of the licence along with proof of application from the other coordinating agencies, including but not limited to the Guyana Fire Service, Environmental Protection Agency, Revenue Authority, Guyana National Bureau of

Standards and Central Housing and Planning Authority.

- (2) The Agency reserves the right to determine further action in accordance with these Regulations regarding the applicant upon receipt of reasons as stated in paragraph (1).
- (3) (a) The Agency shall issue warning notices to all persons in the following situations-
- (i) where the licence has expired without further action by the potential applicant;
 - (ii) incompleteness of the licensing process;
 - (iii) non-compliance with paragraph (1) above;
 - (iv) non-compliance with renewal notices and other means of notification communicated by the Agency to the person; and
 - (v) deliberate and wilful neglect of the licensing process.
- (b) A warning notice sent by the Agency shall -
- (i) state the date of expiration of the licence;
 - (ii) specify the documents outstanding for the completion of the licensing process; and
 - (iii) specify the offending activity and steps as may be specified to be taken by the person within such specified period so as to ensure compliance with these Regulations.
- (4) Any person who fails to comply with the provisions of paragraph (3) and continues operations without the requisite licence commits an offence punishable on summary conviction under regulations 4(2) (a) to (c).

comments, referrals, additional information and relevant legislation and standards, may -

- (a) refuse the application stating the reasons therefor; or
 - (b) grant the application and issue a licence to the applicant subject to the general conditions as set out in regulations 8(1), 15(1), 21(1), 28(1) and 31(1) and such further special conditions as the Agency may determine in accordance with regulations 8(2), 15(3), 21(2) and 28(2).
- (2) Notwithstanding the provisions of these Regulations, the Agency may, for good cause, issue a conditional licence, upon the fulfillment of some obligation or submission of any outstanding document by an applicant in accordance with these Regulations.
- (3) If the applicant fails to comply with the terms of a conditional licence, the Agency may suspend or cancel the licence in accordance with regulation 48 or attach penalties in accordance with regulation 37 (2).

Withholding of
licence.

40. The issuance of a licence shall not be unreasonably withheld by the Agency.

Cancellation of
licence.

41. (1) If a licence-holder whose licence relates to petroleum or petroleum products stops operation for a consecutive period of more than three months during the validity of the licence, the Agency may under regulation 48 cancel his licence after giving him a reasonable opportunity to make representations.

(2) Notwithstanding paragraph (1), the licence-holder may make a written application for an exemption stating good reasons therefor and the Agency shall respond in writing within sixty days of its receipt thereof.

Ineligibility for
licence.

42. The Agency may not issue a licence to a person who -

- (1) has during the five years preceding the application for the licence been convicted of an offence under the Act or these Regulations, or is so convicted during the validity of the licence;
- (2) is or becomes an undischarged bankrupt.

Referral of
application.

43. Unless otherwise provided in these Regulations, where the application for the issue or amendment of a licence may impact on the environment, the Agency if it considers it necessary may refer the application to the Environmental Protection Agency for its written comments.

Abandonment of
premises.

44. (1) If a licence-holder, for whatever reason, including the closing down of the business to which the licence relates or a change of premises, wishes to abandon the relevant premises, the licence-holder shall by written notice, inform the Agency of the intended date of closure, change or abandonment at least one month prior to such intended date.

(2) Any person who fails to comply with the provisions of paragraph (1) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

(3) In the case of a change of relevant premises referred to in paragraph (1), the licence-holder shall comply with the provisions of regulation 47.

(4) After receipt by the Agency of a notice under paragraph (1), an inspector shall inspect the relevant premises in order to determine whether the premises have been sufficiently restored with regard to the petroleum activities conducted thereon and

will not pose a threat to the environment or the safety and health of the public.

(5) Pursuant to paragraph (4), an inspector shall issue a written statement to that effect if he is satisfied that the abandoned premises do not pose a threat to the environment or to the safety and health of the public.

(6) For the purposes of this Regulation, "restore" means -

- (a) the return of the premises to its original or its natural state;
- (b) the rendering of the premises, or part of a site, compatible with its intended after-use after cessation of petroleum-related activities; or
- (c) the removal of buildings, structures, plant and debris, establishment of compatible contours and drainage, replacement of top soil, re-vegetation, slope stabilization and infilling of excavations.

Application for
duplicate licence.

First Schedule

45. (1) When a licence has been lost, damaged or destroyed, the holder shall apply to the Agency for a duplicate.

(2) The licence-holder shall pay the appropriate fee stated in the First Schedule when applying to the Agency for a duplicate licence.

(3) The Agency shall issue a duplicate licence in the form of the original licence and shall mark clearly on the front "DUPLICATE".

Transfer of licence. 46. A licence is not transferable except by way of amendment under regulation 47.

Amendment of licence.

47. (1) Where a licence-holder seeks to change the information on his licence, he shall apply to the Agency for an amendment of the licence and if any such change of information relates –

(a) to a change of the premises, the licence-holder shall comply with regulation 44;

(b) in the case of a change in the name of the licence-holder, the new licence-holder shall supply the records required for the respective licence with regard to the proposed new operator, and the proposed new operator shall complete the respective Form PP/1, PP/2, PP/3, PP/4, PP/5 and PP/6 as set out in the Second Schedule, in as far as it is applicable, together with the application and requisite fees for an amendment.

Second Schedule

(2) The Agency may at the Agency's own initiative –

(a) for good cause, substitute, add, remove or amend a special condition of a licence after affording the licence-holder a reasonable opportunity of making representations;

(b) amend a licence if it has come to the knowledge of the Agency that any particulars of a licence has changed and the licence-holder has failed to inform the Agency thereof or if any other sufficient cause exists; the Agency shall give the licence-holder a reasonable opportunity of making representations before it takes action.

(3) The licence-holder shall pay the requisite fee stated in the First Schedule when applying to the Agency for the amendment of a

First Schedule

licence.

- (4) If the Agency amends a licence on its own initiative, the Agency shall, after affording the licence-holder a reasonable opportunity of making representations, within a period of fourteen days after such amendment, in writing, inform the holder thereof of such amendment.

- (5) The Agency may effect an amendment by –

- (a) endorsement of the licence; or
- (b) notice, in writing, to the licence-holder.

Surrender,
suspension,
cancellation or
ceasing of effect of
existing licence.

48. (1) Subject to regulation 44, a licence-holder may at any time by notice, in writing, to the Agency surrender the licence.

- (2) If a licence-holder fails to comply with a provision of these Regulations or a condition of the licence, or contravenes such provision or condition, the Agency may, subject to paragraph (3) and notwithstanding any other penalty which may be imposed under the Act or any other law –

- (a) suspend the licence for such time as the Agency may deem appropriate, or
- (b) cancel the licence.

- (3) The Agency may not cancel or suspend a licence unless-

- (a) the Agency has, by written notice, informed the licence-holder of the Agency's intention to cancel or suspend the licence-

- (i) setting out the particulars of the alleged failure or contravention;

- (ii) calling upon the licence-holder to make representations to the Agency as he may deem

necessary or expedient within a period of thirty days after the date of the notice; and
(iii) giving the licence-holder reasonable time to remedy the failure.

(b) the Agency has taken into account-

- (i) the steps taken by the licence-holder to remedy the failure or contravention or to prevent the failure or contravention from being repeated;
- (ii) other matters submitted to the Agency by way of the representations made under sub-paragraph (a).

(4) The effect of a suspension of a licence is that the licence-holder may not legally perform any act thereunder until the suspension has been lifted but must continue to submit all reports required under these Regulations.

(5) A licence ceases to have effect if -

- (a) the licence-holder becomes subject to ineligibility set out in regulation 42;
- (b) the licence is surrendered under paragraph 48(1); or
- (c) the licence is cancelled.

(6) If a licence ceases to have effect, the licence-holder shall surrender the licence to the Agency within a period of fourteen days from the date on which it so ceased to have effect.

(7) Notwithstanding paragraph (3) the Agency may suspend a licence without any notice in the event of a dangerous situation or abandonment of premises.

- Display of licence. 49. (1) A licence-holder shall display the original licence or a duplicate in or on a conspicuous place -
- (a) in the case of a retail licence-holder, in any part of the licensed premises;
 - (b) in the case of a wholesale licence-holder, at the official place of business of such licence-holder in Guyana.
 - (c) in the case of a bulk transportation carrier licence-holder, in the cab of the bulk transportation carrier licensed to transport petroleum and petroleum products.

(2) Any person who fails to comply with the provisions of paragraph (1) commits an offence and is liable upon summary conviction to a fine of one hundred thousand dollars.

Agency to make decision within reasonable time.

50. (1) The Agency shall make a decision under these Regulations regarding the issue, grant, amendment or any other matter pertaining to a licence within a reasonable time.
- (2) If a decision regarding the grant or issue of a licence is not made within a period of sixty days after the lodging of an application, the Agency shall furnish to the applicant at the written request of the applicant with written reasons for the delay.
- (3) If a licence is denied or cancelled, the applicant must be provided, at his request, reasons in writing for the denial, or cancellation.
- (4) All licences issued in respect of petroleum and petroleum products shall be gazetted and published in at least one daily newspaper annually.

PART THREE

PROHIBITIONS, DUTIES, SPECIFICATIONS, STANDARDS, SAFETY AND ENVIRONMENT

Prohibitions

Falsely claiming to hold a licence.

51. Any person who falsely claims or purports to be a licence-holder commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Mixing or blending of petroleum and petroleum products.

52. (1) If the Agency has under regulation 57 applied an approved specification with regard to the composition of petroleum or petroleum products, a licence-holder may not sell such petroleum and petroleum products or a mixture or blend of such petroleum and petroleum products if such petroleum and petroleum products or mixture or blend does not comply with the approved specification.

(2) When a licence-holder mixes an additive with petroleum and petroleum products for the sole purpose of identifying such product as the property of the licence-holder, the Agency shall not deem the product a blended product.

(3) The licence-holder shall apply for a written approval from the Agency for an additive referred to in paragraph (2) and the application shall state –

- (a) the chemical composition and trading name (if any) of the additive;
- (b) the quantity of additive in parts per million (ppm or any other measurable unit) to be mixed with the stated petroleum and petroleum products; and
- (c) the process to be used in identifying the additive.

(4) Any person who contravenes, or fails to comply with the provisions of paragraph (1) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

(5) Any person who contravenes, or fails to comply with the provisions of paragraph (3) commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

General Duties

General duty
with regard to
safe handling and
disposing of
petroleum and
petroleum
products.

53. (1) A person shall take, in the storing, keeping, handling, conveying, using or disposing of any petroleum and petroleum products, such precautions and exercise such reasonable care in 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 person shall dispose of petroleum and petroleum products at a place approved for the safekeeping or dumping thereof and in a manner that accord with good petroleum industry practices, any approved practices in Guyana and the law.

(3) A person shall ensure compliance with all related legislation, regulations and standards issued by the Guyana National Bureau of Standards in the safe handling, conveying, transporting and use of petroleum and petroleum products.

(4) A person shall not handle, transport, operate or offer for sale any petroleum and petroleum product if under the influence of

alcohol or drugs.

- (5) Any person who contravenes, or fails to comply with the provisions of paragraph (1) (2) or (3) commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

Duty in relation to buildings, road works, structures and plants.

54. (1) A licence-holder shall ensure that all buildings, road works, structures and plants erected or used in connection with petroleum or petroleum products comply with these Regulations and all other applicable laws.

(2) A licence-holder shall ensure that buildings, road works, structures and plants used in connection with petroleum and petroleum products are maintained in such a manner as 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.

(3) Any person who contravenes, or fails to comply with the provisions of paragraph (1) or (2) commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

Further duties in relation to plant.

55. (1) This Regulation applies to a plant that is used, or that is reasonably expected to be used, by a licence-holder in connection with petroleum and petroleum products.

(2) For the purposes of this Regulation, a plant is in an environmentally sound condition if it does not give rise to a risk of significant environmental harm.

(3) A licence-holder or other person who is in charge of or uses a plant to which this regulation applies shall take such precautions, including preventative measures, and exercise such reasonable care in the circumstances in order to –

- (a) ensure that the plant is in a safe and environmentally sound condition when it is used in connection with petroleum and petroleum products;
- (b) avoid endangering the safety or health of any other person, or the safety of any person's property; and
- (c) prevent the risk of significant environmental harm, whether during the use of the plant, or as a result of the use of the plant.

(4) A licence-holder or other person who performs, or supervises the performance of work on a plant shall take such precautions and exercise reasonable care in the circumstances in order to –

- (a) avoid endangering the safety or health of any other person, or the safety of any person's property; and
- (b) prevent the risk of significant environmental harm, whether during the performance of the work, or as a result of the performance of the work.

(5) Any person who contravenes, or fails to comply with the provisions of paragraph (3) or (4) commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

Duty with regard
to correct
measurements.

56. (1) A licence-holder or other person using a measuring instrument for trade in petroleum and petroleum products shall at all times ensure that –

- (a) such measuring instrument is verified and accurate for the designated period and complies with the standards set by the Guyana National Bureau of Standards and any other applicable standard or law;
 - (b) prices of petroleum and petroleum products are stated for quantities shown in metric measurements.
- (2) Any person who contravenes or fails to comply with the provisions of subsection (1) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Specifications and Standards

Approval of
specifications
and standards.

57. (1) The Agency may, by a reasonable period of notification served on a licence-holder or by notice in the *Gazette* or in a daily newspaper, apply, for the purposes of these Regulations, any specification of the Agency or standard of the Guyana National Bureau of Standards, which standard pertains to the handling, storage, distribution and composition of petroleum and petroleum products.
- (2) An approved specification and standard gazetted in accordance with paragraph (1) shall be applicable to all licences.
- (3) The Agency shall –
- (a) give notice in the *Gazette* or in a daily newspaper, of an approved specification and standard by the Agency or standard of the Guyana National Bureau of Standards and the place where and time when such specification may be inspected; and
 - (b) keep a copy of an approved specification and standard available for inspection, without charge and during normal office hours, at an office determined by the

Agency.

- (4) Any person who fails to comply with an approved specification or standard applicable to his licence commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Deviation from
approved
specification.

58. (1) The Agency may, upon application in writing, give a person written permission to deviate from the requirements of an approved specification in the specific circumstances mentioned in the application, if the Agency is satisfied that such deviation shall not detrimentally affect public safety or the environment.

(2) The Agency may impose such conditions to a permission granted under paragraph (1) as the Agency deems necessary to ensure public safety or the protection of the environment.

(3) Any person who fails to comply with or contravenes a condition imposed under paragraph (2) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Petroleum and
petroleum
product marker.

59. (1) The Agency may add a marker to gasoline or diesel or any other petroleum and petroleum product determined by the Agency for the purpose of identifying such petroleum or petroleum product as having been legitimately imported into Guyana.

(2) The Agency shall ensure that the marker is -

- (a) stable and soluble with deposit control additive packages;
- (b) stable and soluble in all motor fuels;
- (c) stable and soluble through the normal temperature ranges encountered in field storage of the product; and

- (d) harmless to the engine when introduced into the engine through the fuel.
- (3) The Agency shall ensure that -
- (a) the marker and its analytical techniques provide appropriate and precise information in the field and laboratory;
 - (b) when the petroleum and petroleum products is properly marked it shall be difficult to analyse, identify or copy by unauthorised persons, unless through the use of the marker analytical methods peculiar to the given marker product;
 - (c) the suppliers of the petroleum and petroleum products marker submit an acceptable data set to support the requirements of these Regulations;
 - (d) the marker analytical technique maintains precise and accurate results in the presence of background interference and matrix effects due to adulteration with other fuels, solvents, and other substances used as adulterants or additives.
- (4) The Agency shall, subject to regulations 52 and 58, perform such tests as may be necessary to determine the presence of the marker in the petroleum and petroleum products and any further tests that may be necessary to determine whether the petroleum and petroleum products have been unlawfully imported, stored, possessed, offered for sale, blended or mixed with any substance that is not approved by the authority.
- (5) Inspectors of the Agency may randomly test petroleum and petroleum products at any time or place and from any storage facility, fuel barge, plant, vehicle, generator, container, or pipeline.

- (6) Empirical evidence collected in paragraphs (4) and (5) shall be admissible in a court of law.

Fire Precautions

General duty
with regard to
fires and
explosions.

60. (1) A licence-holder shall —

- (a) ensure that all buildings, road works, structures and plant used in connection with petroleum and petroleum products are designed, constructed, equipped and maintained so as to prevent fires and explosions, and if any fire or explosion occurs to minimise the harmful effects of such fire and explosion;
 - (b) have a prepared written Emergency Response Plan on the premises or bulk transportation carrier and take the necessary steps, including regular training, to ensure that personnel or employees involved in the handling of petroleum and petroleum products exercise caution regarding anything which may cause fires or explosions and that they comply with the provisions of these Regulations and other applicable laws regarding fires and explosions; and
 - (c) cause any place, building, structure or plant where petroleum and petroleum products are handled or stored, to be suitably signposted.
- (2) A person shall not throw, leave or create an open or naked light, spark or flame or a burning or smouldering material at a place where petroleum and petroleum products are handled or stored.
- (3) A person shall not—
- (a) keep a vehicle running while petroleum and petroleum products are being dispensed into the tank of that vehicle;

(b) smoke in the forecourt of a retail outlet where petroleum and petroleum products are dispensed; or

(c) receive or make calls from, or keep active, a cellular telephone or any other electronic communication apparatus -

(i) within fifteen metres from any dispensing pump or any other petroleum and petroleum products supply point;

(ii) within fifteen metres from a vehicle while petroleum and petroleum products are being discharged from such vehicle into an underground storage tank; and

(iii) within fifteen metres of venting pipe storage tank into which the petroleum and petroleum products is being received.

(4) A licence-holder shall ensure that notices pertaining to paragraphs (3) (a), (b) and (c) are clearly written and signposted for easy viewing by the consumer or customer.

(5) Any person who contravenes, or fails to comply with paragraph (1), (2), (3) or (4) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Fire precaution
and emergency
measures.

61. (1) A licence-holder shall take adequate precautions to prevent the outbreak of a fire when storing, keeping, handling, conveying, using or disposing of petroleum and petroleum products.

(2) A licence-holder shall provide and at all times keep available suitable and adequate fire-extinguishing equipment which he shall maintain in good working order, test at least twice a year, and position in accessible places on the premises.

where petroleum and petroleum products are kept, stored, handled, conveyed or used.

(3) A licence-holder shall prepare and keep on the premises a written fire emergency plan to deal with the outbreak of a fire.

(4) A licence-holder shall ensure that –

(a) the plan provides suitable and adequate fire-fighting strategies showing all locations and types of fire-fighting equipment and setting out a plan of action and the tasks of employees in the event of a fire;

(b) the plan includes provisions for the training of employees to deal with a fire emergency situation;

(c) the Agency and the Guyana Fire Service approves the plan and shall provide accurate copies to the employees working on the premises.

(5) Any person who contravenes, or fails to comply with paragraph (1), (2) or (3) commits an offence and is liable on summary conviction to a fine of three hundred thousand dollars.

Petroleum and Petroleum Products Spill

Petroleum and
petroleum
products spill.

62. (1) A licence-holder or another person in control of activities conducted with regard to petroleum and petroleum products, immediately after a petroleum and petroleum products spill has occurred shall –

(a) inform, in the case of a petroleum and petroleum products spill, the Agency thereof; and

(b) take the necessary steps that accord with good petroleum industry practices to clean up the petroleum and petroleum products spill.

(2) If a licence-holder or other person referred to in paragraph (1) fails to comply with paragraph (1)(b) within such period of time as the Agency in the circumstances may deem reasonable, the Agency may deliver a notice to such person ordering him to take, within the period of time specified in the notice, the steps outlined to clean up the petroleum and petroleum products spill ; and the Agency may, by a subsequent written notice, give the licence-holder further time to clean up the petroleum and petroleum products spill.

(3) If the licence-holder or person referred to in paragraph (2) fails to clean up the spill, to the satisfaction of the Agency within the time specified in the first notice or within the extended time allowed by the Agency, the Agency shall take the necessary steps to clean up the petroleum and petroleum products spill and shall recover in a court of competent jurisdiction under regulation 63, the costs incurred in the cleaning up of the petroleum and petroleum products spill, including legal fees.

(4) For the purposes of this regulation "petroleum and petroleum products spill" means a petroleum and petroleum products spill of more than 2000 litres of petroleum or more than 20 litres of petroleum products.

(5) Any person who through negligence or misconduct including poor maintenance procedures causes petroleum and petroleum products spill commits an offence and is liable on summary conviction to a fine of one million dollars.

PART FOUR
MISCELLANEOUS

Cost Recovery

Cost recovery in
respect of spills.

63. (1) This Regulation applies to any incident –

- (a) constituting of or arising from, whether wholly or in part, a petroleum and petroleum products spill or involving the risk of a petroleum and petroleum products spill; or
- (b) arising from the cleaning-up or restoring of premises.

(2) If a Ministry, Government department or institution, or a local democratic organ (hereafter called “the relevant authority”) incurs costs or expenses as a result of the occurrence of an incident to which this Regulation applies, the costs or expenses reasonably incurred by the relevant authority are recoverable as a debt against the operator or owner of the premises in a court of competent jurisdiction by the relevant authority.

Inspectors

Exercise of
powers by
inspector.

64.(1) When exercising any power under this Part, an inspector shall produce a photographic identification document signed by the Chief Executive Officer of the Guyana Energy Agency, stating full name and designation.

(2) Inspectors shall act in accordance with these Regulations and the Laws of Guyana in the exercise of duties and powers under this Part.

(3) An inspector may require an occupier of the premises, or a

person in charge of a site, building, structure, plant or vehicle to assist him where necessary for the effective exercise of powers conferred by these Regulations.

Inspection of
sites, vehicles,
vessels, etc.

65 (1) An Inspector of the Agency shall, prior to the grant of a licence, inspect the proposed site, vehicle, vessel and other locations, to be licensed to ensure conformity with these Regulations.

(2) An Inspector of the Agency shall, during the validity of a licence, inspect the licensed premises, site, vehicle, vessel and other locations to ensure conformity with these Regulations.

Prohibition
notice by
inspector.

66. (1) If an inspector determines that a dangerous situation exists in or on the premises, the inspector may issue to the person in control of the premises, or of the activity giving rise to the danger or risk, a notice, prohibiting the conducting of the activity until the inspector is satisfied that adequate measures have been taken to avert, eliminate or minimise the danger or risk.

(2) An inspector shall, in the prohibition notice –

- (a) identify the relevant place or activity giving rise to the danger or risk;
- (b) state the grounds for the inspector's opinion.

(3) An inspector may in a prohibition notice include reasonably practical directions as to the measures to be taken to avert, eliminate or minimise the danger or risk to which the notice relates.

- (4) An inspector may withdraw and issue a new notice, or revoke a prohibition notice issued under this regulation.

Failure to comply
with prohibition
notice.

67. (1) If a person is required by a prohibition notice to take specified measures and the person fails to comply with the notice, the inspector who issued the notice may —

- (a) after giving reasonable notice to the licence-holder or person in control of the premises, take the necessary measures to enter and take control of the premises; and
- (b) do, or cause to be done, such things to effect proper compliance with the notice.

(2) The Agency may recover as a debt in a court of competent jurisdiction and from the person who contravened or failed to comply with the notice, the costs and expenses reasonably incurred by an inspector exercising his powers under paragraph (1).

Action in certain
situations.

68. (1) If the Agency agrees with an inspector who on reasonable grounds determines that a dangerous situation exists and that there is insufficient time to issue a notice under this Part, the inspector on the authority of the Agency may, after giving such notice orally or in writing as may be reasonable in the circumstances, take the necessary action to avert, eliminate or minimise the danger or risk including the ordering of temporary suspension of activities until the danger or risks have been rectified.

(2) If the Chief Executive Officer is satisfied on information provided by an inspector that illegal petroleum and petroleum products are stored on licensed premises or any other premises, the Chief Executive Officer may order the temporary suspension of the licences, closure of the premises and the cessation of any operation concerning the illegal petroleum and petroleum products, pending

the determination of by a court of any charge in respect of the said illegal petroleum and petroleum products:

- Provided that before issuing any instructions to close any premises the Chief Executive Officer shall give the owner, operator or other person in charge thereof an opportunity of making representations.

Certain acts with regard to inspectors prohibited.

69. (1) A person shall not –

- (a) hinder or obstruct an inspector in the exercise of the powers conferred by these Regulations;
- (b) use abusive, threatening or insulting language to an inspector;
- (c) refuse or fail to comply with a lawful requirement, direction or notice of an inspector;
- (d) when required by an inspector to answer a question, refuse or fail to answer the question to the best of the person's knowledge, information and belief; or
- (e) falsely represent, by words, documents or conduct, that he is an inspector.

(2) Any person who contravenes, or fails to comply with the provisions of paragraph (1) commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

Information & Records

Supply of false or misleading information.

70. (1) A person shall not furnish false or misleading information, or make any false or misleading statement knowing that the information or statement is false or misleading, in connection

with an application, statement, record or other document submitted to the Agency under these Regulations.

(2) Any person who contravenes, or fails to comply with the provisions of paragraph (1) commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

Register and
information to be
kept by the
Agency.

71. (1) The Agency shall keep a register of all licences issued under these Regulations.

(2) The Agency shall record and keep the following information up to date in the register -

- (a) the name and address of every licence-holder;
- (b) the licence number and date of issue and the period of validity;
- (c) the type of licence;
- (d) the relevant premises.

(3) The Agency shall keep the register referred to in paragraph (1) available for public inspection upon request in writing.

(4) The Agency shall publish annually in the *Gazette* and a daily newspaper of daily circulation the names and addresses of -

- (a) all licensed importers of petroleum and petroleum products;
- (b) all licensed wholesalers of petroleum and petroleum products;
- (c) all licensed retailers of petroleum and petroleum products;
- (d) all licensed consumer installations;
- (e) all licensed storage facilities; and
- (f) all licensed petroleum and petroleum products vehicles and vessels.

Particulars of
dealing with
petroleum or
petroleum
products.

72. The Agency may, by notice in writing, require –

- (a) a person who conducts, or has conducted, or is or was concerned in, or has or has had any interest in, a business involving or related to petroleum and petroleum products; or
- (b) the person's agent or employee, who has or has had duties, or provides or has provided services in connection with petroleum and petroleum products, to furnish in writing, within the period of time specified in the notice or in the further time the Agency may allow, information in respect of those petroleum and petroleum products specified in the notice, not being information relating to any period of time after the date of the requirement.

Service of
notices.

73. (1) The Agency shall authorise an inspector to deliver a notice, document or other communication under these Regulations –

- (a) to the licence-holder or person in control of the premises personally;
- (b) by dispatching it by pre-paid registered post, addressed to the person at the last known address or office;
- (c) in the case of a body corporate –
 - (i) to the Chief Executive Officer of the body corporate; or
 - (ii) by dispatching it by pre-paid registered post, addressed to the body corporate or its Chief Executive Officer, at its registered office.

- (2) Any notice, document or other communication referred to in paragraph (1) which was delivered in the manner contemplated in paragraph (1) (b) or (1) (c)(ii) is deemed, unless the contrary is proved, to have been received by the person to whom it was

addressed at the time when it would, in the ordinary course of post, have arrived at the place to which it was addressed.

Contravention of
or failure to
comply with
notice.

74. Any person who receives a notice referred to in regulation 73 and who contravenes or fails to comply with the notice commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars.

General

Confidentiality

75. A person shall not divulge information obtained in the course of the administration or implementation of these Regulations except -

- (a) if authorised by or under the Act;
- (b) with the consent of the person from whom the information was obtained or to whom the information relates; or
- (c) for the purpose of any legal proceedings arising out of the administration or enforcement of the Act or any other law provided that the disclosure shall not cause unfair competition.

Immunity from
personal liability.

76. Liability shall not attach to the Agency, an inspector or any other person engaged in the administration of these Regulations for an act or omission in the exercise or discharge, of a power, function or duty by or under these Regulations if the act or omission has been exercised or discharged in good faith and without gross negligence.

Evidence.

77. In any proceedings in connection with an offence under these Regulations or the Act, a document purporting to be a licence of the Agency certifying -

- (a) that a person was or was not the holder of a licence of a specified kind at a specified date;
- (b) that a condition was a condition of a licence;

- product of a specified kind;
- (d) that the contents of an approved specification is a true copy of such approved specification;
- (e) that an extract from the register referred to in Regulation 71 is a true copy of such extract,
- constitutes proof of the matters so certified.

Repeal.

No. 7 of 2004

78. The Petroleum and Petroleum Products Regulations 2004 are hereby repealed.

FIRST SCHEDULE

Licence Type	Particulars	Licence Fee	Annual fee
Storage Licence	Storing 2000 litres and above	\$12,500	
Retail Licence inclusive of Storage Licence	1-Year Licence: Fuels (including LPG) with 1 pump and/or Lubricants with combined storage not exceeding 2,000 litres equivalent.	\$10,000	
	3-year Licence: Fuel (including LPG) with 1 pump and/or Lubricants with combined storage exceeding 2,001 litres but under 15,000 litres equivalent.	\$22,500	\$22,500
	5-year Licence: Fuel (including LPG) with 1 pump and/or Lubricants with combined storage exceeding 15,001 litres but under 50,000 litres equivalent.	\$22,500	\$22,500
	10-year Licence: Fuel (including LPG) with 1 pump and/or Lubricants with combined storage exceeding 50,000 litres equivalent.	\$22,500	\$22,500
	Each additional pump	\$5,000	\$5,000
Wholesale Licence inclusive of Storage licence	10-year Licence: Fuels including LPG and Lubricants with combined storage not exceeding 800,000 litres equivalent.	\$110,000	\$110,000
	20-year Licence: Fuels including LPG and Lubricants with combined storage exceeding 800,000 litres equivalent.	\$110,000	\$110,000
	10-year Licence: Lubricants only with combined storage not exceeding 100,000 litres.	\$50,000	\$50,000
	20-year Licence: Lubricants only with combined storage exceeding 100,000 litres.	\$50,000	\$50,000
	10-year Licence: LPG only with combined storage not exceeding 100,000 litres.	\$60,000	\$60,000
	20-year Licence: LPG only with combined storage exceeding 100,000 litres.	\$60,000	\$60,000
Importing Wholesale Licence inclusive of Storage Licence	10-year Licence: Fuels including LPG and Lubricants with combined storage not exceeding 800,000 litres equivalent.	\$130,000	\$130,000
	20-year Licence: Fuels including LPG and Lubricants with combined storage exceeding 800,000 litres equivalent.	\$130,000	\$130,000
	10-year Licence: Lubricants only with combined storage not exceeding 100,000 litres.	\$60,000	\$60,000
	20-year Licence: Lubricants only with combined storage exceeding 100,000 litres.	\$60,000	\$60,000
	10-year Licence: LPG only with combined storage not exceeding 100,000 litres.	\$60,000	\$60,000
	20-year Licence: LPG only with combined storage not exceeding 100,000 litres.	\$60,000	\$60,000

Licence Type	Particulars	Licence Fee	Annual fee
Import Licence	10-year Licence: Fuels including LPG and Lubricants with combined storage not exceeding 800,000 litres equivalent.	\$120,000	\$120,000
	20-year Licence: Fuels including LPG and Lubricants with combined storage exceeding 800,000 litres equivalent.	\$120,000	\$120,000
	10-year Licence: Lubricants only with combined storage not exceeding 100,000 litres.	\$50,000	\$50,000
	20-year Licence: Lubricants only with combined storage exceeding 100,000 litres.	\$50,000	\$50,000
	10-year Licence: LPG only with combined storage not exceeding 100,000 litres.	\$50,000	\$50,000
	20-year Licence: LPG only with combined storage not exceeding 100,000 litres.	\$50,000	\$50,000
Bulk Transportation Carrier Licence inclusive of Storage Licence	1-year Licence: Fuels including LPG & Lubricants (Trucks, Tankers, Canters) with combined storage not exceeding 20,000 litres.	\$10,000	
	3-year Licence: Fuels including LPG & Lubricants (Trucks, Tankers, Canters) with combined storage exceeding 20,000 litres.	\$15,000	\$15,000
	1-year Licence: Fuels including LPG & Lubricants (Cargo Boats, Barges) with combined storage not exceeding 10,000 litres.	\$10,000	10,000
	3-year Licence: Fuels including LPG & Lubricants (Cargo Boats, Barges) with combined storage from 10,001 to 20,000 litres.	\$15,000	15,000
	5-year Licence: Fuels including LPG & Lubricants (Cargo Boats, Barges) with combined storage from 20,001 litres to 250,000 litres.	\$50,000	\$50,000
	5-year Licence: Fuels including LPG & Lubricants (Cargo Boats, Barges) with combined storage exceeding 250,000 litres.	\$80,000	\$80,000
Consumer Installation Licence including Storage Licence	1-year Licence: Combined storage from 2000 litres to 4200 litres.	\$10,000	\$10,000
	5-Year Licence: Combined storage from 4201 litres to 6400 litres.	\$15,000	\$15,000
	10- Year Licence: Combined storage from 6401 litres to 8600 litres.	\$20,000	\$20,000
	15-year Licence: Combined storage from 8601 litres to 10,800 litres.	\$25,000	\$25,000
	20-year Licence: Combined storage of above 10,800 litres.	\$30,000	\$30,000

Licence Type	Particulars	Licence Fee	Annual fee
Export Licence	10-year Licence: Fuels	\$120,000	\$120,000
Duplicate		\$2,500	
Amendment of licence		\$5,000	

SECOND SCHEDULE

FORM PP/1

Regs. 5, 11, 47

**GUYANA ENERGY AGENCY
APPLICATION FOR RETAIL LICENCE**

*(Please note that where this form is completed by hand it must be completed
in capital letters and that all documents requested should be attached)*

1. Full name of Applicant

*Note: In the event of the application being made by a body corporate or a partnership, the name
and capacity of the person who makes the application on behalf of the body or partnership must
be stated.....*

2. Postal Address/Address of registered office
.....3. Physical Address/location of retail outlet (if different)
.....4. Telephone No. (including code)
.....5. Facsimile No. (including code)
.....6. E-mail (if any)
.....7. ID No./Passport No./ Work permit No./Business Registration No./Company Registration
No.**(*Delete which is not applicable)*

**8. In the case of a body corporate or partnership, the following information regarding
manager/managing director/CEO* must be provided:**

Full Name:

Position:

ID. Passport No., Citizenship, Permanent Residence, Work Permit
No.*:

(*Delete which is not applicable)

9. In the case of a body corporate or partnership, full details of all directors, nature of shareholding/interest, other partners or members, as the case may be, must be provided in Form PP/1A and must be attached to this application.

10. In the case of a **body corporate**, provide name, registration number and country of registration.
of all holdings and subsidiary companies

11. Proposed name/trade name/registered name of Retail outlet

12. Name of supplying wholesaler.....

13. If applicant is not owner of proposed retail outlet, provide name and address of owner(s)
.....

14. The details of all activities to be undertaken under the retail licence (including services to be provided at the proposed retail outlet), facilities to be provided, and buildings, structures and plant to be used or erected (attach separate list if necessary)
.....

15. Has an environmental impact assessment study been conducted?

Yes ☐ No ☐

16. Does applicant hold other retail licences issued by the GEA?

Yes ☐ No ☐

If YES, state the Licence Number(s) and Type of Licence (s)

Declaration

I.....hereby declare that I am not
subject to any of the disqualifications as set out in Regulation 42 and that the information
submitted by me in this application is true and correct.

.....
Signature

.....
Date

(day/month/year)

.....
Name in Block Letters

FOR OFFICIAL USE ONLY

MEETS/ DOES NOT MEET minimum requirements for issue of licence.

.....
Head- Legal & Licensing Division

.....
Date

FORM PP/1A

DETAILS OF DIRECTORS, OTHER PARTNERS OR MEMBERS OF APPLICANT

No.	Name	Capacity (e.g. director, partner etc)	ID/Passport No.	Citizenship	Postal & Residential Address	Telephone and Fax Numbers
1.						
2.						
3.						
4.						
5.						
6.						

FORM PP/2

Regs. 12, 16, 47

GUYANA ENERGY AGENCY

APPLICATION FOR WHOLESALE LICENCE

(Please note that where this form is completed by hand it must be completed in capital letters and that all documents requested should be attached)

1. Full name of Applicant

.....

Note: In the event of the application being made by a body corporate or a partnership, the name and capacity of the person who makes the application on behalf of the body or partnership must be stated

.....

2. Postal Address/Address of registered office

.....

3. Physical Address

.....

4. Telephone No. (including code)

.....

5. Facsimile No. (including code)

.....

6. E-mail (if any)

.....

7. ID No./Passport No./ Work permit No./Business Registration No./ Company Registration

No.*.....

*(*Delete which is not applicable)*

8. In the case of a body corporate or partnership, the following information regarding manager/managing director/CEO* must be provided:

Full Name:

.....

Position:

.....

ID, Passport No., Citizenship, Permanent Residence, Work Permit

No.*:.....

*(*Delete which is not applicable)*

9. In the case of a body corporate or partnership, full details of all directors, nature of shareholding/interest, other partners or members, as the case may be, must be provided in Form PP/2A and must be attached to this application.

10. In the case of a **body corporate**, provide name, registration number and country of registration of all holdings and subsidiary companies

.....

11. The details of all activities to be undertaken under the wholesale licence (including details of petroleum products intended to be distributed).....

(If necessary, attach separate list)

12. Has an environmental impact assessment study been conducted?

Yes ☐ No ☐

13. Does the applicant already hold a licence issued by the GEA?

Yes ☐ No ☐

If YES, list the type of licence and number.

.....

Declaration

I,..... *hereby declare*
that I am not subject to any of the disqualifications as set out in Regulation 42 and that the
information submitted by me in this application is true and correct.

.....

Signature

Date

(day/month/year)

.....

Name in Block Letters

.....

FOR OFFICIAL USE ONLY

MEETS/ DOES NOT MEET minimum requirements for issue of licence.

.....

Head- Legal & Licensing Division

Date

FORM PP/2A

DETAILS OF DIRECTORS, OTHER PARTNERS OR MEMBERS OF APPLICANT

No.	Name	Capacity (e.g. director, partner etc)	ID/Passport No.	Citizenship	Postal & Residential Address	Telephone and Fax Numbers
1.						
2.						
3.						
4.						
5.						
6.						

FORM PP/3

Regs. 17, 18, 47

GUYANA ENERGY AGENCY

APPLICATION FOR CONSUMER INSTALLATION LICENCE OR
STORAGE LICENCE

*(Please note that where this form is completed by hand it must be completed in capital letters
and that all documents requested should be attached)*

1. Full name of Applicant

.....

*Note: In the event of the application being made by a body corporate or a partnership, the name
and capacity of the person who makes the application on behalf of the body or partnership must
be stated*

.....

2. Postal

Address.....

3. Physical Location of Site where consumer installation is to be installed (where physical
location is not readily available. GPS reading may be
provided).....

4. Telephone No. (including code)

.....

5. Facsimile No. (including

code).....

6. E-mail (if any)

7. ID No./Passport No./ Work permit No./Business Registration No./ Company Registration

No.*.....

*(*Delete which is not applicable)*

8. If applicant is a body corporate or partnership, full details of all directors, nature of shareholding/interest, other partners or members, as the case may be, must be provided in Form PP/3A and must be attached to this application.

9. Indicate type of consumer installation/ storage facility and capacity of each storage container/tank

(i) Petrol.....

(ii) Diesel

(iii) Other (Specify)

*(*Delete whichever is not applicable)*

10. Installation of Storage tank

Above ground _____

Under ground _____

11. If applicant is not owner of the proposed SITE, provide full name and address of owner(s)

.....

12. Has an environmental impact assessment study been conducted?

Yes ☐ No ☐

13. Does applicant already hold a Licence under the Regulations?

Holder of other Licences Yes ☐ No ☐

List type of Licence and Number

14. Indicate below the nature of activities to which the proposed consumer installation will relate

Commercial ☐

Agricultural ☐Industrial ☐Mining ☐Transporting ☐Fishing ☐Forestry ☐Farming ☐

Other (specify)

Declaration

I.....hereby declare that I
am not subject to any of the disqualifications as set out in Regulation 42 and that the information
submitted by me in this application is true and correct.

.....
*Signature**Date**(day/month/year)*.....
Name in Block Letters

FOR OFFICIAL USE ONLY**MEETS/ DOES NOT MEET minimum requirements for issue of licence.**.....
Head- Legal & Licensing Division.....
Date

FORM PP/3A

DETAILS OF DIRECTORS, OTHER PARTNERS OR MEMBERS OF APPLICANT

No.	Name	Capacity (e.g. director, partner etc)	ID/Passport No.	Citizenship	Postal & Residential Address	Telephone and Fax Numbers
1.						
2.						
3.						
4.						
5.						
6.						

FORM PP/4

Regs. 30, 33, 47

GUYANA ENERGY AGENCY
APPLICATION FOR
BULK TRANSPORTATION CARRIER LICENCE

*(Please note that where this form is completed by hand it must be completed
in capital letters and all necessary documents should be attached.)*

1. Full name of Applicant

*Note: In the event of the application being made by a body corporate or a partnership, the name
and capacity of the person who makes the application on behalf of the body or partnership must
be stated*

2. Postal

Address.....

3. Physical Location of Vehicle/Vessel

4. Telephone No. (including code)

5. Facsimile No. (including
code).....

6. E-mail (if any)

7. ID No./Passport No./ Work permit No./Business Registration No./ Company Registration No.

*

*(*Delete which is not applicable)*

8. If applicant is a body corporate or partnership, full details of all directors, nature of shareholding/interest, other partners or members, as the case may be, must be provided in Form PP/4A and must be attached to this application.

9. Holder of Other Licences issued by the GEA : YES _____ NO _____

If YES, state Licence Number and Type of Licence

10. Indicate type of vehicle/vessel and capacity of each compartment and maximum capacity of vehicle/vessel. In the case of trucks/ canters, indicate maximum number of jars, drums, containers.

(a) tanker.....

(b) truck/canter.....

(c) boat/barge.....

11. Registration Name(s)/number(s) of vehicle/vessel

12. Type (s) of petroleum or petroleum product (s) transported

13. Quantity of petroleum and petroleum products transported (*list capacity of compartments, if applicable*)

14. Names of supplier(s)

15. Destination of petroleum/petroleum products

16. Purpose (ie. For own use or for resale)

Declaration

I..... hereby declare that I am not
subject to any of the disqualifications as set out in Regulation 42 and that the information
submitted by me in this application is true and correct.

.....
Signature

.....
Date

.....
Name in Block Letters

FOR OFFICIAL USE ONLY

MEETS/ DOES NOT MEET minimum requirements for issue of licence.

.....
Head- Legal & Licensing Division

.....
Date

FORM PP/4A

DETAILS OF DIRECTORS, OTHER PARTNERS OR MEMBERS OF APPLICANT

No.	Name	Capacity (e.g. director, partner etc)	ID/Passport No.	Citizenship	Postal & Residential Address	Telephone and Fax Numbers
1.						
2.						
3.						
4.						
5.						
6.						

FORM PP/5 Regs. 12, 16, 47

GUYANA ENERGY AGENCY

APPLICATION FOR IMPORT LICENCE OR IMPORTING WHOLESALE LICENCE

(Please note that where this form is completed by hand it must be completed

in capital letters and that all documents requested should be attached)

1. Full name of Applicant

.....

Note: In the event of the application being made by a body corporate or a partnership, the name and capacity of the person who makes the application on behalf of the body or partnership must be stated

.....

2. Postal Address/Address of Registered Office

.....

3. Physical Address of Storage Site of petroleum and petroleum products

.....

4. Telephone No. (including code)

.....

5. Facsimile No. (including code)

.....

6. E-mail (if any)

.....

7. ID No./Passport No./ Work permit No./Business Registration No./ Company Registration

No.*

*(*Delete which is not applicable)*

8. In the case of a body corporate or partnership, the following information regarding manager/managing director/CEO* must be provided:

Full Name:

.....

Position:

.....

ID, Passport No., Citizenship, Permanent Residence, Work Permit

No. *:

*(*Delete which is not applicable)*

9. In the case of a body corporate or partnership, full details of all directors, nature of shareholding/interest, other partners or members, as the case may be, must be provided and attached to this application.

10. In the case of a body corporate, provide name, registration number and country of registration, of all holdings and subsidiary companies

.....

11. Holder of Other Licences issued by the GEA : YES ____ NO ____

If YES, state Licence Number and Type of Licence

12. Provide names of companies from which petroleum and petroleum products will be imported

*(*letter/document of company's intention to supply applicant for import purposes to Guyana must also be attached).....*

13. The details of all activities to be undertaken under the import/ importing wholesale licence

(including areas of distribution to potential customers in Guyana).....

(If necessary, attach separate list)

14. Provide details of specifications of petroleum and petroleum products intended to be

imported and distributed.....

15. Has an environmental impact assessment study been conducted?

Yes ☐ No ☐

Declaration

I hereby declare that I am
not subject to any of the disqualifications as set out in Regulation 42 and that the information
submitted by me in this application is true and correct.

.....
Signature

.....
Date

(day/month/year)

.....
Name in Block Letters

FOR OFFICIAL USE ONLY

MEETS/ DOES NOT MEET minimum requirements for issue of licence.

.....
Head- Legal & Licensing Division

.....
Date

FORM PP/5A

DETAILS OF DIRECTORS, OTHER PARTNERS OR MEMBERS OF APPLICANT

No.	Name	Capacity (e.g. director, partner etc)	ID/Passport No.	Citizenship	Postal & Residential Address	Telephone and Fax Numbers
1.						
2.						
3.						
4.						
5.						
6.						

FORM PP/6

Regs. 12, 47

GUYANA ENERGY AGENCY

APPLICATION FOR EXPORT LICENCE

*(Please note that where this form is completed by hand it must be completed**in capital letters and that all documents requested should be attached)*

1. Full name of Applicant

.....

Note: In the event of the application being made by a body corporate or a partnership, the name and capacity of the person who makes the application on behalf of the body or partnership must be stated

.....

2. Postal Address/Address of Registered Office

3. Physical Address of Storage Site of petroleum and petroleum products

4. Telephone No. (including code)

5. Facsimile No. (including code)

6. E-mail (if any)

7. ID No./Passport No./Work permit No./Business Registration No./ Company Registration No.*

*(*Delete which is not applicable)*

8. In the case of a body corporate or partnership, the following information regarding manager/managing director/CEO* must be provided:

Full Name:

.....

Position:

.....

ID, Passport No., Citizenship, Work Permit

No.*:

.....

*(*Delete which is not applicable)*

9. In the case of a body corporate or partnership, full details of all directors, nature of shareholding/interest, other partners or members, as the case may be, must be provided and attached to this application.

10. In the case of a **body corporate**, provide name, registration number and country of registration, of all holdings and subsidiary companies

.....

11. Holder of Other Licences issued by the GEA : YES _____ NO _____

If YES, state Licence Number and Type of Licence

12. Provide names of all ports of exit/export for the petroleum and petroleum products to be exported(**attached*).....

13. The details of all activities to be undertaken under the export licence (including areas of distribution to potential customers).....

(If necessary, attach separate list)

14. Provide details of specifications of petroleum and petroleum products intended to be exported

15. Estimates of the volumes of petroleum and petroleum products to be exported annually.

15. Has an environmental impact assessment study been conducted?

Yes ☐ No ☐

Declaration

I, hereby declare that I am not subject to any of the disqualifications as set out in Regulation 42 and that the information submitted by me in this application is true and correct.

.....
Signature

.....
Date

(day/month/year)

.....
Name in Block Letters

FOR OFFICIAL USE ONLY

MEETS/ DOES NOT MEET minimum requirements for issue of licence.

.....
Head- Legal & Licensing Division

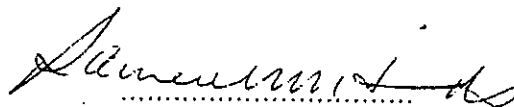
.....
Date

FORM PP6/A

DETAILS OF DIRECTORS, OTHER PARTNERS OR MEMBERS OF APPLICANT

No.	Name	Capacity (e.g. director, partner etc)	ID/Passport No.	Citizenship	Postal & Residential Address	Telephone and Fax Numbers
1.						
2.						
3.						
4.						
5.						
6.						

Made this *10th* day of December, 2014.

A handwritten signature in dark ink, appearing to read 'Abdullah Ahmad Ali', written over a dotted line.

Prime Minister