



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

Vol. 590

Pretoria, 22 August  
Augustus 2014

**No. 37932**

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            No.***GENERAL NOTICE****Energy, Department of***General Notice*

707 Petroleum Pipelines Act (60/2003): Draft Rules made in terms of section 33 (3) of the Act: For comments ..... 3 37932

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## GENERAL NOTICE

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### NOTICE 707 OF 2014

### NATIONAL ENERGY REGULATOR

#### DRAFT RULES MADE IN TERMS OF SECTION 33(3) OF THE PETROLEUM PIPELINES ACT, 2003 (ACT NO. 60 OF 2003)

The draft Rules are contained in the schedule. Electronic copies of the draft Rules are also available at [www.nersa.org.za](http://www.nersa.org.za).

Interested parties are invited to submit written comments on the draft Rules to the Energy Regulator within 30 days from the date of publication of this notice. Written comments must be addressed to Executive Manager: Petroleum Pipelines Regulation and sent to:

P O Box 40343, Arcadia, 0007

Fax: (012) 401 4700

Email: [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za)



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**Phindile Baleni (née Nzimande)**  
CHIEF EXECUTIVE OFFICER

**GENERAL EXPLANATORY NOTE:**

[       ]       Words in bold type in square brackets indicate omissions from existing Rules.

\_\_\_\_\_ Words underlined with a solid line indicate insertions in existing Rules.

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**SCHEDULE**

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## Definitions

1. In these Rules any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and unless the context indicates otherwise -

**“Act”** means the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) including regulations made in terms thereof;

**“activity”** means the construction, conversion or operation of petroleum pipelines, petroleum storage facilities or petroleum loading facilities;

**“administrative action”** means administrative action as defined in section 1 of the Promotion of Administrative Justice Act;

**“amendment”** means to vary, suspend, remove or add a licence condition as contemplated in section 23 of the Act;

**“applicant”** as it relates to licence applications, means the owner of the petroleum pipeline, storage facility or loading facility as contemplated in section 16(1) of the Act

**“authorisation permit”** means a permit issued by the Energy Regulator in terms of these rules;

**“authorised person”** means a person who has been issued with a valid authorisation permit by the Energy Regulator;

**“Energy Regulator”** means the National Energy Regulator established in terms section 3 of the National Energy Regulator Act, 2004 (Act No. 40 of 2004);

**“GPS”** means Global Positioning System

**“facility”** means a petroleum pipeline, petroleum storage facility or petroleum loading facility as defined in section 1 of the Act;

**“licensee”** means a holder of a licence issued by the Energy Regulator in terms of the Act;

**“Promotion of Administrative Justice Act”** means the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

**“Tariff application”** means an application for the approval or setting of tariffs or an application to amend an approved or set tariff

## CHAPTER 1 GENERAL REQUIREMENTS FOR DOCUMENTS SUBMITTED TO THE ENERGY REGULATOR

### Addresses for submission of documents

2. Where in terms of these rules, documents must be -
- (a) delivered by hand, they must be delivered at: Kulawula House, 526 **[Vermeulen]** Madiba Street, Arcadia, Pretoria;
  - (b) delivered by registered post, they must be sent to: P O Box 40343, Arcadia, 0007; and
  - (c) delivered electronically, they must be emailed to: pipelines@nersa.org.za

### Days and times for submission of documents

3. Documents delivered by hand must be delivered to the Energy Regulator only from Monday to Friday, excluding public holidays, and from 8:30 to 15:30.

### **[Request]** Applications for confidential treatment of information submitted

4. (1) Any person who submits information to the Energy Regulator may request the confidential treatment of such information.
- (2) Where a person requests the confidential treatment of information as contemplated in sub-rule (1) above, that person must -
- (a) Submit the application **[make the request in writing]** in the form specified in **[Annexure]** **Form A** and must provide all information specified therein; and
  - (b) clearly indicate and highlight those parts of the information submitted which the submitter considers to be confidential.
- (3) **[A request]** An application for the confidential treatment of information must be delivered by hand or sent by registered post. **[And]** The application may, in addition, **[also]** be sent electronically to the addresses specified in rule 2.

- (4) Subject to the concurrence of the Energy Regulator regarding the confidential nature of information submitted, such information may be withheld from the public. **[The Energy Regulator will inform the applicant of its decision regarding the request for confidential treatment of information within 30 days from receipt of a request.]**
- (5) Information considered to be confidential by **[submitted to]** the Energy Regulator **[in terms of this rule]** will only be made available to the public in accordance with the Act or the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

**General requirements and procedure for all applications made in terms of the Act**

5.(1) All applications must -

- (a) be indexed and paginated; and
- (b) be signed [and dated by the applicant or by a mandated representative of the applicant] accompanied by a signed and dated solemn declaration included in Forms A, B, D - G.**

**[A mandated representative of the applicant as contemplated in sub-rule (1)(b) above must have intimate knowledge of the information provided in the application and must be able to attest to the accuracy of the information.]**

- (2) Applications contemplated in sub-rule (1) above must be delivered by hand or sent by registered post **[and may also be]** or sent electronically to addresses specified in rule 2 of these Rules.
- (3) Upon receipt of an application, the Energy Regulator will provide an applicant with an acknowledgement of receipt of an application that states –
- (a) the date of receipt of the application;
- (b) the type of application; and
- (c) the tracking or reference number allocated to that application.
- (4) An applicant must provide any information that the Energy Regulator requests and that the Energy Regulator considers necessary to properly consider the application. **[properly]**

6. All measurements must be expressed in metric units.



## CHAPTER 2 APPLICATIONS AND OBJECTIONS TO LICENCE APPLICATIONS

### Application for a licence

#### *[Pre licence application procedure]*

7. (1) (a) An applicant for a licence must, where applicable and in accordance with rule 4, request the confidential treatment of information to be submitted as part of an application for a licence prior to officially submitting the application for consideration by the Energy Regulator.

(b) Where a request for confidential treatment of information to be submitted as part of a licence application has been made, the applicant must officially submit its licence application only once a decision of the Energy Regulator regarding the request has been communicated to it.]

7. (1) An application for a licence must be made in writing, in [the form specified in Annexure] Form B and must contain all information specified therein.

(2) An applicant for a licence may request the confidential treatment of information in the licence application in which case the licence application must be submitted together with:

(a) an application for the confidential treatment of information which complies with Rule 4 of these Rules; and

(b) a non-confidential version of the licence application.

[The application contemplated in sub-rule (2) above must be accompanied by a non-confidential version compiled in accordance with the decision of the Energy Regulator made in terms of rule 4 of these rules.]

(3) Based on the Energy Regulator's assessment and evaluation of an application, an applicant may, in accordance with section 18(b) of the Act, be requested by the Energy Regulator to alter its application.

[The official date of an application shall be the date on which the applicant submits all required information specified in these rules to the Energy Regulator.]

- (4) The Energy Regulator will **[within 14 days of receipt of an application]** inform an applicant in writing whether or not the application meets the licence application requirements specified in these Rules and is therefore accepted by the Energy Regulator.
- (5) An application for a licence, which does not contain all the required information specified in these rules, will be considered incomplete. If an application is incomplete, the Energy Regulator will issue the applicant with a Notice of an Incomplete Licence Application (**[Annexure] Form C**).
- (6) The official date of an application shall be the date on which the applicant submits all required information specified in these rules to the Energy Regulator.

#### **Publishing of a notice of an application for a licence and the contents thereof**

8. (1) **[When an applicant for a licence has received confirmation from the Energy Regulator in terms of rule 7(6) that the application meets the application requirements and is accepted by the Energy Regulator, the applicant must in accordance with section 17 of the Act, publish a notice of application in at least two newspapers circulating in the area of the proposed activity.]** An applicant for a licence must only publish a notice of a licence application after:
  - (a) it has received confirmation from the Energy Regulator in terms of rule 7(4) that the application meets the application requirements and is accepted by the Energy Regulator; and
  - (b) it has been informed, where applicable, of the decision of the Energy Regulator regarding its application for the confidential treatment of information in its licence application.
- (2) The notice contemplated in rule 8 (1) must be published **[on at least three different days and in any two of the official languages, one of which must be English.]** in
  - (a) at least two newspapers circulating in the area of the proposed activity; and
  - (b) in any two official languages.
- (3) The applicant must, **[for each of the days on which the notice contemplated in sub rule (1) was published, immediately]** on the day of publication of the

notice contemplated in rule 8(1) above, forward copies thereof to the Energy Regulator to the addresses specified in rule 2 of these Rules.

- (4) If the Energy Regulator deems it necessary considering the specific characteristics of an application, it may direct an applicant for a licence to publish the notice contemplated in rule [this rule] 8(1) above, in more than one issue of a newspaper but not exceeding four or on more than **[three days]** one day but not exceeding six days.
- (5) A notice of **[an]** a licence application published in terms of this rule must comply with all requirements listed in section 17(2) of the Act and must –
- (a) state that the licence application will be accessible to members of the public-
- (i) for a period of 30 days from the date of publication of the notice application excluding [from the date on which the notice is published until the closing date last date of publication of the notice;] Saturdays, Sundays and public holidays and only during office hours:
- [except on Saturdays, Sundays and public holidays and only during working hours]**
- (aa) at the offices of the applicant and must state the address, telephone number and the name of the contact person at the offices of the applicant;
- (bb) at the offices of the Energy Regulator at the address specified in rule 2(1) above;
- (ii) on the website of the applicant, where available; and
- (iii) on the website of the Energy Regulator;
- (b) state the application reference number issued by the Energy Regulator;
- (c) indicate that the Energy Regulator will disregard objections received after the closing date; and
- (d) state that-
- (i) persons who wish to lodge objections must do so by completing **[form at Annexure] Form D [to these rules]** which is available on

- the website of the Energy Regulator or at the offices of the Energy Regulator at the address specified in rule 2(1) of these Rules; and
- (ii) objections must be delivered by hand or sent by registered post **[to the]** or sent electronically to the addresses [address stated] specified in rule 2 of these Rules.

**[copies of objections may also be sent electronically to the address stated in rule 2.]**

#### **Changes to an application for a licence**

9. (1) An applicant for a licence wanting to make changes to its licence application before the Energy Regulator has **[made a decision regarding its licence]** decided on the application may request permission from the Energy Regulator to do so.
- (2) If the Energy Regulator deems **[the changes to be substantial]** it necessary, it may direct the applicant to publish a notice of an amendment to a licence application in the same newspapers and in the same languages as the notice of the licence application **[for a licence]** to be amended was published.
- (3) The notice published in terms of sub-rule (2) above must also comply with rule 8 of these rules.

#### **Form and manner of an objection to an application for a licence**

- 10.(1) An objection to an application for a licence must be in **[the form specified in Annexure]** Form D and must contain all information specified therein.
- (2) An objector may, **[in accordance with rule 4]** request the confidential treatment of information **[submitted as part of]** in the objection in which case the [an] objection must be submitted together with -
- (a) an application for the confidential treatment of information which complies with Rule 4 of these Rules; and
- (b) a non-confidential version of the objection.

- (3) An objection to an application for a licence must be delivered by hand **or** sent by registered post [**and may also be**] or sent electronically to the addresses stated in rule 2 of these rules.
- (4) An objection must be received by the Energy Regulator on or before the closing date of objections mentioned in **[a]** the notice of the licence application published in terms of rule 8 of these Rules.
- (5) This rule, with the necessary changes, applies to an objection to an amended application for a licence.
- (6) Comments, which are not objections, on an application for a licence must be in writing and sent to the Energy Regulator to the addresses specifies in rule 2 of these Rules.

#### **Licence applicant's response to an objection to an application for a licence**

11. An applicant must provide the Energy Regulator with a detailed response to an objection contemplated in rule 10 of these Rules –

- (1) within 30 days of receipt from the Energy Regulator of the objections to its licence application; and
- (2) in writing, clearly stating the name of the objector, the date of the objection and the objection to which it is responding.

#### **Application for an amendment of a licence**

##### **General requirements for all licence amendment applications**

- 12.(1) A licensee or an affected party may apply to the Energy Regulator for an amendment of a licence.
- (2) An application for an amendment of a licence must be made in writing [**in the form specified in Annexure**] Form E and must contain all information specified therein
- (3) An applicant may, in accordance with rule 4 of these Rules, request confidential treatment of information submitted by it as part of an application for an amendment of a licence.
- (4) Where the applicant is a person other than the licensee -

- (a) the Energy Regulator must provide the licensee with the non-confidential version of the application for an amendment of its licence; and
  - (b) the licensee must provide the Energy Regulator with a written response to the application for an amendment to its licence within 30 days from receipt of information regarding the application for an amendment to its licence.
- (5) Where the amendment of a licence is at the instance of the Energy Regulator, the procedure outlined in either rule 14 or 15 of these Rules will, depending on the circumstances of each case, be followed.

Additional requirements for tariff applications

- (6) All tariff applications must be submitted at least 6 months prior to the date on which the tariff to be approved or set is to take effect.
- (7) In addition to the information specified in Form D as contemplated in sub-rule (2) above, the following information must be submitted with all tariff applications:
- (a) electronic models containing all calculations;
  - (b) for pipeline tariffs, all information required in terms of the Energy Regulator's Tariff Methodology for the Petroleum Pipelines Industry to enable the Energy Regulator to set the tariffs for the pipeline;
  - (c) for tariffs for storage facilities and loading facilities:
    - (i) proposed tariffs and details regarding the methodology used to determine such tariffs which methodology must comply with the Regulations made in terms of the Act; and
    - (ii) all information necessary to enable the Energy Regulator to apply the Energy Regulator's tariff methodology,
- (8) Any other additional information requested by the Energy Regulator.

**Application for the revocation of a licence**

- 13.(1) An application for the revocation of a licence must be made in writing to the Energy Regulator in **[the form specified in Annexure] Form F** and must contain all information specified therein.

- (2) An applicant may, in accordance with rule 4 of these Rules, request the confidential treatment of information submitted as part of an application for the revocation of a licence.
- (3) If the reason for ceasing the licensed activity is that another person is willing and able to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Act -
- (a) the licensee must obtain and submit with the licence revocation application, an undertaking under oath by such other person to that effect; or
  - (b) proof that the facility has been sold or transferred to such other person.  
**[such other person must apply for a new licence in accordance with the Act and these rules.]**

### CHAPTER 3 CONSULTATION WITH AFFECTED AND INTERESTED PARTIES

#### **Administrative action affecting any person**

14. The Energy Regulator must, where its administrative action might materially and adversely affect the rights or legitimate expectations of a person **[any person, call for written submission of relevant views, facts and evidence]** give a person at least 14 days' notice of the nature and purpose of the proposed administrative action in accordance with section 3 of the Promotion of Administrative Justice Act

**[For purposes of this rule, the Energy Regulator must give at least 14 days' notice of the deadline for written representations and must comply with section 3 of the Promotion of Administrative Justice Act.**

**Written representations submitted in terms to this rule 14 must be submitted together with an affidavit signed by the submitter or a mandated representative confirming that the information submitted is true and correct.]**

#### **Administrative action affecting the public**

15. (1) Where an administrative action of the Energy Regulator might materially and

adversely affect the rights of the public, the Energy Regulator will follow the procedure outlined in section 4 of the Promotion of Administrative Justice Act and Regulations made in terms thereof.

- (2) Where the Energy Regulator chooses to hold a public hearing **[as contemplated in regulation 11 of the regulations made in terms of the Promotion of Administrative Justice Act,]** the Energy Regulator must give notice of the public hearing at least **[7] 14** days before the date of the hearing.
- (3) Written representations submitted in terms to this rule 15 **[must] may be required to** be submitted together with an affidavit signed by the submitter or a mandated representative confirming that the information submitted is true and correct.

#### **CHAPTER 4 COMPLAINTS, INVESTIGATIONS AND INSPECTIONS**

##### **Form and manner of submitting a complaint**

- 16. (1) Complaints in terms of section 31(1) of the Act must be lodged with the Energy Regulator within the period of validity of the licence.
- (2) Complaints contemplated in sub-rule (1) above must comply with section 31(2) of the Act and must be lodged with the Energy Regulator –
  - (a) in writing by completing **[the form in Annexure] Form G;**
  - OR**
  - (b) telephonically by calling the number: +27 12 401 4600.
- (3) Written complaints must be delivered by hand or sent by registered post to the address stated in rule 2 and may also be sent electronically to the address stated in rule 2.
- (4) Where a complaint is lodged telephonically, the complainant will be required to sign an affidavit confirming details of the complaint.
- (5) A complainant may, in accordance with rule 4, request the confidential treatment of information submitted to the Energy Regulator as part of its complaint.



### **Procedures to be followed in investigations**

- 17.(1) On receipt of a complaint, the Energy Regulator will provide the licensee who is the subject of the complaint, with the copy of the non-confidential version of the complaint.
- (2) The licensee must submit a written response to the complaint to the Energy Regulator within 30 days from the date of receipt of the copy of the non-confidential version of the complaint.
- (3) The Energy Regulator may, in accordance with the regulations made in terms of the Promotion of Administrative Justice Act read together with these rules, also initiate and conduct investigations into activities of a licensee.
- (4) A licensee and/or any other relevant person may be summoned by the Energy Regulator during an investigation to appear before it to give evidence.
- (5) Persons summoned by the Energy Regulator in the course of an investigation will be reimbursed for all associated and reasonable costs within 30 days of receipt of documentary proof of such costs.

### **Inspection of and enquiry into licensed activities**

18. (1) Licensees must, in accordance with the Act, permit an authorised person to, at all reasonable times, enter any property on which a licensed activity is taking place and inspect any facility, equipment, machinery, book, account or other document found thereat.
- (2) The Energy Regulator must issue an authorised person with an authorisation permit similar to and reflecting information contained **[Annexure] in Form H**.
- (3) An authorised person must, upon request by an owner or operator of the facility or activity being inspected, show his or her authorisation permit to the person requesting it.
- (4) Licensees must furnish the Energy Regulator with such information as the Energy Regulator may consider necessary for the proper administration of the Act.

- (5) A licensee may allow any authorised person to accompany it on any vehicular and airborne inspection of the licensee's property on which a licensed activity takes place.
- (6) **[A licensee must provide appropriate health and safety equipment to an authorised person conducting an inspection.]**
- (7) When an authorised person needs to remove books, accounts or other documents, they shall, where reasonably possible, take copies of such documents rather than the originals.
- (8) If an authorised person removes - for further inspection - books, accounts or other documents or copies thereof from any property on which a licensed activity is taking place, then the authorised person must provide the licensee with a list of such books, accounts or other documents.
- (9) The licensee must within 30 days of receiving the list contemplated in sub-rule (8) above, inform the Energy Regulator of the information in the list that it regards as non-generic, confidential, personal, commercially sensitive or of a proprietary nature, by completing **[the form specified in Annexure] Form A** and providing all information specified therein.
- (10) Originals of documents contemplated in sub-rule 7 above, will be returned to the licensee within 30 days of removal thereof.

## **CHAPTER 5 GENERAL PROVISIONS**

### **Publishing of information relating to uncommitted capacity**

- 19.(1) A licensee must publish information relating to uncommitted capacity at its petroleum storage facility as and when directed to do so by the Energy Regulator.
- (2) The licensee must publish the information contemplated in sub-rule (1) above on its website and must keep copies of the information at the relevant facility for viewing by interested parties.

**Repeal of rules**

20. The Petroleum Pipelines Act Rules, 2009 (GNR 1072 in Government Gazette 32704 of 13 November 2009) are hereby repealed in their entirety.

**Short title and commencement**

21. These Rules are called the Petroleum Pipelines Act Rules, 2014 and shall come into operation on the date of publication.



**[ANNEXURE] FORM A: Application for confidential treatment of information  
submitted to the Energy Regulator**

**INSTRUCTIONS**

1. This form must be used for all requests for confidential treatment of information submitted to the Energy Regulator.
2. Please note that this form has five sections (A, B, C, D & E).
3. All requests must be based on and substantiated in terms of the relevant provisions of:
  - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003); and/or
  - (b) the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).
4. All requests must be accompanied by a detailed motivation supporting the request.
5. You must clearly indicate and highlight which information in your submission(s) is confidential as the Energy Regulator will not accept general claims of confidentiality of entire documents.
6. All information submitted to the Energy Regulator without this request shall be treated as non-confidential and will be made available to the public.
7. The completed form with supporting documentation must be delivered to the Energy Regulator:
  - (a) by registered mail to: P O Box 40343, Arcadia 0007; or
  - (b) by hand at: Kulawula House, 526 Madiba Street, Arcadia, Pretoria.
  - (c) electronically to [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za).

**Enquiries:**

Contact: Executive Manager: Petroleum Pipelines Regulation  
Contact no.: (012) 401 4600  
Fax no.: (012) 401 4700

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**Official Use Only**

Date received \_\_\_\_\_

Reference number \_\_\_\_\_

**SECTION A: PARTICULARS OF THE PARTY MAKING THE REQUEST FOR  
CONFIDENTIAL TREATMENT OF INFORMATION**

1. Name .....
2. Telephone number .....
3. Fax number .....
4. E-mail address .....
5. Details of mandated representative, including:
  - (a) Designation.....
  - (b) Family name.....
  - (c) First name.....
  - (d) Telephone number .....
  - (e) Fax number .....
  - (f) Email address .....

**SECTION B: PARTICULARS REGARDING THE TYPE OF SUBMISSION**

The request for confidential treatment of information is with regards to (tick the appropriate box below):

A licence application

☐

An application for an amendment of a licence

☐

An application for the revocation of a licence

☐

An objection to a licence application

☐

A complaint in terms of section 31 of the Act

☐

A tariff application

☐

Other (specify)

☐

.....

.....

.....

**SECTION C: DETAILS OF THE CONFIDENTIALITY REQUEST**

[On separate sheets of paper, list the following information regarding each piece of information

Column 1	The name of the document that contains the information considered to be confidential
Column 2	The page number, paragraph number and line number at which the confidential information begins and ends
Column 3	Facts and evidence supporting the request for confidential treatment of information identified in column 2
Column 4	The nature of the economic value of the information
Column 5	The applicable sections of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) or the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ]

Complete the following table and, for each piece of information for which confidential treatment is requested, provide information required in each column:

<u>The name of the document that contains the information considered to be confidential</u>	<u>The page number, paragraph number and line number at which the confidential information begins and ends</u>	<u>Facts and evidence supporting the request for confidential treatment of information identified in column 2</u>	<u>The nature of and the economic value of the information (where applicable)</u>	<u>The applicable sections of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003), the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) or any appropriate legislation, supporting the request</u>

**SECTION D: ORAL REPRESENTATIONS TO THE ENERGY REGULATOR**

Indicate your wish to orally present your request to the Energy Regulator: YES ☐  
NO ☐



## SECTION E: SOLEMN DECLARATION BY REQUESTER OR MANDATED REPRESENTATIVE

I \_\_\_\_\_ (full \_\_\_\_\_ names)  
 .....Identity

Number..... hereby declare that:

- (a) I am authorised by .....to make this declaration (attach the authorisation); and
- (b) All information provided herein is within my personal knowledge and is both true and correct.

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

.....

### Signature

I certify that the deponent:

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

### COMMISSIONER OF OATHS

Name \_\_\_\_\_

Address \_\_\_\_\_

Capacity \_\_\_\_\_

**[ANNEXURE] FORM B: Application for a Licence**

Applications for a licence in terms of the Petroleum Pipelines Act, 2003  
(Act No. 60 of 2003)

**INSTRUCTIONS**

1. Prior to completing this form, you are advised to read the following documents:
  - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) and its regulations; and
  - (b) the Rules made in terms of the Petroleum Pipelines Act specifically rules 1 to 11.
2. Please note that this form has three chapters and that applicants must provide all information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to the Energy Regulator:
  - (a) by registered mail to: P O Box 40343, Arcadia, 0007; or
  - (b) by hand at: Kulawula House, 526 Madiba Street, Arcadia, Pretoria.
  - (c) electronically to: [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za).
4. If you want to request the confidential treatment of certain information in your application, you must make the request in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

**Enquiries:**

Contact:	Executive Manager: Petroleum Pipelines Regulation
Contact no.:	(012) 401 4600
Fax no.:	(012) 401 4700

**Official Use Only**

Date received \_\_\_\_\_

Reference number \_\_\_\_\_

## CHAPTER 1

### GENERAL INFORMATION

You are required to provide the following information:

#### **Section A: Particulars of applicant**

1. Full name, where the applicant is a natural person or full registered name of the applicant;
2. Trading name of the applicant (if different from the registered name);
3. Physical and postal addresses of the principal place of business of the applicant;
4. Physical and postal address of the registered office of the applicant (if different from principal place of business);
5. Telephone number of the applicant;
6. Fax number of the applicant;
7. Email address of the applicant; and
8. Details of the [**mandated representative**] mandated representative at [**of**] the applicant, including:
  - (a) designation,
  - (b) family name,
  - (c) first name,
  - (d) telephone number,
  - (e) fax number, and
  - (f) email address.

#### **Section B: Desired commencement date**

Desired commencement date of the licence applied for.

#### **Section C: Additional information**

Provide any other information relevant to this application.

#### **Section D: Licence conditions**

State your desired licence conditions in terms of section 20(1) of the Act.

## SECTION E: SOLEMN DECLARATION BY APPLICANT OR MANDATED REPRESENTATIVE

I (full names) ..... Identity  
Number..... hereby declare that:

(a) I am authorised by .....to make this  
declaration (attach the authorisation); and

(b) All information provided herein is within my personal knowledge and is both true  
and correct.

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

.....

### Signature

I certify that the deponent:

(a) has acknowledged that she/he knows and understands the contents of this  
application form and its annexures, that she/he has no objection to taking the  
prescribed oath and that she/he considers the oath binding on her/his  
conscience; and

(b) has in the prescribed manner sworn that the contents of this application form  
and its annexures are true and signed same before me at  
..... (place) on this  
..... day of.....(month)  
.....(year).

### COMMISSIONER OF OATHS

Name .....

Address .....

Capacity .....

## CHAPTER 2

### **DOCUMENTS OR INFORMATION TO BE [ATTACHED TO THIS] SUBMITTED WITH THE LICENCE APPLICATION**

1. If the applicant is a natural person and a South African citizen, a certified copy of the applicant's identity document.
2. In the case of a non-South African citizen, a certified copy of her/his:
  - (a) passport;
  - (b) permanent residence permit or employment permit; and
  - (c) proof of residence in South Africa, or proof of domicile in South Africa.
3. If the applicant is:
  - (a) a national, provincial or local government;
  - (b) another statutory body;
  - (c) a juristic person established in terms of an Act of Parliament; or
  - (d) a company or other legal body established by statute or government directive,  
**[then, attach a copy of the] state the proclamation or legislation establishing such a body [or state relevant legislation].**
4. If the applicant is not a natural person, and is not contemplated in 3 above, **[attach]** provide
  - (a) the title of legislation under which it is registered;
  - (b) the registration number given to it in terms of such legislation;
  - (c) Any other details relating to the entity;  
**[a document stating –**
    - (i) **the title of legislation under which it is registered;**
    - (ii) **the registration number given to it in terms of such legislation;**  
**[in the case of companies, the names of current directors and the ownership or shareholding structure, including particulars of the shareholders;**
    - (a) **a certified copy of the identity document of the mandated representative authorised to make the application, if applicable; and**
    - (b) **documentary proof of the authorisation to make the application.]**

5. Where the applicant is a company as contemplated in 3(d) above, provide:
  - (a) the names of current directors;
  - (b) details regarding the ownership or shareholding structure, including particulars of the shareholders;
6. Where the applicant is a Trust as defined in the Trust Property Act, 1988 (Act No. 57 of 1988), provide:
  - (a) a certified copy of the trust deed or trust instrument and in the event of same having been amended, copies of the amended page(s) duly certified;
  - (b) Letters of Administration duly certified, issued to the trustees, and if this document has been amended, then a copy of the current Letters of Administration duly certified;
  - (c) certified copies of the identity documents of the trustees and beneficiaries and proof of each one's residential address;
  - (d) proof of the address at which the Trust is conducting its business such as an account of the local authority for rates, taxes, electricity or water which should reflect the physical address of the Trust; and
  - (e) a resolution of the trustees authorising any one or more of them to apply for the licence which reflects the names of the trustees that attended this meeting and each one's vote for or against the resolution.
7. Where the applicant has authorised another person to submit the licence on its behalf, documentary proof of authorisation and a certified copy of the identity document of the mandated/ authorised representative of the applicant.
8. Proof that the applicant is the owner of the petroleum pipeline, storage facility or loading facility.
9. Where the owner of the petroleum facility is not the owner of the land on which the facility is situated, proof that the applicant is the owner of the petroleum facility and proof of authorisation to use the land.
10. Where the facility is owned by more than one person, the applicant must provide –
  - (a) details of the co-ownership and documentary proof thereof or a solemn declaration to that effect; and

- (b) written mandate from each of the other owners authorising the applicant to apply for the licence on their behalf
11. Documents demonstrating the administrative abilities of the applicant<sup>1</sup>
12. Documents demonstrating the financial abilities of the applicant.<sup>1</sup>
13. Documents demonstrating the technical abilities of the applicant.<sup>1</sup>
14. A certified copy of the Record of Decision of the relevant environmental authorities in accordance with the National Environmental Management Act, 1998 (Act No. 107 of 1998) permitting the activity for which the licence is sought, if applicable. If the Record of Decision has not been obtained, then
- (a) submit:
- (i) proof of application for such permit; or
- (ii) a solemn declaration outlining the applicant's plans and ability to comply with all applicable labour, health and environmental legislation;
- or
- (b) state reason why the permit is not applicable.
15. List all applicable:
- (a) legislation;
- (b) operating and technical standards; and
- (c) codes and specifications (including those relating to safety) to be used in the activities for which this application is made, for example:
- (i) South African National Standards (SANS)
- (ii) the American Society of Mechanical Engineers (ASME) Standards;
- (iii) American Petroleum Institute (API) Standards; and
- (iv) European Norms (EN).
16. Provide details of the petroleum that will be handled in the facility for which this application is made.
17. Provide information required by regulations made in terms of the Act concerning mechanisms to promote historically disadvantaged South Africans.

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<sup>1</sup> Only original or certified copies will be accepted by the Energy Regulator

## CHAPTER 3 - DETAILS OF APPLICATION

Complete the appropriate form:

### **Petroleum Pipelines**

- Construction of a petroleum pipeline (PPL.p.F1)
- Conversion of a petroleum pipeline (PPL.p.F2)
- Operation of a petroleum pipeline (PPL.p.F3)

### **Petroleum Storage Facilities**

- Construction of a petroleum storage facility (PPL.sf.F1)
- Conversion of a petroleum storage facility (PPL.sf.F2)
- Operation of a petroleum storage facility (PPL.sf.F3)

### **Petroleum Loading Facilities**

- Construction of a petroleum loading facility (PPL.lf.F1)
- Conversion of a petroleum loading facility (PPL.lf.F2)
- Operation of a petroleum loading facility (PPL.lf.F3)



## CONSTRUCTION OF A PETROLEUM PIPELINE (PPL.p.F1)

Provide the following information/ documents. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. A technical description of the pipeline adequately specifying -
  - (a) the route (s);diameter(s);
  - (b) GPS Coordinates (of the inlet and outlet flanges)
  - (c) planned pumping stations;
  - (d) receiving and launching stations;
  - (e) installed design capacity;
  - (f) initial capacity;
  - (g) receipt and delivery points;
  - (h) connections with other pipeline systems;
  - (i) auxiliary equipment like accumulation and inter mixture tanks; and
  - (j) control and communication systems.
2. Detailed maps and diagrams, as appropriate; **[Provisions for metering, including type of meters, accuracy, calibration and arrangements]**
3. In the case of greenfield projects, for which a licence is sought, information on the economic, market and financial forecasts and other relevant information upon which the proposed project for the licence applied for is based.
4. Provide information required in terms of rules 12(7) and 12 (8) of these Rules;  
**[Information required in terms of the NERSA Tariff Methodology for the Petroleum Pipelines Industry. to enable the Energy Regulator to set the tariffs for this pipeline]**
5. A copy of the intended operational procedures;
6. Status or expected status in terms of the National Key Points Act, 1980 (Act No.102 of 1980);
7. Details of existing and proposed security arrangements;
8. Development programme, including -
  - (a) planned capacity of the project during the various stages of development;

- (b) schedule of implementation and minimum investment commitments for looping, receipt and delivery points, pumping stations and other development programmes; and
- (c) deadline to commence service for each stage contemplated.

## CONVERSION OF A PETROLEUM PIPELINE (PPL.p.F2)

Provide the following information/documentation. Each numbered item below should be copied and appear at the top of a page with your information below.

1. Existing licence number and date of commencement of licence;
2. Application for the revocation of the licence in terms of section 24 of the Act and rule 13 of these rules;
3. If the pipeline is not licensed, provide a technical description of the pipeline adequately specifying:
  - (a) the route (s);
  - (b) GPS Coordinates (of the inlet and outlet flanges)
  - (c) diameter(s);
  - (d) planned pumping stations;
  - (e) receiving and launching stations;
  - (f) installed design capacity;
  - (g) initial capacity;
  - (h) receipt and delivery points;
  - (i) connections with other pipeline systems;
  - (j) auxiliary equipment like accumulation and inter mixture tanks; and
  - (k) control and communication systems.
4. Detailed maps and diagrams, as appropriate.
5. A full description of the intended conversion and the reasons therefor; and
6. The impact of the conversion on users of the pipeline and any measures taken to ensure continued provision of services.

### OPERATION OF A PETROLEUM PIPELINE (PPL.p.F3)

Provide the following information. Each numbered item below should be copied and appear at the top of a page with your information below.

1. A technical description of the pipeline adequately specifying:
  - (a) the route(s);
  - (b) GPS Coordinates (of the inlet and outlet flanges)
  - (c) diameter(s);
  - (d) planned pumping stations;
  - (e) receiving and launching stations;
  - (f) installed design capacity;
  - (g) initial capacity;
  - (h) receipt and delivery points;
  - (i) connections with other pipeline systems;
  - (j) auxiliary equipment like accumulation and inter mixture tanks; and
  - (k) control and communication system.
2. Detailed maps and diagrams as appropriate;
3. A description of the mechanical properties and condition of the pipeline;
4. The results of any programmes, surveys or studies that indicate the present condition of the pipeline;

**[Provisions for metering, including type of meters, accuracy and calibration arrangement.**

**Provide information required in terms of the NERSA Tariff Methodology for the Petroleum Pipeline Industry to enable the Energy Regulator to set the tariffs for this pipeline]**

5. Provide information required in terms of rules 12(7) and 12 (8) of these Rules;
6. A copy of the emergency plan contemplated in section 20 (1) (x) of the Act;
7. A copy of the operational procedures for the pipeline;
8. Status in terms of the National Key Points Act, 1980 (Act No.102 of 1980);
9. Details of existing and proposed security arrangements;
10. Development plans:
  - (a) Investment and development plan including nature, schedule and quantum of each investment; and
  - (b) Planned changes to pipeline capacity and the dates when changes will become operational.

11. A copy of the maintenance policy for the petroleum pipeline.

**CONSTRUCTION OF A PETROLEUM STORAGE FACILITY (PPL.sf.F1)**

Provide the following information/documentation. Each numbered item below should be copied and appear at the top of a page with your information below.

1. A technical description of the proposed storage facility to be constructed. This should include the following -
  - (a) the physical address;
  - (b) GPS Coordinates
  - (c) a plan layout of the proposed facility;
  - (d) the diameter and height of the tanks;
  - (e) tank type;
  - (f) design capacity;
  - (g) product to be stored in each tank;
  - (h) the physical dimensions and capacity of the storage facility;
  - (i) the rate at and the means (e.g. pipeline, rail gantry, road transport gantry) through which product can be taken in and out of the proposed storage facility and specify the number of gantries and their capacities;
  - (j) drawings showing –
    - (i) the storage facility design and piping arrangements;
    - (ii) the proposed location of the storage facility, fences and roads;
    - (iii) where applicable, a description of the containment system and systems to prevent overflow or leakage;
    - (iv) a description of the regular inspection and maintenance procedures; and
    - (v) where applicable, a description for handling contaminated water run-off.
2. Election of third party access to uncommitted capacity arrangements as contemplated in section 20 (1) (n) of the Act;

**[Provisions for metering, including type of meters, accuracy and calibration arrangements;]**

3. In the case of greenfield projects, for which a licence is sought, information on the economic, market and financial forecasts and other relevant information upon which the proposed project for the licence applied for is based.
5. Provide information required in terms of rules 12(7) and 12 (8) of these Rules
6. A copy of the emergency plan contemplated in section 20(1) (x) of the Act;
7. A copy of the intended storage facility operational procedures;
8. Status in terms of the National Key Points Act, 1980 (Act No. 102 of 1980);
9. Details of existing and proposed security arrangements;
10. Development programme including -

- (a) Planned capacity of the project during the various stages of development;
- (b) Schedule of implementation and minimum investment commitments for the development programme; and
- (c) Deadline to commence service for each stage contemplated.

**CONVERSION OF A PETROLEUM STORAGE FACILITY (PPL.sf.F2)**

Provide the following information/documentation. Each numbered item below should be copied and appear at the top of a page with your information below.

1. Existing licence number and date of commencement of licence;
2. Application for revocation of the licence in terms of section 24 of the Act and rule 13 of these rules;
3. If the facility is not licensed; provide a technical description of the proposed storage facility to be converted, specifying the changes to the description in the existing licence. This should include the following -
  - (a) GPS Coordinates;
  - (b) physical plan of the facility;
  - (c) a plan layout of the proposed conversion of the storage facility;
  - (d) the diameter and height of the tanks;
  - (e) tank type;
  - (f) design capacity;
  - (g) product stored in each tank;
  - (h) changes to the physical dimensions and capacity of the storage facility;
  - (i) changes to the existing rate at which product can be taken into the proposed storage facility, e.g. pipeline, rail gantry and road transport gantry. Specify the number of gantries and their capacities.
  - (j) changes to the rate at which product can be taken out of the proposed storage facility and through what means e.g. pipeline, rail gantry, road transport gantry. Specify the number of gantries and their capacities.
  - (k) maps showing -
    - (i) changes to the existing storage facility design, piping arrangements and gantries;
    - (ii) changes to the proposed location of the storage facility, fences and roads;
    - (iii) where applicable, descriptions of changes to the containment system and systems to prevent overflow or leakage;
    - (iv) a description of changes to the regular inspection and maintenance procedures; and
    - (v) where applicable, a description of the changes for handling contaminated water run-off.
4. A full description of the intended conversion and the reasons therefor; and
5. The impact of the conversion on users of the storage facility and measures taken to



ensure continued provision of service.

**OPERATION OF A PETROLEUM STORAGE FACILITY (PPL.sf.F3)**

Provide the following information/documentation. Each numbered item below should be copied and appear at the top of a page with your information below.

1. A technical description of the proposed storage facility to be operated. This should include the following -
  - (a) physical address of the facility;
  - (b) GPS Coordinates;
  - (c) a plan layout of the storage facility to be operated;
  - (d) the diameter and height of the tanks;
  - (e) tank type;
  - (f) tank identification number;
  - (g) operational capacity
  - (h) design capacity;
  - (i) product to be stored in each tank;
  - (j) the physical dimensions and capacity of the storage facility;
  - (k) the rate at which product can be taken into the proposed storage facility and through what means e.g. pipeline, rail gantry, road transport gantry. Specify the number of gantries and their capacities;
  - (l) the rate at which product can be taken out of the proposed storage facility and through what means e.g. pipeline, rail gantry, road transport gantry. Specify the number of gantries and their capacities;
  - (m) maps showing -
    - (i) the storage facility design and piping arrangements;
    - (ii) the proposed location of the storage facility, fences and roads;
    - (iii) where applicable, a description of the containment system and the systems to prevent overflow or leakage;
    - (iv) a description of the regular inspection and maintenance procedures; and
    - (v) where applicable, a description for handling contaminated water run-off.
2. Election of third party access to uncommitted capacity arrangements as contemplated in section 20 (1) (n) of the Act;  
**[Provisions for metering, including type of meters, accuracy, calibration arrangements;]**

3. Provide information required in terms of rules 12(7) and 12(8) of these Rules  
**[Provide the proposed tariffs for this facility and details regarding the methodology used to determine such tariffs;]**
4. A copy of the emergency plan contemplated in section 20(1) (x) of the Act;
5. A copy of the storage facility operational procedures;
6. Status in terms of the National Key Points Act, 1980 (Act No. 102 of 1980);
7. Details of existing and proposed security arrangements;
8. Development programme:
  - (a) Planned capacity of the project during the various stages of development;
  - (b) Schedule of implementation and minimum investment commitments for the development programme; and
  - (c) Deadline to commence service for each stage contemplated.
10. A copy of the maintenance policy for the storage facility.

## CONSTRUCTION OF A PETROLEUM LOADING FACILITY (PPL.If.F1)

Provide the following information/ documentation. Each numbered item below should be copied and appear at the top of a page with your information below.

1. A technical description of the proposed loading facility to be constructed, including:
  - (a) GPS Coordinates;
  - (b) the number of loading points; **[arms;]**
  - (c) type of each loading point (e.g. loading arms or flexible hose); **[arm;]**
  - (d) the proposed rate at which product is to be conveyed through the facility;
  - (e) details of the proposed auxiliary pipeline/s **[to be connected to the storage facility]** including:
    - (i) diameters;
    - (ii) lengths;
    - (iii) **[route maps]** the storage facility to be connected to ; and
    - (iv) receipts and delivery points
2. Maps and diagrams where appropriate.
3. **[The maps should give]** Details of capacities at the various stages of development, planned and potential receipt and delivery points.
4. **[These should also include the]** The rate at which petroleum can be conveyed through the loading facility and the time necessary for ships to be brought into position for loading, and the dimensions and capacities of any auxiliary pipelines connected thereto;
3. Copy of the agreement or authorisation from the National Ports Authority permitting the construction of the facility on its property, where appropriate;
4. **[Provisions for metering, including type of meters, accuracy and calibration arrangements]** In the case of greenfield projects, for which a licence is sought, information on the economic, market and financial forecasts and other relevant information upon which the proposed project for the licence applied for is based;
5. Provide information required in terms of rules 12(7) and 12 (8) of these Rules
6. A copy of the proposed emergency plan contemplated in section 20(1) (x) of the Act;
7. A copy of the intended loading facility operational procedures;
8. Status in terms of the National Key Points Act, 1980 (Act No.102 of 1980);

9. Details of proposed security arrangements;

10. Details of the development programme including:

- (a) planned capacity of the loading facility project during the various stages of development;
- (b) the schedule of implementation and minimum investment commitments for the development programme; and
- (c) the deadline to commence service for each stage contemplated.

## CONVERSION OF A PETROLEUM LOADING FACILITY (PPL.If.F2)

Provide the following information. Each numbered item below should be copied and appear at the top of a page with your information below.

1. Existing licence number and date of commencement of licence;
2. Application for revocation of the licence in terms of section 24 of the Act and rule 13 of these rules;
3. If the facility is not licensed, a technical description of the loading facility to be converted, including:
  - (a) GPS Coordinates
  - (b) the number of loading **[arms]** points;
  - (c) type of each loading **[arms]** point (e.g. loading arms or flexible hose);
  - (d) the proposed rate at which product is to be conveyed through the facility;
  - (e) details of the auxiliary [proposed] pipeline/s [to be connected to the storage facility] including:
    - (i) diameters;
    - (ii) lengths;
    - (iii) **[route maps]** storage facility connected to the pipeline; and
    - (iv) receipts and delivery points

**[Maps and diagrams where appropriate. The maps should give details of capacities at the various stages of development, planned and potential receipt and delivery points. These should also include the rate at which petroleum can be conveyed through the loading facility and the time necessary for ships to be brought into position for loading, and the dimensions and capacities of any auxiliary pipelines connected thereto. Please submit a copy of the agreement or authorisation from the National Ports Authority.]**
4. Maps and diagrams where appropriate.
5. Details of capacities at the various stages of development, planned and potential receipt and delivery points.

6. The rate at which petroleum can be conveyed through the loading facility and the time necessary for ships to be brought into position for loading, and the dimensions and capacities of any auxiliary pipelines connected thereto. Please submit a copy of the agreement or authorisation from the National Ports Authority.
7. A full description of the intended conversion and the reasons therefor; and
8. The impact of the conversion on users of the loading facility and measures taken to ensure continued provision of service.

### OPERATION OF A PETROLEUM LOADING FACILITY (PPL.If.F3)

Provide the following information/documentation. Each numbered item below should be copied and appear at the top of a page with your information below.

1. A technical description of the proposed loading facility to be constructed, including:
  - (a) GPS Coordinates
  - (b) the number of loading points **[arms]**;
  - (c) type of each loading **[arm]** point (e.g. loading arms or flexible hose);
  - (d) the proposed rate at which product is to be conveyed through the facility;
  - (e) details of the proposed pipeline to be connected to the storage facility including:
    - (i) diameters;
    - (ii) lengths;
    - (iii) route maps;
    - (iv) receipts and delivery points
2. Maps and diagrams where appropriate. The maps should give details of capacities at the various stages of development, planned and potential receipt and delivery points. These should also include the rate at which petroleum can be conveyed through the loading facility and the time necessary for ships to be brought into position for loading, and the dimensions and capacities of any auxiliary pipelines connected thereto;
3. A copy of the agreement or authorisation from the National Ports Authority permitting the operation of the facility on its property, where appropriate;  
**[Provisions for metering, including type of meters, accuracy, calibration arrangements;]**
4. Provide information required in terms of rules 12(7) and 12 (8) of these Rules  
**[Provide the proposed tariffs for this facility and details regarding the methodology used to determine such tariffs;]**
5. A copy of the loading facility operational procedure;
6. Status in terms of the National Key Points Act, 1980 (Act No. 102 of 1980);
7. Details of security arrangements;
8. Details of the development programme including:



- (a) planned capacity of the project during the various stages of development;
- (b) the schedule of implementation and minimum investment commitments for the development programme; and
- (c) the deadline to commence service for each stage contemplated.

10. A copy of the maintenance policy for the loading facility.

**[ANNEXURE] FORM C: Notice of an incomplete licence application**

Notice in terms rule 7(5) made in terms of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

Name of applicant	
Type of licence applied for	
Date Received	
Reference Number	

- (a) The Energy Regulator hereby informs you that your licence application with the above-mentioned details does not meet the application requirements and is therefore considered incomplete.
- (b) You have not submitted the following required information / documentation to the Energy Regulator.
- 1.
  - 2.
  - 3.
  - 4.
  - 5.
- (c) The above-mentioned information /documentation must be submitted before your application can be accepted. The official date of application will be the date on which you submit **all** required information to the Energy Regulator.

---

**[CHIEF EXECUTIVE OFFICER]**



**[ANNEXURE] FORM D: OBJECTION TO A LICENCE APPLICATION**  
Objection to an application for a licence in terms of the Petroleum Pipelines  
Act, 2003 (Act No. 60 Of 2003)

**INSTRUCTIONS**

1. Before completing this form, you are advised to read the following documents:
  - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 Of 2003) and its regulations; and
  - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rules 1 to 11.
2. Please note that this form has four sections (A, B, C & D). An objector must provide **all** information and supporting documentation required.
3. The completed form with supporting documentation must be delivered to the Energy Regulator:
  - by registered mail to: P O Box 40343, Arcadia 0007; or
  - by hand at: Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
  - electronically to [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za).
4. If you want to request the confidential treatment of certain information in your objection, you must do so in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

**ENQUIRIES:**

Contact:	Executive Manager: Petroleum Pipeline Regulation
Contact no.:	(012) 401 4600
Fax no.:	(012) 401 4700

**Official Use Only**

Date received \_\_\_\_\_

Reference Number \_\_\_\_\_

2. Trading name of the objector (if different from the registered name)  
.....
3. Registration number of company (if applicable), or Identity Number if the objector is  
a natural person.....
4. Name of mandated representative. Attach documentary proof of mandate given to  
representative.....
5. Physical address .....  
.....
6. Postal address.....
7. Telephone number.....
8. Fax Number.....
9. Email address.....
10. Details of contact person at the objector, including:
  - (a) designation.....
  - (b) family name.....
  - (c) first name.....
  - (d) telephone number .....
  - (e) fax number .....
  - (f) email address.. ..

**SECTION B: DETAILS OF THE APPLICATION TO WHICH YOU ARE OBJECTING**

11. Type of application to which you are objecting.....

.....

12. Name of application to which you are objecting.....

.....

13. State the licence application number of the licence to which you are objecting (if known) .....

14. Details of the facility/ area .....

.....

**SECTION C: DETAILS OF THE OBJECTION**

15. Clearly state the nature of your objection, i.e. what does your objection relate to? (add additional page(s), if necessary)

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16. Clearly state the reasons for your objection (add additional page(s), if necessary) **and** attach supporting documentation

17. Section 18(a) of the Petroleum Pipelines Act, 2003 (Act No 60 of 2003) provides that:

*if it is of the view that the proposed construction of a **[gas] petroleum pipelines, loading facility or storage facility [facility or the proposed provision of gas services]** should be altered to provide access to third parties, must inform the applicant of that view and request the applicant to supply reasons as to why the application should not be considered subject to the imposition of such condition;*

.....

.....

.....

## SECTION D: SOLEMN DECLARATION BY OBJECTOR OR MANDATED REPRESENTATIVE

I ..... (full ..... names)  
 ..... Identity  
 Number..... hereby declare that:

- (a) I am authorised by .....to make this declaration (attach the authorisation); and
- (b) All information provided herein is within my personal knowledge and is both true and correct.

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

.....  
**Signature**

I certify that the deponent:

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

---

### COMMISSIONER OF OATHS

Name .....  
 Address .....  
 Capacity .....

**[ANNEXURE] FORM E: Application for an amendment of a licence**

Application for an amendment of a licence in terms of section 23 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

**INSTRUCTIONS**

1. Before completing this form, you are advised to read the following documents:
  - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 Of 2003) and its regulations; and
  - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rule
2. Please note that this form has five sections (A, B, C, D & E). An applicant must provide all information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to the Energy Regulator:
  - by registered mail to: P O Box 40343, Arcadia 0007; **or**
  - by hand at: Kulawula House, 526 Madiba Street, Arcadia, Pretoria; **or**
  - electronically to [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za);
4. If you want to request the confidential treatment of certain information in your application, you must do so in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

**Enquiries:**

Contact:	Executive Manager: Petroleum Pipelines
Regulation	
Contact No:	(012) 401 4600
Fax No.:	(012) 401 4700

**Official Use Only**

Date received \_\_\_\_\_

Reference number \_\_\_\_\_



**SECTION A: CATEGORY OF THE APPLICANT**

1. Indicate if you are the licence holder or a party affected by the licence by ticking the appropriate box below:

I am the licence holder ☐

I am a party affected by the licence ☐

**SECTION B: DETAILS OF THE APPLICANT**

2. Full registered name of the applicant.....
3. Trading name of the applicant (if different from the registered name)  
.....
4. Registration number of company (if applicable).....
5. Name of mandated representative (if applicable). Attach documentary proof of  
mandate given to representative.....
6. Physical address.....  
.....
7. Postal address .....
8. Telephone number.....
9. Fax Number.....
10. Email address.....
11. Details of mandated representative, including:
- (a) designation.....
- (b) family name.....
- (c) first name.....
- (d) telephone number .....
- (e) fax number .....
- (f) email address.. .....

**SECTION C: DETAILS OF THE LICENCE**

12. Name of licensee .....

13. Type of licence or licensed activity to which this application is applicable

.....

14. Location of the facility .....

.....

15. State the licence number (if known) .....

**SECTION D: DETAILS OF THE APPLICATION**

16. Clearly indicate the amendments that you seek. Please indicate each amendment sought separately and provide details thereof. If the amendment is to a particular condition, cite the condition. (Add additional page(s), if necessary).

.....

.....

.....

.....

.....

.....

17. Provide detailed reasons and motivation for each of the amendments sought in 16 above (add additional page(s), if necessary).

.....

.....

.....

.....

.....

.....

18. Substantiate your reasons and motivation in 17 above by submitting documentary proof of your claims.

19. Where the amendment sought is an amendment to an existing tariff, information listed in rules 12(7) and 12(8) must also be provided.

## SECTION E: SOLEMN DECLARATION BY APPLICANT OR MANDATED REPRESENTATIVE

I (full names).....Identity Number..... hereby declare that:

- (a) I am authorised by .....to make this declaration (attach the authorisation); and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

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

### Signature

I certify that the deponent:

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

### COMMISSIONER OF OATHS

Name: .....

Address: .....

Capacity : .....



**[ANNEXURE] FORM F: Application for the revocation of a licence**  
Application for the revocation of a licence in terms of section 24 of the Petroleum  
Pipelines Act, 2003 (Act No. 60 of 2003)

**INSTRUCTIONS**

1. Before completing this form, you are advised to read the following documents:
  - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) and its regulations; and
  - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rule
2. Please note that this form has four sections (A, B, C, & D). An applicant must provide **all** information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to the Energy Regulator:
  - (a) by registered mail to: P O Box 40343, Arcadia 0007; or
  - (b) by hand at: Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
  - (c) electronically to: [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za).
4. If you want to request the confidential treatment of certain information in your application, you must do so in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

**ENQUIRIES:**

Contact:	Executive Manager: Petroleum Pipelines Regulation
Contact no.:	(012) 401 4600
Fax no.:	(012) 401 4700

**Official Use Only**

Date received	_____
Reference number	_____

**SECTION A: PARTICULARS OF LICENSEE**

1. Name of licensee .....
2. Licence number.....
3. Type of licence.....
4. Date on which the Energy Regulator issued the licence .....
5. Details of the licensed facility/ area .....
- .....
- .....
6. Details of mandated representative, including:
  - a) designation .....
  - b) family name.....
  - c) first name.....
  - d) telephone number .....
  - e) fax number.....
  - f) email address .....

**SECTION B: REASON(S) FOR APPLICATION**

7. Indicate the reason(s) for the application by ticking the appropriate box below:
  - (a) The licensed facility or activity is no longer required ☐
  - (b) The licensed facility or activity is not economically justifiable ☐
  - (c) Another person is willing and able to assume the rights and obligations of the licensee concerned in accordance with the requirements and objectives of the Act ☐
8. If the reason for the application is that the licensed facility or activity
  - (a) is no longer required, or
  - (b) is not economically justifiable,
 provide a detailed explanation and submit documentation in support of your reason(s).
 

.....

.....

.....

9. If the reason for the application is that another person is willing and able to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Act, provide the following information about that person -

- (a) registered name .....
- (b) trading name (if different from registered name)  
.....
- (c) physical address of the registered place of business  
.....  
.....
- (d) physical address of the principle place of business (if different from the registered place of business)  
.....  
.....
- (e) postal address .....
- (f) telephone number .....
- (g) fax number .....
- (h) Email address .....
- (i) Contact person at applicant, including:
  - designation .....
  - family name.....
  - first name.....
  - telephone number .....
  - fax number.....
  - email address.....
- (j) submit an undertaking (Section C of this form) by that person confirming its willingness and ability to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Act and that the person will apply for the relevant licence.
- (k) submit documentary proof of the ability to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Act.

**SECTION C: SOLEMN DECLARATION BY THE PERSON WILLING AND ABLE TO ASSUME THE RIGHTS AND OBLIGATIONS OF THE LICENSEE OR MANDATED REPRESENTATIVE**

I (full names).....Identity Number..... hereby declare that:

- (a) I am authorised by .....to make this declaration (attach the authorisation);
- (b) all information relating to ..... provided herein is within my personal knowledge and is both true and correct;
- (c) .....is willing and able to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003); and
- (d) ..... will apply for the relevant licence.

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

.....

**Signature**

I certify that the deponent:

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

**COMMISSIONER OF OATHS**

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 Capacity \_\_\_\_\_



## SECTION D: SOLEMN DECLARATION BY THE APPLICANT OR MANDATED REPRESENTATIVE

I ..... (full ..... names)  
.....Identity

Number..... hereby declare that:

- (a) I am authorised by .....to make this declaration  
(attach the authorisation); and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

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

.....

### Signature

I certify that the deponent:

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

### COMMISSIONER OF OATHS

Name .....

Address .....

Capacity .....



**[ANNEXURE] FORM G: Complaint**

Complaint in terms of section 31 of the Petroleum  
Pipelines Act, 2003 (Act No. 60 of 2003)

**INSTRUCTIONS**

1. Before completing this form, you are advised to read the following documents:
  - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) and its regulations; and
  - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rule 16.
2. Please note that this form has four sections (A, B, C, & D). An applicant must provide **all** information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to the Energy Regulator:
  - (a) by registered mail to: P O Box 40343, Arcadia 0007; or
  - (b) by hand at: Kulawula House, 526 Madiba Street, Arcadia, Pretoria;
  - (c) electronically to [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za);
4. If you want to request the confidential treatment of certain information in your application, you must do so in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

**ENQUIRIES:**

Contact:	Executive Manager: Petroleum Pipelines Regulation
Contact No:	(012) 401 4600
Fax No:	(012) 401 4700

**Official Use Only**

Date received \_\_\_\_\_

Reference number \_\_\_\_\_

**SECTION A: PARTICULARS OF COMPLAINANT**

1. If you are a natural person, provide:

- (a) Your name and surname.....
- (b) Your Identification Number.....
- (c) Physical address.....
- (d) Postal address.....
- (e) Telephone number .....
- (f) Fax number .....
- (g) E-mail address.....

2. If you are not a natural person, provide:

- (a) the name of your company / organization.....
- (b) the registration number of your company.....
- (c) Physical address .....
- (d) Postal address .....
- (e) Telephone number .....
- (f) Fax number .....
- (g) E-mail address.....
- (h) Details of contact person, including:
  - designation.....
  - family name.....
  - first name.....
  - telephone number .....
  - fax number .....
  - email address .....

**SECTION B: DETAILS OF THE LICENSEE**

Name of the licensee .....

Licence number (if known) .....

3. Provide full details of your complaint, including details of when (i.e. specific date or period) and where (i.e. which area, facility, etc.) the conduct took place (if the space provided below is insufficient, please attach additional page(s))

[illegible]

- [illegible]

## 66

I \_\_\_\_\_ (full \_\_\_\_\_ names)  
.....Identity

Number..... hereby declare that:

- (a) I am authorised by .....to make this declaration  
(attach the authorisation) *if applicable*; and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

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

.....

#### **Signature**

I certify that the deponent:

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

---

#### **COMMISSIONER OF OATHS**

Name \_\_\_\_\_

Address \_\_\_\_\_

Capacity \_\_\_\_\_

**[ANNEXURE] FORM H: Authorisation Permit**

Issued by the National Energy Regulator in terms of section 29 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

Name:

Surname:

Identity Number:

Personnel Number (if applicable):

Issued on (date):

Expires on (date):

Passport Sized  
Photo of the  
authorised person

The person identified in this authorisation permit is duly authorised by NERSA to –

- (a) at all reasonable times enter any property on which construction or operation of any petroleum pipeline, storage facility or loading facility is taking place and to inspect any facility, equipment, machinery, book, account or other document found thereat; and
- (b) require any person to furnish NERSA with such information, returns or other particulars as may be necessary for the proper administration of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).

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CHIEF EXECUTIVE OFFICER

**NOTICE – CHANGE OF TELEPHONE NUMBERS: GOVERNMENT PRINTING WORKS**

As the mandated government security printer, providing world class security products and services, Government Printing Works has adopted some of the highly innovative technologies to best serve its customers and stakeholders. In line with this task, Government Printing Works has implemented a new telephony system to ensure most effective communication and accessibility. As a result of this development, our telephone numbers will change with effect from 3 February 2014, starting with the Pretoria offices.

The new numbers are as follows:

- Switchboard : 012 748 6001/6002
- Advertising : 012 748 6205/6206/6207/6208/6209/6210/6211/6212
- Publications Enquiries : 012 748 6052/6053/6058 [GeneralEnquiries@gpw.gov.za](mailto:GeneralEnquiries@gpw.gov.za)
  - Maps : 012 748 6061/6065 [BookShop@gpw.gov.za](mailto:BookShop@gpw.gov.za)
  - Debtors : 012 748 6060/6056/6064 [PublicationsDebtors@gpw.gov.za](mailto:PublicationsDebtors@gpw.gov.za)
  - Subscription : 012 748 6054/6055/6057 [Subscriptions@gpw.gov.za](mailto:Subscriptions@gpw.gov.za)
- SCM : 012 748 6380/6373/6218
- Debtors : 012 748 6236/6242
- Creditors : 012 748 6246/6274

Please consult our website at [www.gpwonline.co.za](http://www.gpwonline.co.za) for more contact details.

The numbers for our provincial offices in Polokwane, East London and Mmabatho will not change at this stage.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
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