

Seychelles

Licences Act, 2010

## Licences (Petroleum Storage and Sale) Regulations Statutory Instrument 19 of 1987

Legislation as at 5 July 2017

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## Licences (Petroleum Storage and Sale) Regulations

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## Licences Act, 2010

### Licences (Petroleum Storage and Sale) Regulations

#### Statutory Instrument 19 of 1987

Commenced on 31 March 1987

*[This is the version of this document at 5 July 2017.]*

*[S.I. 19 of 1987; S.I. 3 of 1992; S.I. 24 of 2012]*

#### 1. Citation

These Regulations may be cited as the Licences (Petroleum Storage and Sale) Regulations.

#### 2. Petroleum warehouse licence

- (1) An application to licence a petroleum warehouse shall be in the Form provided by the Authority.
- (2) Subregulation (1) shall not apply to a Government petroleum warehouse.

#### 3. Bodies to be consulted

Before granting a licence in respect of an application under regulation 2, the Authority shall consult—

- (a) the Ministry responsible for Planning as to whether the warehouse is positioned and constructed in accordance with the Petroleum Act;
- (b) the person in charge of the Fire and Rescue Services Agency as to whether the warehouse is equipped with the necessary fire protection equipment and as to whether necessary precautions against fire had been taken in respect of the warehouse; and

*[regulation 3(b) amended by regulation 2(a) of [SI 24 of 2012](#) w.e.f. 7 May 2012]*

- (c) the Ministry responsible for Defence;

#### 4. Petroleum pump licence

An application to licence a petroleum supply pump shall be in the Form provided by the Authority.

#### 5. Bodies to be consulted

Before granting a licence in respect of an application under regulation 4 the Authority shall consult—

- (a) in the case of a fixed supply pump, the Ministry responsible for Planning as to whether the pump and the storage tank to be used in connection with it are positioned and constructed in accordance with the Petroleum Act;
- (b) in the case of a movable supply pump, the Ministry responsible for Planning as to whether the pump and the tank accompanying it are constructed in accordance with the Petroleum Act and the Ministry approves the places where the pump will be placed;
- (c) the person in charge of the Fire and Rescue Services Agency as to whether the necessary fire protection equipment and fire protection precautions have been installed and taken; and

*[regulation 5(c) amended by regulation 2(b) of [SI 24 of 2012](#) w.e.f. 7 May 2012]*

- (d) the Ministry responsible for Defence.

## 6. Licence to deal in or sell petroleum

- (1) An application for a licence to deal in or sell petroleum shall be in the Form provided by the Authority.
- (2) Subregulation (1) shall not apply to a dealing in or sale of kerosene by retail.

## 7. Documents to accompany and bodies to be consulted

- (1) Where the petroleum is to be stored in a warehouse or a pump, an application under regulation 6 shall be accompanied by the petroleum warehouse licence or the petroleum pump licence, as the case may be.
- (2) Where the petroleum is not to be stored in a warehouse or in a pump, the Authority, before granting a licence, shall consult—
  - (a) the Ministry responsible for Planning as to whether the containers and the building where the petroleum is to be stored are in conformity with the Petroleum Act;
  - (b) the person in charge of the Fire and Rescue Services Agency as to whether necessary fire protection equipment and precautions have been installed and taken; and  
*[regulation 7(2)(b) amended by regulation 2(c) of [SI 24 of 2012](#) w.e.f. 7 May 2012]*
  - (c) the Ministry responsible for Defence.

## 8. Fees to accompany application

- (1) An application under regulation 2, regulation 4 or regulation 6 shall, subject to subregulation (2), be accompanied by the fees set out in the Schedule in respect of each licence applied for.
- (2) A person who was the holder of a licence and who applies, after the expiration of the licence, for the same type of licence shall, unless the Authority is satisfied that he had, during the period between the expiration of his previous licence and his application, ceased to carry on the activity for which he was previously licensed, be liable, in addition to the licence fee and any other penalty under the Act, to a surcharge equal to 10% of the licence fee for each month or part thereof which has elapsed from the date of the expiration of the previous licence and the date of the lodging of his application.
- (3) Where the application is refused the Authority shall refund the licence fee and the surcharge to the applicant.

## 9. Validity and transferability of a licence

- (1) A licence granted under these Regulations shall be valid for a period of five years unless revoked by the Authority.  
*[regulation 9(1) repealed and substituted by regulation 2(d) of [SI 24 of 2012](#) w.e.f. 7 May 2012]*
- (2) A licence to deal in or sell petroleum may, with the permission of the Authority, and subject to such conditions as the Authority may impose, be transferred.

## 10. Display of licence

The holder of a licence under these Regulations shall display the licence at a conspicuous place at his principal place of business.

**Schedule (Regulation 8(1))****Fees**

*[Schedule repealed and substituted by regulation 2(e) of [SI 24 of 2012](#) w.e.f. 7 May 2012]*

		SCR
1.	Licence fee for 5 years	
(i)	petroleum warehouse	1,200
(ii)	fixed supply pump to store petroleum other than kerosene	500
(iii)	fixed supply pump to store kerosene	500
(iv)	movable supply pump to store petroleum other than kerosene	500
(v)	movable supply pump to store kerosene	500
(vi)	dealing in or sale of petroleum where storage capacity exceeds 1000 litres	2,000
(vii)	dealing in or sale of petroleum where storage capacity is less than 1000 litres	250