



SCHEDULE

Form No. 1

(Regulations, 8, 9, 10, 11, 12, 13, 14)

APPLICATION FORM FOR A LIQUEFIED PETROLEUM GAS (LPG) LICENCE

(This application form is **FREE** and ERC does **NOT** charge Licence fees)

(A separate application form must be completed in respect of each separate business establishment)

1. Name of business/applicant _____

2. Details of applicant:

a) Income Tax Personal Identification Number(s) _____

b) Postal address _____

c) Location of business premises:

Plot No _____ Building Name _____

Street/Market _____

Town/District _____

3. Give full details of proprietors or partners owning business or shareholders of the company, as the case may be.

<i>Name</i>	<i>Nationality</i>	<i>(No. of shares)</i>
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_____	_____	_____
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_____	_____	_____
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(Any additional information should be submitted on a separate sheet of paper.)

4. Give full details of directors of the company.

<i>Name</i>	<i>Nationality</i>	<i>Passport/ ID No.</i>
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_____	_____	_____
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_____	_____	_____
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(Any additional information should be submitted on a separate sheet of paper.)

5. Full description of the LPG activity for which the licence is required. _____

6. Indicate the number and date of issue of any licence previously held under the Act.

7. State if you are or any of your partners/directors is an undischarged bankrupt. (If so indicate the names.) _____
8. (a) Has any previous application for a licence been rejected under the Act? (If so, give details) _____
- (b) Has any previous licence been cancelled under the Act? _____
9. (a) An evaluation criteria to be met for new application and for renewal of a licence is attached at the back of the application form.
- (b) **Certified copies** (by advocate / commissioner of oaths) of documents as per criteria specified above should be submitted together with the licence application.
10. **CONDITIONS FOR A LICENCE FOR LPG BUSINESS ACTIVITIES.**
- a) **ENERGY ACT NO. 12 OF 2006**
- b) **LEGAL NOTICE NO. 121 DATED 12TH JULY 2009**
The Legal notice gives the requirements to be observed in undertaking the different business activities involving LPG.
- c) **MINIMUM OPERATIONAL STOCKS**
Companies importing Liquefied Petroleum Gas for marketing in Kenya shall maintain 15 days minimum operational stocks as per Legal Notice No. 44 dated 10th April 2008.
- d) **SUBMISSION OF SALES DATA**
Companies marketing petroleum products in Kenya shall submit monthly sales data.
11. **DECLARATION**
- i. I/We have read and understood the relevant sections of the Energy Act, No. 12 of 2006 and the Legal Notice No 121 dated 2nd, July 2009 and agree to abide with them.
- ii. I/We hereby certify that the information given above is to my/our knowledge true and accurate.
- iii. I/We understand that it is an offence to give false information in an application for a licence.
- iv. I/We understand that any person or company found filling or trading in LPG cylinders without permission from brand owner shall have their licence revoked.
- v. I/We understand that any person or company found altering or rebranding an LPG cylinder without the brand owner's permission shall have their licence revoked
- vi. I/We declare that I/We shall not buy LPG from un-licenced resellers or sell LPG to illegal/ un-licenced reseller/ refillers.
- vii. I/We understand that I/We should conduct an honest LPG business.
- viii. I/We hereby confirm that our Company/Business shall abide by the terms and conditions of the LPG Cylinder Exchange Pool Agreement.

Name of Company: _____

Name and ID / PP No of person signing Declaration _____

Designation and telephone No.: _____

Signature & Stamp: _____ Date: _____

Email address: _____

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1. Date application received: _____

2. Date of meeting of Petroleum Licencing Committee: _____

3. Decision of Petroleum Licencing Committee. _____

Members present:	Signature
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____

(a) If application is deferred or rejected, date of letter advising applicant accordingly.

4. Date of review of application _____

5. Decision of Committee _____

Members present:	Signature
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____

6. Licence details: No. _____ Date issued _____ Expiry date _____



THE ENERGY ACT, 2006

QUESTIONNAIRE TO BE FILLED BY NEW APPLICANTS FOR LPG BUSINESS LICENCE

1. Name of business/applicant: _____
3. Nature of business (Sole Trader, Partnership, Private Company or Public Company): _____

4. Certificate of Incorporation/Registration Number and date:

Country of Incorporation: _____

Physical address: _____

Postal address: _____

Telephone/ fax: _____

Email address: _____

5. Give particulars of proprietors or partners or directors/shareholders of Company as may be the case.

<u>Name</u>	<u>Nationality</u>	<u>Shares (if applicable)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Give details of Directors of the Company.

<u>Name</u>	<u>Nationality</u>	<u>ID / PP No.</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. Give details on equity capital including other sources of financing

8. Indicate bank references _____

9. Type of business required to be licensed (tick as appropriate):

(i) Importation (ii) Storage (iii) Exportation (iv) Wholesale.

(v) Filling (vi) Transportation (vii) Specify any other _____

10. Indicate if you
- a. Own storage facilities (If so, give details including location and capacity) _____
 - b. Have hospitality/rental arrangement (If so, give details including copies of any agreements) _____
11. Do you intend to market your product locally? _____. If Yes,
- (a) Give the number and locations of Retails Outlets

 - (b) Give the number and locations of Distribution Depots including their capacities

 - (c) If neither (a) nor (b) is applicable, explain -----

12. Give details on how you propose to maintain the approved quality of your product

13. Give details of measures you have taken/you propose to take to ensure that the product you handle does not endanger life or pollute the environment

14. Any additional information that the applicant wishes to give

(If space provided above is not adequate use plain paper where applicable and attach to this questionnaire)

Name of Company: _____
 Name and ID of Person signing the Declaration: _____
 Designation and telephone No.: _____
 Signature & Stamp: _____ Date: _____
 Email address: _____

EVALUATION CRITERIA FOR NEW LPG BUSINESSES LICENCES

REQUIRED DOCUMENTS	TYPE OF LICENCE								
	IMP	EXP	STO BULK	FIL CYL	WH- CYL	WH BULK	RET CYL	TP BULK	CEP
Application form LPG No. 1	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Detailed Questionnaire	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Certified copy of Certificate of Incorporation / Business registration certificate	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Certified copy of Memo and Articles of association	Yes	yes	Yes	yes	Yes	yes	Yes	yes	Yes
Certified copy of PIN registration certificate	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Certified copy of VAT registration certificate	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Copy of a valid tax compliance certificate	Yes	Yes	yes	yes	yes	yes	yes	yes	yes
Certified copies of Identification documents for directors (ID/PP pages1 & 5)	Yes	Yes	yes	yes	yes	yes	yes	yes	yes
Certified copies of Work permits for non citizens / Entry permit class H	Yes	Yes	yes	yes	yes	yes	yes	yes	yes
Certified copy of Lease agreement	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Oil Spill Mutual Aid Group membership	Yes								
Certified copy of proof of ownership of an LPG storage facility			Yes	Yes					Yes
Certified copy of a valid hospitality with a licensed storage facility at entry point	Yes								
Supply agreement/Letter of from a licensed LPG importer		Yes	Yes	Yes		Yes			Yes
Environmental Impact Assessment licence(new)/Environmental Audit(existing)			Yes	Yes					Yes
Certified copy of certificate of compliance with Physical Planning Act, 1996			Yes	Yes					Yes
Certified copy of clearance certificate from chief fire officer/Fire Certificate			Yes	Yes			Yes	Yes	Yes
Detailed approved drawing by local government drawn to scale			Yes	Yes					Yes
Confirmation from KEBS that the facility complies with the Kenya Standard			Yes	Yes					Yes
Certified copy of certificate of registration of workplace by DOSHS			Yes	Yes					Yes
Proof of importation of 5,000 cylinders (C.17B)/Authority from brand owner				Yes	Yes		Yes		Yes
Certified copy of a valid certificate of weighing scale calibration from W& M				Yes	Yes		Yes		Yes
Certified copy of a valid calibration certificate for the LPG tank			Yes	Yes				Yes	
Certified copy of a valid report on Examination of air receiver for the LPG tank			Yes	Yes				Yes	
Certified copy of a valid vehicle inspection certificate - Motor Vehicle Inspection								Yes	
Certified copies of logbooks for the vehicle – (Prime movers and trailers)								Yes	
Certified copy of a valid health certificate for the driver								Yes	
Certified copy of a valid driving licence for the driver(proof 4 years experience)								Yes	

KEY

IMP – Import EXP – Export STO BULK - Storage of bulk LPG FIL – Filling WH-CYL –Wholesale in cylinders WH-BULK –Whole sale of LPG in bulk
 RET CYL – Retail in cylinders TP – Transport in bulk CEP - Cylinder Exchange Pool membership

EVALUATION CRITERIA FOR RENEWAL OF LPG BUSINESSES LICENCES

REQUIRED DOCUMENTS	TYPE OF LICENCE							
	IMP	EXP	STO BULK	FIL CYL	WH- CYL	WH BULK	RET CYL	TP BULK
Application form LPG No. 1	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Copy of the previous LPG licence	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Copy of a Valid tax compliance certificate	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Certified copy of a valid hospitality with a licensed storage facility at entry point	Yes							
Copy of annual Environmental Audit acknowledgement letter from NEMA			Yes	Yes				
Certified copy clearance certificate from chief fire officer/Fire certificate			Yes	Yes			Yes	Yes
Certified copy of a valid certificate of registration of workplace by DOSHS			Yes	Yes				
Certified copy of a valid certificate of weighing scale calibration from W&M				Yes	Yes		Yes	
Certified copy of a valid calibration certificate for the LPG tank			Yes	Yes				Yes
Certified copy of a valid report on Examination of air receiver for the LPG tank			Yes	Yes				Yes
Certified copy of a valid vehicle inspection certificate - Motor Vehicle Inspection								Yes
Certified copies of logbooks for the vehicle – (Prime movers and trailers)								Yes
Certified copy of a valid health certificate for the driver								Yes
Certified copy of a valid driving licence for the driver (proof of 4 years experience)								Yes
At least 4 copies of purchases invoices as proof of previous licence utilization		Yes			Yes	Yes	Yes	
At least 4 copies of sales invoices as proof of previous licence utilization		Yes			Yes	Yes	Yes	
At least 4 copies of transport invoices as proof of previous licence utilization								Yes
Annual purchase data submission(indicate buyer/month/Quantity(kgs)/ cylinders)		Yes			Yes	Yes	Yes	
Annual sales data Submission(indicate buyer/month/Quantity(kgs)/ cylinders)	Yes	Yes			Yes	Yes		
Proof of compliance with LPG Cylinder Exchange Pool requirements				Yes				

KEY

IMP – Import EXP – Export STO BULK - Storage of bulk LPG FIL – Filling WH-CYL –Wholesale in cylinders WH-BULK –Whole sale of LPG in bulk
 RET CYL – Retail in cylinders TP – Transport in bulk CEP - Cylinder Exchange Pool membership