

KINGDOM OF ESWATINI

APPLICATION FOR AN **LPG WHOLESALE** LICENCE IN TERMS OF THE PETROLEUM ACT (Act No.18 of 2020)



Please return completed form to:

Eswatini Energy Regulatory Authority
First Floor, RHUS Office Park, Karl Grant Street
P.O. Box 7137
MBABANE
H100
Eswatini

Tel: +268 2404 2103
Fax: +268 2404 8474
E-mail: info@esera.org.sz
Website: www.esera.org.sz

APPLICATION FEE PAYMENT DETAILS

Amount	E 6 500.00
Account Number	20000528917
Account Title	Eswatini Energy Regulatory Authority
Type of Account	Corporate Current Account
Bank Name	Ned Bank
Branch	MBABANE
Branch Code	360164
Swift Code	NESWSZMX

NB: For Reference, put in your **COMPANY NAME**

APPLICATION SUBMISSION DETAILS

Email: info@esera.org.sz

WhatsApp: 7808 7920

For Enquiries, please contact **ESERA Compliance Officer** – Oil & Gas on:

Tel: +268 2404 2103

Cell: +268 7808 8944

E-mail: mhlangax@esera.org.sz

SECTION A

PARTICULARS OF LICENCE APPLICATION

A.1 State nature of application (mark which is applicable)

- Issue of new Licence
- Renewal of Licence
- Amendment or variation of Licence
- Transfer of Licence¹
- Surrender of Licence

A.2 Desired period for validity of Licence²

Desired commencement date: ____/____/____ Desired validity period: ____ years

A.3 Other permits, approvals, authorisations obtained/required to be included as attachments as indicated in relevant section

¹ The information required in this section must be provided with regard to both the licensee and the proposed transferee as detailed in Petroleum Act 2020.

² The maximum period for which a wholesale licence shall be granted is **5 years** as prescribed in the Petroleum Regulations

SECTION B

PARTICULARS OF APPLICANT

B.1 Full business and trading name of applicant:

B.2 Identity number of the applicant, or in the case of a body corporate, registration number:

B.3 Nationality of applicant, or in the case of a body corporate, country of registration:

B.4 In the case of an authority created by law, the name of the law in terms of which that authority was established/created and/or other creation documents:

B.5 Physical and postal address of applicant:

B.6 Telephone and cell phone number of the applicant:

(_____) _____
(_____) _____

B.7 Fax number of the applicant:

(_____) _____

B.8 E-mail address of the applicant:

B.9 Designated contact person on behalf of the applicant:

Name: _____

Position: _____

Telephone No. _____

Fax No. _____

Email: _____

B.10 Signature of contact person designated to lodge application (B.9):

Submitted at _____ on _____ 20____

Signature

Name

Witnesses:

Signature

Signature

Name

Name

SECTION C

APPLICANT'S BUSINESS TYPE AND SITE DETAILS

C1. Indicate by cross x type of entity or specify in "other"

LIMITED LIABILITY COMPANY CLOSE CORPORATION SOLE TRADER

PARTNERSHIP BODY CORPORATE TRUST OTHER

C2. If Other specify:

C3. Company Documents Including: Certificate of Incorporation, Memorandum and Articles of Association, Tax clearance certificate (Attachments)

C4. TIN Number

C5. Provide detailed organogram showing directorship and shareholding including percentage of local ownership if any (Attachment)

C4. Provide a detailed plan on local empowerment /local skills transfer in the event that such skills are not available locally (Attachment)

C5. Site layout including drawings of existing or proposed buildings, storage, decanting and other related equipment (Attachment);

C6. Details on site adequacy including plans on LPG storage and handling to ensure health and safety

C7. Wholesale Storage Facilities owned or leased (Physical Address including GPS coordinates)

Bulk Tank Storage Facilities		
Physical Address	Tank No.	Capacity

SECTION D**DETAILS OF Liquefied Petroleum Gas****D.1** LPG products entry point and mode of transport

D.2 Proof of source and supply of LPG (Attach agreement)**D.3** Details on the quality of LPG (certification to be provided for quality)

D.5 Volumes of LPG imported in the last calendar year (Existing Market Participants)

LPG GAS BULK	
LPG GAS CYLINDERS (Kg Filled)	

D.6 Volumes of LPG projected for the next three years

YEAR			
LPG GAS BULK			
LPG GAS CYLINDERS (Kg Filled)			

SECTION E**FINANCIAL INFORMATION – EXISTING MARKET PARTICIPANTS AND NEW ENTRANTS**

For each operation, an existing market participant must submit the following information:

E.1 Income statement:

Previous financial year (Separate direct operating costs and overheads) (Segregation of LPG related revenue from other sources where possible).

E.2 Balance Sheet: Audited Previous Financial Year statements or management accounts.**E.3** Capital Expenditure: Current position and forecasts for the next five years (include major maintenance and decommissioning costs for LPG Facilities)**E.4** New entrants must provide the necessary cashflow projections as well as proof of financial means for the undertaking (i.e., Bank Guarantee, Proof of Credit Facility, Bank Statement less than 3 months)**E.5** Both existing and new entrants must give an outline operational plan for the licence period applied for. This may include:

- Details of plans for local participation including proposed skills transfer, planned capacity building for the local office and training plans for various positions
- For relevant positions, the training plan must address the LPG product handling and safety aspects stipulated in local standards (SZNS **SANS 10087-7:2007**) as well as other industry best practice
- Submission of the details of the training information may also be required on an annual basis

SECTION F

ADDITIONAL INFORMATION

Please provide any other relevant information which the applicant wishes to include with this application

DOCUMENTS TO BE ATTACHED WITH THE APPLICATION FOR A WHOLESALE LICENCE

Documents to be attached	YES	NO
Motivation for the wholesaling activity proposed in the form of business plan (new entrant)		
Certified copy of the applicant or Directors' identity document		
certified copy of the business entity's registration documents, if the applicant is a corporate entity or a trust. (Registration Certificate, Articles of Association, Form J, Form C)		
A list of all storage and distribution facilities intended to be used, including shared storage and distribution facilities, with specific reference to: a. the location; b. the capacity;		
Supply agreement		
Environmental Approval (New Entrants Only)		
Bank Guarantee/Proof of Credit Facility/ Bank Statements (New entrants only)		
Income statements and Balance sheet in the form of audited financial statements/Management accounts (existing applicants)		
List of applicant's intended customers		
Valid tax clearance certificate (existing applicants)		
Location Maps and GPS Coordinates (all applicants)		
Retail site Designs (New Entrants only)		
Occupational Health, Safety, Risk and Quality Management Plan		
Proof of land ownership or right of land use- Lease/title deed /king's consent (all applicants)		
Letter indicating municipal approval for use of land for purpose intended (new entrant)		
Installer's certificate and/or CV		
Proof of payment of application fee (all applicants)		
If necessary, the original or certified copy of a declaration by the applicant giving reasons why any attachment required is not provided.		

DECLARATION

I (full names) _____ hereby declare that all information provided herein is within my personal knowledge and that: -

- a) I am duly authorized to make this declaration;
- b) I am the designated person responsible for this licence and any conditions attached thereto;
- c) I have read and understood the regulations related hereto, with specific reference to Regulations for Wholesale regarding any false declaration; and
- d) I will comply with all legislations, regulations, standards and guidelines that govern the Petroleum Industry
- e) all information provided herein is to the best of my knowledge true and correct.

Signed at _____ (place) on this _____ day of _____ (month), 20____ (year)

Signature

I certify that the deponent - (a) has acknowledged that he/she knows and understands the contents of this application form and its annexures, that he/she has no objection to taking the prescribed oath and that he/she considers the oath binding on his/her 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), 20____(year)

Signature

COMMISSIONER OF OATHS

Name: _____

Address: _____

Capacity: _____

WHOLESALE DECLARATION

Wholesale Operations

I, (full name.) _____ ID No. _____

Hereby declare that:

I am duly authorized to make this declaration and I am the designated person responsible for the wholesale license application of:

All information provided in this declaration is, to the best of my knowledge, true and correct.

I declare that _____ will comply with the Petroleum Act, Regulation and locally adopted industry standards.

Deponent

I certify that,

- i. The Deponent acknowledged to me that he/she knows and understands the contents of this declaration, he/she has no objection to taking the prescribed oath to be binding on his/her conscience.
- ii. The Deponent thereafter uttered the words, "I swear that the contents of this declaration are true, so help me God".
- iii. The Deponent signed this declaration in my presence at the address set out therein.

COMMISSIONER OF OATHS

Designation and Area: _____

Full Names: _____

Address: _____

Stamp