

KINGDOM OF ESWATINI

APPLICATION FOR A **WHOLESALE** LICENCE IN TERMS OF THE PETROLEUM ACT 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
E-mail: info@esera.org.sz
Website: www.sera.org.sz

NB: THE HOLDER OF A WHOLESALE LICENCE SHALL NOT APPLY FOR AND BE GRANTED A RETAIL LICENCE AS SPECIFIED IN THE PETROLEUM REGULATIONS

APPLICATION FEE PAYMENT DETAILS

Amount	E 10 000.00
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	<input type="checkbox"/>
Renewal of Licence	<input type="checkbox"/>

A.2 Desired period for validity of Licence¹

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

¹

*The maximum period for which a wholesale licence shall be granted is **15 years**.*

SECTION B – PARTICULARS OF APPLICANT

B.1 Full name of applicant:

B.2 Identity number of 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 applicant:

(_____) _____

(_____) _____

B.7 Fax number of applicant:

(_____) _____

B.8 E-mail address of applicant:

B.9 Contact person on behalf of Applicant:

Name: _____

Position: _____

Telephone No. _____

Fax No. _____

Email: _____

B.10 Signature of Person with Power of Attorney to sign for Applicant (***Attach proof of Power of Attorney***):

Submitted at _____ on _____ 20____

Signature

Name

Witnesses:

Signature

Signature

Name

Name

SECTION C – APPLICANTS BUSINESS DETAILS

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

Limited Liability Company	<input type="checkbox"/>	Sole Trader	<input type="checkbox"/>
Close Corporation	<input type="checkbox"/>	Partnership	<input type="checkbox"/>
Trust	<input type="checkbox"/>	Other	<input type="checkbox"/>
Body Corporate	<input type="checkbox"/>		

C2. If Other specify:

C3. Provide detailed organogram for the organization showing local partnership if any and also show responsibilities of local persons (attachment)

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

C5. Provide a valid Tax Clearance Certificate

C6. Postal and Physical Address including GPS coordinates (Where Wholesale Operations are/will be based):

SECTION D- DETAILS OF PETROLEUM PRODUCTS

D.1 Petroleum products entry point and mode of transport

D.2 Proof of source of petroleum products and supply (attach agreement)

D.3 Details on the type and quality of petroleum (certification to be provided for quality)

D.4 Details of the evidence of the mechanisms and capacity to store 14 days of commercial supply or any other quantity prescribed by the Minister.

D.5 If operational, provide volumes (litres) sold in the last calendar year or projections for first year of operation for new entrants

(a) Petrol: _____

(b) Diesel: _____

(c) Illuminating Paraffin: _____

(d) Aviation Gasoline: _____

(e) Liquified Petroleum Gas: _____

(f) Jet Fuel: _____

(g) Biofuels: _____

(h) Liquefied Natural Gas: _____

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

The applicant must submit the following information:

E.1 Income statement (existing operators):

- Previous financial year (Separate direct operating costs and overheads)
- Segregation of fuel related revenue from other sources

E.2 Balance Sheet (existing operators):

- Audited Previous Financial Year Reports

E.3 Capital Expenditure:

- Current position and forecasts for the next five years (include major maintenance and decommissioning costs)

E.4 New entrants must provide detailed business plans which cover 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 outline detailed plans which include the following:

- Plans to construct or supply a minimum of three (3) fuel stations within the first five (5) years (***if no existing fuel station***)
 - Details of plans for local participation including: partnerships if any, proposed skills transfer and planned capacity building for the local office.
 - Present the applicant's business organogram including names, qualifications of persons holding different positions. This must include the training plan for various positions.
 - Submission of the details of the training information will also be required on an annual basis.
 - Over the licence validity period, the licensee will be required to demonstrate that the local office has been granted authority to make relevant decisions
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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

Check if all documents to be attached have been included.

ITEM	DETAILS	YES	NO
1	Have you completed all sections of the form?		
	Section A: Particulars of licence application		
	Section B: Particulars of applicant		
	Section C: Applicant's Business Details		
	Section D: Details of petroleum products		
	Section E: Financial information		
	Declaration signed by applicant and commissioner of oaths		
2	Documents to be attached		
	Motivation for the wholesale activity proposed or Business Plans (new entrants).		
	Director's ID copies		
	Form J & C		
	Certificate of Incorporation		
	Memorandum of Association and/or Articles of Association		
	List of all storage and distribution facilities intended to be used, including (all applicants): a) the location; b) the capacity; c) the ownership, including the ownership of the land on which the storage facilities are situated, and, in the case of shared ownership, the basis of sharing; and d) the names of other wholesalers sharing the same facilities. e) GPS coordinates		
	Bank Guarantee or Proof of Credit Facility or 3 months Bank statement to show proof of financial means for the undertaking (new entrants)		
	Certification on the type and quality of petroleum products to be procured.		
	Income Statement and Balance Sheet in form of audited financial statements (Existing operator)		
	Valid Tax Clearance certificate (existing operator)		
	Organizational Organogram (all applicants)		
	Detailed plan on local empowerment (all applicants)		
	Environmental Approval at least providing categorization (new entrants)		
	Occupational Health, Safety, Risk and Quality Management Plan (all applicants)		
	Land Ownership or right of use (all applicants)		
	Fuel Supply Agreements (all applicants)		
	Letter indicating municipal approval for usage of land for the purpose intended (new entrants)		
	Traffic approval in case changes will be made to road signage and design (new entrants)		
	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.		
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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