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**THE PETROLEUM (RETAIL DISPENSING SITE
CONSTRUCTION AND LICENSING)(NO. 2) REGULATIONS**

NO. 188 OF 2025

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Petroleum Act

The Petroleum (Retail Dispensing Site Construction and Licensing) (No. 2) Regulations

Legal Notice 188 of 2025

Legislation as at 14 November 2025

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The Petroleum (Retail Dispensing Site Construction and Licensing)(No. 2) Regulations (Legal Notice 188 of 2025)

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PETROLEUM ACT

THE PETROLEUM (RETAIL DISPENSING SITE CONSTRUCTION AND LICENSING)(NO. 2) REGULATIONS

LEGAL NOTICE 188 OF 2025

Published in Kenya Gazette on 14 November 2025

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Part I – PRELIMINARY

1. Citation.

These Regulations may be cited as the Petroleum (Retail Dispensing Site Construction and Licensing) Regulations, 2025.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“**Act**” means [the Petroleum Act](#);

“**adulterated petroleum**” means any mixed refined petroleum products that alter product specifications detailed in the applicable Kenya Standards;

“**agent**” means a person appointed in writing by the Authority to perform any of its functions;

“**Authority**” means the Energy and Petroleum Authority established under section 9 of [the Energy Act](#);

“**Cabinet Secretary**” means the Cabinet Secretary for the time being responsible for petroleum;

“**class**” has the meaning assigned to it under [the National Construction Authority Act](#);

“**contractor**” has the meaning assigned to it under [the National Construction Authority Act](#);

“**consumer**” means any person who is supplied or entitled to be supplied with petroleum;

“**County Government**” has the meaning assigned to it in Article 176 of the Constitution;

“**engineer**” has the meaning assigned under [the Engineers Act](#);

“**environment liability policy**” means a statement of commitment by a party to the laws, regulations and other policy mechanisms concerning environmental issues;

“**Kenya Standard**” has the meaning assigned to it under [the Standards Act](#);

“**licence**” has the meaning assigned to it in section 2 of the Act;

“**licensee**” has the meaning assigned to it in section 2 of the Act;

“**licensing authority**” has the meaning assigned to it in section 2 of the Act;

“**modification**” means any change in the facility that alters the existing technical design, storage capacity or impacts on compliance with local environmental, health and safety requirements or any change requiring local authority approval;

“**National Environment Management Authority**” means the body established under section 7 of the Environmental Management and Co-ordination Act;

“**National Construction Authority**” means the body responsible for the accreditation and certification of skilled construction workers and construction site supervisors as established under section 3 of [the National Construction Authority Act](#);

“**open tendering system**” has the meaning assigned to it in section of the Act;

“**petroleum business**” has the meaning assigned to it in section 2 of the Act;

“**petroleum logistics facility**” means any facility that may be used to receive, store, load, offload or transport petroleum in bulk but does not include retail dispensing sites and own consumption installations of capacity less than fifty thousand litres;

“**retail dispensing site**” has the meaning assigned to it under section 2 of the Act;

“**retail licence**” means a licence to operate a retail dispensing site;

“**specification**” has the meaning assigned to it in [the Standards Act](#);

“**third parties**” means other petroleum business licensees and their agents carrying out business with a licensee; and

“**Tribunal**” means the Energy and Petroleum Tribunal established under section 25 of [the Energy Act](#).

3. Application.

These Regulations shall apply to the construction of petroleum retail dispensing sites and the licensing of petroleum retail businesses.

Part II – RETAIL DISPENSING SITE CONSTRUCTION PERMITS

4. Construction Permit.

- (1) A person shall not undertake construction works or modification of a retail dispensing site except in accordance with the terms and conditions of a valid construction permit issued by the Authority under section 86 of the Act.
- (2) The Authority may suspend or revoke a construction permit in accordance with section 89 of the Act.
- (3) A person who undertakes the construction of a retail dispensing site without a valid construction permit issued by the Authority commits an offence and shall, on conviction, be liable to the penalties set out in section 74(3) of the Act.

5. Application for a construction permit.

- (1) A person who wishes to construct a retail dispensing site shall apply for a construction permit to the Authority in the Form set out in Part I of the First Schedule.
- (2) An application under sub-regulation (1) shall, in addition to the information specified under section 86(2) of the Act, be accompanied by—
 - (a) the documents set out in Part II of the First Schedule and proof of payment of the fees set out in the Sixth Schedule; and
 - (b) the environment liability policy in the Form set out in the Seventh Schedule.

6. Form and validity of a construction permit.

- (1) A construction permit for a retail dispensing site shall be in the Form set out in Part III of the First Schedule.

- (2) A construction permit shall be valid for a period of twelve months from the date of issue or until such date of extension as determined by the Authority shall expire.
- (3) A construction permit holder may make an application for extension of the validity period of a permit by writing to the Authority and detailing the reasons thereof for not completing the construction works in time.
- (4) The extension of the validity period of a construction permit referred to in sub-regulation (3) shall be to a maximum of twenty-four months.
- (5) A construction permit holder shall be required to make a fresh application where the construction permit cannot be extended for a longer period as provided for in sub-regulation (4).

7. Determination of application for a construction permit.

- (1) The Authority shall consider an application under regulation 5 in accordance with section 86(2) of the Act.
- (2) Where the application is complete and meets the specified requirements, the Authority may grant a construction permit to the applicant.
- (3) The Authority may, prior to making a determination to grant a construction permit, take into consideration suitability of the construction site after due assessment.
- (4) The proposed construction site shall—
 - (a) if located on a class A road, not be in an area adjacent to or within a vicinity of two kilometers from any retail dispensing site under construction or operational; and
 - (b) if located on any other classes of roads, not be in an area adjacent to or within a vicinity of zero point five kilometers from any retail dispensing site under construction or operational.
- (5) The construction permit issued under sub-regulation (2) shall contain such terms and conditions set out in section 76(1) and (2) of the Act.
- (6) The Authority shall, prior to issuing the permit, notify the applicant of the nature of the terms and conditions proposed to be imposed in the construction permit.
- (7) The applicant shall, within thirty days of receiving a notification of the nature of the conditions proposed to be imposed, give a written undertaking in the format specified in the Second Schedule, to the Authority that as the permit holder, the applicant shall abide by the stipulated terms and conditions of the construction permit.
- (8) The Authority shall issue the construction permit where the applicant has executed the undertaking in sub-regulation (7) failing which any construction permit granted shall be null and void.
- (9) The Authority shall reject an application under these Regulations where the application does not meet the requirements for granting a construction permit.
- (10) The Authority shall notify the applicant of the rejection and specify the reasons thereof within seven days of such rejection.
- (11) Where the rejection relates to—
 - (a) incomplete information, the applicant may make a fresh application and provide the requisite information or documents; and
 - (b) unsuitability of the site, the decision of the Authority shall be final and if the applicant is not satisfied with the Authority's decision, the applicant may appeal to the Tribunal.

8. Obligations of a construction permit holder.

In undertaking construction of a retail dispensing site, the construction permit holder shall—

- (a) comply with the terms and conditions of the construction permit as required by the Authority;
- (b) engage contractors who are licensed by the National Construction Authority for their class of work;
- (c) ensure that the construction project is supervised by an engineer;
- (d) comply with the Environmental Impacts Mitigation Plan approved by the National Environment Management Authority;
- (e) comply with Government policy on local content; and
- (f) comply with directions issued by the Authority from time to time.

9. Compliance with statutory obligations.

The construction permit holder shall, notwithstanding anything contained in the permit, comply with the provisions of the Act and all other written laws.

Part III – LICENSING OF PETROLEUM RETAIL BUSINESSES

10. Petroleum retail licence.

- (1) A person shall not retail petroleum products without a valid licence issued by the Authority under the Act.
- (2) A person who undertakes the business of retail of petroleum products without a valid licence commits an offence and shall, on conviction, be liable to the penalty provided under section 74(3)(b) of the Act.

11. Application for petroleum retail business licence.

- (1) A person may apply to the Authority for a petroleum retail business licence.
- (2) The application under sub-regulation (1) shall be accompanied by the documents set out in the Third Schedule and proof of payment of the fees as set out in the Sixth Schedule.
- (3) The licensing authority may request for additional documents to enable satisfactory review of the licence application.
- (4) The Authority shall review an application for a petroleum retail business licence within thirty days of receipt.
- (5) Where the application is complete and meets the specified requirements, the Authority may grant a petroleum retail business licence to the applicant.
- (6) The Authority shall reject an application under these Regulations where the application does not meet the requirements for granting a petroleum retail business licence.
- (7) Where the Authority rejects an application for the grant of a petroleum retail business licence, the Authority shall notify and give the applicant reasons for the refusal in writing within seven days of such rejection.

12. Form and duration of a petroleum retail business licence.

- (1) A petroleum retail business licence shall be in the format set out in the Fifth Schedule.

- (2) A petroleum retail business licence shall be valid for the period stipulated in the licence and shall be subject to such conditions as the Authority may prescribe.
- (3) Where a petroleum retail business licence is issued by an agent appointed by the Authority under section 21 of the Energy Act, the Authority may vary, suspend or revoke the licence if there is reason to believe that the licence was issued erroneously.
- (4) Notwithstanding sub-regulation (2), the Authority may at any time suspend or revoke a petroleum retail business licence if the licensee contravenes the provisions of the Act, these Regulations or the conditions of the licence.
- (5) Unless otherwise specified in the petroleum retail business licence, the Authority may issue a fourteen days' notice to a licensee to show cause why the licence should not be suspended or revoked.
- (6) The Authority shall determine the matter in sub-regulation (5) within thirty days from the date of expiry of the notice period.
- (7) The suspension or revocation of a petroleum retail business licence shall not indemnify the licensee from any penalties for which the licensee may have become liable under the Act or any other written law.

13. Renewal of a petroleum retail business licence.

An application for the renewal of a petroleum retail business licence shall be made in accordance with section 77 of the Act and shall be accompanied by the documents set out in the Fourth Schedule and proof of payment of the fees set out in the Sixth Schedule.

14. Amendment of a petroleum retail business licence.

- (1) A person may make an application to the Authority for amendment of a petroleum retail business licence in accordance with section 78 of the Act where—
 - (a) the details captured in the licence are erroneous; or
 - (b) there is a change in the licence details that were unforeseen at the time of making the application.
- (2) The reason for amendment in sub-regulation (1) shall not include transfer or change in ownership of the petroleum retail business.
- (3) An application for amendment shall be accompanied by the fees set out in the Sixth Schedule.
- (4) A petroleum retail business licence amended under these Regulations shall retain the existing expiry date.
- (5) A petroleum retail business licence amended under sub-regulation (4) shall contain the word "Amended".

15. Obligations of petroleum retail business licensee.

- (1) A petroleum retail business licensee shall—
 - (a) retail the petroleum and petroleum products specified in the licence;
 - (b) purchase petroleum and petroleum products from a holder of a valid petroleum business licence;
 - (c) purchase or sell of petroleum and petroleum products that meet the Kenya Standard or any other International Standard approved by the Bureau;

- (d) not offer for sale adulterated petroleum and petroleum products, or petroleum products meant for export;
 - (e) ensure that the petroleum dispensing pumps are calibrated within the period specified by law;
 - (f) not under-dispense or sell petroleum and petroleum products at prices above those determined by the Authority;
 - (g) not hoard petroleum and petroleum products;
 - (h) ensure that the construction or operations of the petroleum retail dispensing site comply with all applicable laws;
 - (i) institute appropriate environmental, health and safety control measures;
 - (j) obtain consent from the Authority prior to transferring or otherwise divesting any rights, powers or obligations conferred or imposed upon the licensee by the licence or permit;
 - (k) inform the Authority or its agents in writing of any changes of address or any other material particulars submitted as part of the application for the licence within thirty days of the relevant change taking effect; and
 - (l) ensure compliance with petroleum road tanker discharge procedures to maintain quality of product and safety at the retail site.
- (2) A person who contravenes the provisions of—
- (a) sub-regulation (1)(a) and (b), commits an offence and shall, on conviction, be liable to the penalties specified in section 99(1)(ii) of the Act;
 - (b) sub-regulation (1)(c) and (d), commits an offence and shall, on conviction, be liable to the penalties specified in section 92(2)(b) of the Act;
 - (c) sub-regulation (1)(e), (j), (k) and (l), commits an offence and shall, on conviction, be liable to the penalties specified in section 124 of the Act;
 - (d) sub-regulation (1)(f) and (i), commits an offence and shall, on conviction, be liable to the penalties specified in section 99(1)(ii) of the Act;
 - (e) sub-regulation (1)(g), commits an offence and shall, on conviction, be liable to the penalties specified in section 99(1)(i) of the Act; and
 - (f) sub-regulation (1)(h), commits an offence and shall, on conviction, be liable to the penalties specified in section 74(3)(b) of the Act.

16. Suspension and Revocation of a Licence.

- (1) The Authority may at any time revoke or suspend a licence issued under these Regulations in accordance with section 81 of the Act.
- (2) The Authority may reinstate a licence revoked or suspended under sub-regulation (1), if its satisfied that the reasons for the revocation or suspension no longer exist.
- (3) The Authority may publish a list of names of petroleum retail dispensing sites which may have committed any offence under the Act or these Regulations.

17. Transfer of a Licence.

- (1) A petroleum retail dispensing site licensee may transfer or otherwise divest any rights, powers or obligations in accordance with section 83 of the Act.

- (2) An application to transfer a licence shall be in writing and shall outline the proposed changes and be accompanied by specified documents as the Authority may determine.

Part IV – MISCELLANEOUS

18. Display of permits and petroleum retail business licence.

- (1) A construction permit or a petroleum retail business licence, or a certified copy thereof, shall be displayed in accordance with section 80(1) of the Act.
- (2) A petroleum retail dispensing site business licence issued under the Act and these Regulations—
 - (a) remains the property of the licensing authority;
 - (b) may be suspended, revoked or amended by the Authority at any time in accordance with the Act;
 - (c) shall not be tampered with or defaced in any manner; and
 - (d) shall not be transferred without the written consent of the licensing authority.
- (3) A person who contravenes sub-regulation (1) commits an offence and shall, on conviction, be liable to the fines and penalties provided under section 80(2) of the Act.

19. Reporting of Accidents or Incidents.

- (1) A petroleum retail business licensee shall notify the Authority of any accidents or incidents in accordance with section 63 of the Act.
- (2) The accidents or incidents referred to in sub-regulation (1) shall include those that cause—
 - (a) the loss of life or permanent total disability;
 - (b) damage to property or the environment of more than one million Kenyan shillings;
 - (c) an oil-spill of one hundred litres or more or an accidental gas release of one hundred kilograms or more in quantity; or
 - (d) a fire or an explosion resulting in the incidents set out in paragraphs (a) or (b).
- (3) The information to be submitted to the Authority shall include the—
 - (a) name of the owner and operator of the premises involved;
 - (b) date and time of the incident or accident;
 - (c) location and geographical spread of the incident or accident;
 - (d) number of injuries or fatalities if any;
 - (e) owner and third party property damage if any;
 - (f) length of period critical infrastructure shall be out of service as a result of the accident or incident; and
 - (g) description of the events leading to and the most probable cause of the incident or accident.
- (4) A person licensed to undertake petroleum retail business who fails to comply with this regulation commits an offence and shall, on conviction, be liable to the penalty set out in section 124 of the Act.

20. Investigation of Accidents or Incidents.

- (1) A person licensed to undertake petroleum retail business shall investigate any accident or incident reported under regulation 19 within fourteen days or any such extended period as determined by the Authority from the date of the incident and submit a report containing the—
 - (a) cause of the accident;
 - (b) effects of the accident; and
 - (c) proposed remedial measures and timelines thereof.
- (2) The Authority shall review the report under sub-regulation (1) within thirty days of receipt and shall—
 - (a) accept the report;
 - (b) request for adjustment; or
 - (c) reject the report giving reasons and other directives.
- (3) Notwithstanding sub-regulations (1) and (2), the Authority may commission its own investigation.
- (4) Where required, the retail dispensing site owner or operator whose facility was involved in the accident or incident shall facilitate the Authority or its appointed agent or committee to undertake investigations.

21. Inspections.

The Authority may enter and inspect any petroleum retail facility or any premises where petroleum retail business is conducted or suspected to be conducted for purposes of inspections pursuant to the provisions of the Act or these Regulations.

22. Disclosure of information.

- (1) No person shall obstruct, hinder, withhold information or provide false information as may be requested by the Authority in accordance with section 102 of the Act.
- (2) A person who contravenes the provisions of sub-regulation (1) commits an offence and shall, on conviction, in the case of providing false information, be liable to the penalties specified in section 103 of the Act.

23. Appeals.

A person aggrieved by a decision of the licensing authority under these Regulations may appeal to the Tribunal in accordance with section 85 of the Act.

24. Revocation and transition.

- (1) The Petroleum (Retail, Dispensing Site Constructions and Licensing) Regulations, 2025, (LN 100 of 2025) are revoked.
- (2) Notwithstanding the provisions of sub-regulation (1)—
 - (a) a licence, certificate or permit prior to the coming into force of these Regulations, shall be deemed to be a licence or permit under these Regulations subject to the terms and conditions;
 - (b) any pending application for a licence, certificate or permit prior to the coming into force of these Regulations, shall be processed in accordance with these Regulations;

- (c) any proceedings taken against or by the Authority or pending against the Authority or any other person prior to the coming into force of these Regulations, may be continued by or against the Authority as if instituted under these Regulations:

Provided that criminal proceedings shall be regarded as pending if the person concerned had pleaded to the charge in question;

- (d) any administrative investigation or inquiry instituted prior to the coming into force of these Regulations, shall be continued or disposed of as if instituted under these Regulations;
- (e) any disciplinary proceedings which were pending prior to the coming into force of these Regulations, shall be continued or concluded as if instituted under these Regulations;
- (f) all appeal processes, which were pending prior to the coming into force of these Regulations under the revoked Regulations, shall proceed as if instituted under these Regulations; and
- (g) any proceedings taken in exercise of any of the powers prior to the coming into force of these Regulations, shall be deemed to be proceedings under these Regulations.

FIRST SCHEDULE (r. 5(1), (2), 6(1))

Part I

APPLICATION FORM FOR A PETROLEUM RETAIL DISPENSING SITE CONSTRUCTION PERMIT

(A separate application form must be completed with respect to each proposed retail site)

1. Application Type (tick as appropriate):

- (a) new application
- (b) extension application
- (i) extension details.....

2. Name of business/applicant.....

3. Details of applicant.....

- (a) Income tax person & identification no.....
- (b) Entity KRA pin.....
- (c) Postal address.....
- (d) Email address.....

(e) Telephone no.....

(f) Business registration details (date of registration, registration no).....

(g) Proposed location of the business premises—

(i) Plot no.....

(ii) Building no.....

(iii) Street/ market.....

(iv) Town.....

(v) County.....

4. Location-longitude.....latitude.....

5. Details of proprietors or partners owning business of directors/ shareholders of the company, as the case may be

Name	nationality	no. of shares	passport/ID
.....			

(any additional information should be submitted on a separate sheet of paper)

6. Give full details on tanks, tank capacities and products to be stored—

Tank acronym	product	tank capacity (litres)
Tank 1:		
Tank 2:		
Tank 3:		

(any additional information should be submitted on a separate sheet of paper)

Part II

REQUIREMENTS FOR A PETROLEUM RETAIL DISPENSING SITE CONSTRUCTION PERMIT	
1.	Certificate of Incorporation or Business Registration Certificate.
2.	CR12 from the Registrar of companies (should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs).
3.	Legible Copies of Identification Documents (IDs/Passports for all the directors).
4.	Outline of the methods of financing of the project.
5.	Letter of allotment from the relevant Authority in case the title deed is yet to be issued.
6.	A duly registered lease for a minimum period of five years shall be provided in case the title deed is not in the name of the entity undertaking the development.
7.	Geographic information system coordinates of the proposed location.
8.	Valid Work Permits Class "G" for all foreign directors working in Kenya (Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document).
9.	Development permission from the respective County Government (including County Physical Planning Office).
10.	Approval to construct acceleration/deceleration lanes from the relevant roads authority (Kenya National Highways Authority/ Kenya Urban Roads Authority/ Kenya Rural Roads Authority whichever is applicable).
11.	Mechanical engineer's drawings specifying materials and design/ operational limitations (Underground petroleum tank(s) designs and pipe-work layout).
12.	Civil engineer's drawings showing details of Underground tank cradle and backfill designs; Forecourt layout and surface designs; General drainage and OWS layout/ designs.
13.	Certified copies of valid practicing Certificates issued by the Engineers Board of Kenya as per the Engineers Act (2011) for Engineers or Consulting Firms that shall have prepared the designs under items 8 & 9 above.
14.	A priced bill of quantities by the respective class of engineers.

15.	Valid Environmental Impact Assessment license from NEMA approving the development of the project/facility.
16.	An environment liability policy.

Part III

PETROLEUM RETAIL DISPENSING SITE CONSTRUCTION PERMIT



PERMIT NO.

THE PETROLEUM ACT PETROLEUM RETAIL DISPENSING SITE CONSTRUCTION PERMIT

Construction Permit is hereby granted to _____ of P.O. Box _____ to construct the following petroleum Facility (is):

Construction of: Petroleum Facility

On premises situated at: :

Plot No. :

Street/Market :

Town/County :

This Permit expires on :

Dated this:

Signature

(SEAL)

Director General
Energy & Petroleum Regulatory
Authority

Conditions:

1. In accordance with the provisions of section 76(1) and (2) of the Petroleum Act.

SECOND SCHEDULE (r. 7(7))

WRITTEN UNDERTAKING



WRITTEN UNDERTAKING TO THE ENERGY & PETROLEUM REGULATORY AUTHORITY

WHEREAS regulation 7(7) of the Petroleum (Retail Dispensing Site Construction and Licensing) Regulations, 2025, made under the authority of [the Petroleum Act](#) requires an applicant for a Construction Permit to make a written undertaking to the Energy and Petroleum Regulatory Authority (EPRA) within thirty (30) days of receiving notification of grant of a Construction Permit;

THEREFORE I of P.O. Box..... being the person who intends to construct or have a petroleum retail dispensing site constructed, hereby warrants to abide by the terms and conditions stipulated in the Construction Permit issued by EPRA.

Permit No.:	Petroleum Facility:
Plot No.:	Location:
Street/Market:	Town/County:
Permit Expiry Date:	
Full Name of Applicant:	Phone Number:
Signature of Applicant or Person Authorized by Said Applicant to Commit the Applicant and to Act as his Agent in this Matter:	Date:
If the Name of the Signee is Different from the Owner, Please Print Signee's Name Here:	Phone Number:

A person who furnishes false information in any permit application under [the Petroleum Act](#) or in any statement required to be furnished under the Act, or pursuant to the Petroleum (Retail Dispensing Site Construction and Licensing) Regulations 2025, is on conviction, liable to such fines and penalties as prescribed by the Authority.

THIRD SCHEDULE (r. 11(2))

REQUIREMENTS FOR APPLICATION FOR NEW PETROLEUM RETAIL BUSINESS LICENCE

1.	Certificate of Incorporation / Business Registration Certificate.
2.	CR12 from the Registrar of companies (should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs).
3.	Legible Copies of Identification Documents (IDs/Passports for all the directors).
4.	Valid Work Permits Class "G" for all foreign directors working in Kenya (Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document).
5.	Proof of land ownership (copy of title deed in the name of company/director(s)). In the case of long-term land lease, copy of duly registered lease agreement in the name of the Applicant company plus the title deed of the land owner or an allotment letter in the name of the proponent certified by the County Government.
6.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority.
7.	A valid Single Business Permit for the premises of operation from the respective County Government.
8.	A valid Environmental Impact Assessment licence from NEMA for the facility.
9.	A valid Fire Clearance Certificate for the facility from the respective County Government.
10.	Certificate of Compliance with the Physical and Land Use Planning Act (Cap. 303) (PPA5 or PPA2).
11.	A valid certificate of registration of the facility as a work place from the Directorate of Occupational Safety and Health Services.
12.	A valid calibration certificate for each petroleum storage tank at the facility.
13.	A valid certificate of calibration of the petroleum dispensing units' meters from the Department of Weights and Measures.
14.	A pressure test report for the petroleum tanks and pipelines at the facility (for new facilities).
15.	A colour photo of the facility clearly showing the frontage and the forecourt.
16.	A summary Emergency Response Plan for the retail dispensing site.

17.	A duly executed Environment Liability Policy in accordance with section 79 of the Act and in the Form set out in the Seventh Schedule.
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FOURTH SCHEDULE (r. 13)

REQUIREMENTS FOR A RENEWAL OF PETROLEUM RETAIL BUSINESS LICENCE

1.	CR12 from the Registrar of companies (should not be older than 1 year at the time of submission of the application. Further, if a Limited company appears as part of the shareholders, provide the company's CR12 plus all the Directors' IDs);
2.	Legible Copies of Identification Documents (IDs/Passports for all the directors);
3.	Valid Work Permits Class "G" for all foreign directors working in Kenya (Foreign directors not resident in Kenya should provide a notarized declaration. Further, any employee given Powers of Attorney by a foreign director should provide a copy of their identification document);
4.	A valid Tax Compliance Certificate for the applicant from the Kenya Revenue Authority;
5.	A valid Single Business Permit for the premises of operation from the respective County Government;
6.	An acknowledgement from NEMA of having submitted an annual Environmental Audit report for the facility (the acknowledgement should not be older than 1 year at the time of submission of the application);
7.	A valid Fire Clearance Certificate for the facility from the respective County Government;
8.	A valid certificate of registration of the facility as a work place from the Directorate of Occupational Safety and Health Services;
9.	A valid calibration certificate for each petroleum storage tank at the facility;
10.	A valid certificate of calibration of the petroleum dispensing units' meters from the Department of Weights and Measures;
11.	A summary Emergency Response Plan for the retail dispensing site; and
12.	A duly executed Environment Liability Policy in accordance with section 79 of the Act.

FIFTH SCHEDULE (r. 12(1))

PETROLEUM RETAIL BUSINESS LICENCE



THE PETROLEUM ACT
PETROLEUM RETAIL BUSINESS LICENCE

No. ERC/PET _____

Licence is hereby granted to _____ of P.O. Box _____ to carry on the following petroleum businesses:

LICENCE NAME

On premises situated at: _____

Plot No. _____

Building _____

Street/Market _____

Town/County _____

This licence expires on _____

Dated this: _____

Signature _____

(SEAL)

Director General
Energy & Petroleum Regulatory
Authority

Conditions:

1. In accordance with section 76(1) and (2) of the Petroleum Act.

SIXTH SCHEDULE (r. 5(2), 11(2), 13,14(3))

FEEs

Description-Category of Licence Fees	New Application (Amount in Kshs)	Renewal Application (Amount in Kshs)	Amendment Application (Amount in Kshs)
Construction Permit	5,000	2,000	1,000
Petroleum Retail Business Licence	5,000	2,000	1,000

SEVENTH SCHEDULE (r. 5(2)(b))

ENVIRONMENT LIABILITY POLICY

(NAME OF COMPANY) is committed to the protection and preservation of the environment. We will continuously improve our performance and initiate additional projects and activities that will further reduce our impacts to the environment. Our commitment to the environment extends to our customers, our staff and the community from where we operate. We are committed to:

1. Complying with all applicable environmental preservation and sustainability legislation;
2. Preventing pollution whenever possible through efficient waste management strategies that promote waste minimization, re-use, recovery, recycling, as appropriate;
3. Promoting and continually investing in technologies that provide alternatives to business travel and transport;
4. Adopting a procurement programme which takes into account the environmental impact of products and services;
5. Promoting the protection and enhancement of biodiversity and ecosystems through employee awareness programs and stakeholder engagement;
6. Ensuring our staff are aware of the environmental impacts of their work activities and encouraging them through regular awareness and training to minimize those impacts;
7. Communicating our environmental commitment and efforts to our customers, staff and the community; and
8. Pursuing a programme of continuous improvement by reviewing our Environmental Management System and related objectives and targets, policies and practices.
9. Reporting to the relevant authorities, accidents or incidents causing pollution of the environment, investigating the accidents/incidents and undertaking clean up or restoration of the affected areas.

Signature:

Designation:.....

Stamp/Seal:.....

Review date:.....

This policy will be reviewed on a regular basis to evaluate continued relevance and to monitor compliance.