

Rwanda

Regulation governing the Installation, Upgrade and Operation of Petrol Service Stations in Rwanda

Regulation 3 of 2017

Legislation as at 3 June 2019

FRBR URI: /akn/rw/act/reg/2017/3/eng@2019-06-03

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Regulation governing the Installation, Upgrade and Operation of Petrol Service Stations in Rwanda

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Published in Official Gazette 22 on 3 June 2019

Assented to on 4 September 2017

Commenced on 3 June 2019

[This is the version of this document from 3 June 2019.]

The Regulatory Board;

Pursuant to Law n°85/2013 of 11/9/2013 Law regulating petroleum and petroleum products trade in Rwanda;

Pursuant to Law n°09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning, especially in Articles 2; 8; 10; 20; 30; 37; 47 and 48;

Pursuant to Prime Minister's Order n°131/03 of 10/05/2016 determining another Regulatory Authority for trade of petroleum and petroleum products and its additional responsibilities, especially in Articles 2 and 3;

Having reviewed the regulations n°003/ENERGY/PSS/RURA/2014 governing the construction, installation and operation of petrol service stations of 16th April, 2014;

Considering the consultative meeting held in Kigali City at the Classic Hotel in Kicukiro on the 15th of December 2016;

And whereas upon due consideration and deliberation in its session of 30th August, 2017;

HEREBY issues the following regulation:

Chapter One General provisions

Article One – Purpose of this Regulation

The purpose of this regulation is to establish regulatory framework for the installation, upgrade and operation of Petrol service stations and bulk fuel delivery facilities in Rwanda.

Article 2 – Definition of terms

In this regulation, the following terms shall have the following meanings:

- 1° **Attendant operated station:** a service station where an attendant directly operates and controls the dispensing equipment and the discharge nozzle;
- 2° **Attended self-service station:** a service station where customers operate the dispensing equipment which is activated, supervised and may be shut off in an emergency by an attendant in a control point;
- 3° **Bulk Fuel Delivery or consumer site:** underground or aboveground storage tank connected to a dispenser whereby the facilities are owned by an Oil company with the purpose of facilitating supply of fuel through an agreement with an institution owning a big number of vehicles;

- 4° **Construction Permit:** a legal document delivered by a competent authority, authorizing a land document holder to construct a building on an approved plot;
- 5° **Dispenser:** a measuring system similar to a metering pump except that it does not incorporate its own pumping system. It consists of one or more pumps, meters and one or more hoses;
- 6° **District's and City of Kigali roads:** secondary network road which is planned to distribute the traffic between different neighborhood areas and land use zones of an urban or human settlement area and link to the National Roads Network;
- 7° **Flash point:** the lowest temperature at which the application of a small flame causes the vapor above a liquid to ignite when the product is heated under prescribed conditions in a closed container;
- 8° **Forecourt:** an open area in a service station where automobiles stop to re-fuel;
- 9° **Hazardous area:** an area where flammable or explosive gas or vapor-air mixtures often referred to as explosive gas-air mixtures are, or may be expected to be, presented in quantities which require special precautions to be taken against the risk of ignition such as tanks farm and pumps location;
- 10° **Hydrostatic testing:** the testing of pressure vessels such as fuel tank, pipelines tested for strength and leaks by means of a pneumatic or water pressure;
- 11° **Interceptor:** a unit installed in a surface water drainage system to separate out any petroleum product and thus prevent it reaching public drains, sewers or water courses;
- 12° **International Standardization Organization (ISO) standard:** standard developed by the largest developer of voluntary international standards to provide requirements, specifications, guidelines or characteristics that can be used consistently to ensure that materials, products, processes and services are fit for their purpose;
- 13° **Land title:** a legal document issued by a competent authority indicating the owner of the land;
- 14° **Leak detector system:** a system designed to detect pipes and underground tanks leakage;
- 15° **License:** a legal document issued by the Regulatory Authority allowing an operator to conduct any activity related to installation, upgrade a service station and retail of petroleum products;
- 16° **Licensee:** the owner of a license issued under this regulation;
- 17° **Metering pump or dispensing pump:** a measuring system designed to dispense liquid fuel into fuel tanks. It contains its own pumping system to draw fuel from a supply tank or tanks;
- 18° **National Road:** roads network within an urban area which distribute traffic between central and nodal business districts;
- 19° **National standard (RS):** standard adopted and made public by the Rwandan Standards Board for use in Rwanda;
- 20° **Non-Retail Service station:** premises used, or intended for use, for dispensing petroleum-spirit for use in motor vehicles, but does not include any retail of petroleum product;
- 21° **Nozzle:** a device for controlling the flow of fuel during a dispensing operation;
- 22° **Off-set filling pipe:** a filling pipe for a tank or tank compartment which leads from a tank to a connection point for a road tanker delivery hose at some distance from the tank;
- 23° **Person:** an individual, entity, firm, joint stock company, corporation including Government Corporation, Partnership, Limited Liability Company or Association;
- 24° **Petroleum product:** Gasoline, Diesel and Kerosene;
- 25° **Property line:** Demarcated boundaries of the area designated for a service station facilities or structure;
- 26° **Regulatory Authority:** Rwanda Utilities Regulatory Authority (RURA);

- 27° **Residential area:** apartments and households;
- 28° **Roads junction:** Any intersection of the following categories of roads:
- National Road Class 1;
 - District's and City of Kigali roads class 2;
- 29° **Rwanda Standard (RS):** a national standard which is the specification or code of practice declared by the competent Authority;
- 30° **Submersible pump:** an electrically driven pump immersed in the liquid fuel storage tank;
- 31° **Sensitive area:** public areas including but not limited to public markets, prisons, hospitals, health centers, schools, memorial sites, national museums and other public areas as may be updated from time to time by the Regulatory Authority;
- 32° **Service bay:** facility of service station where cars are serviced with lubricants and minor repairs;
- 33° **Service Station:** facility that offers sufficient capabilities to handle the storage of petroleum products in underground tanks, of individual tank capacity not exceeding sixty cubic meters (60 m³) and offering a total storage capacity not exceeding one hundred fifty cubic meters (150 m³), and dispensing them to end consumers;
- 34° **Unattended self-service:** A service station where dispensing equipment is activated and operated by customers without supervision of an attendant;
- 35° **Upgrade:** relocation of existing storage tanks, installation of additional storage tanks, replacement of storage tanks and modification of canopy;
- 36° **Vapor balancing system:** a system which allows vapor displaced from storage tanks during delivery of petrol from a road tanker to be directed to that tanker via a vapor return hose.

Chapter II

Installation and construction of a service station

Section One – Installation of facilities of a service station

Article 3 – Plot reserved for construction of a service station

Any plot planned for construction of a service station shall comply with the following requirements:

- i. the master plan of that particular area;
- ii. the environment law;
- iii. Rwanda Building Code;
- iv. Other relevant rules, regulations and standards.

Article 4 – Plot size of a service station

The minimum plot size of any service station shall be at least one thousand two hundred square meters (1,200 m²) for a service station without a service bay and one thousand five hundred square meters (1,500m²) with a service bay.

A special consideration may be approved by the Regulatory Authority in collaboration with the concerned local authorities for the following reasons:

- i. Due to geographical conditions of the site that are not conducive due to the hilly landscape in specified rural areas;
- ii. Due to need of accessibility and availability of petroleum products in specific area of the country to improve population welfare.

Article 5 – Location of storage tanks

The storage tanks shall be located underground separated from forecourts, not under canopy and not within the road reserve.

Each compartment of the tank shall be fitted with connections for filling, discharging and venting. The filling pipe shall be carried down inside the tank to not less than four hundred millimeters (400mm) from the bottom of the tank.

Article 6 – Installation of storage tanks

Tanks shall not be installed directly in a clay soil. They shall be placed on an inert material such as dry sand and in a concrete or stones walled ditch to avoid corrosion,

Cathodic protection of the tanks and pipe works shall be provided in accordance with relevant international standard and safety parameters and also shall be adhered to especially when cathodic protection is installed within a high risk location.

All excavations shall be carried out in an approved manner to comply with the relevant Occupational Health and Safety standards and national standards such as RS 141-1 and RS 183.

Observation wells shall be designed and installed in accordance with RS 141-1 standard or any other applicable international standard in order to facilitate easy collection of samples and check conditions in the excavation to determine whether there may be a leak.

Article 7 – Design of underground storage tanks

Underground storage tanks shall be designed, manufactured, inspected and tested in accordance with national standard or any relevant international petroleum products standards such as API 650, RS 141 -1 or any other standards adopted by RSB.

The storage tanks shall have at least a single-walled of rolled carbon or mild steel plate or fiber-reinforced resin material and shall comply with relevant national standards on petroleum equipment.

Article 8 – Installation of pipelines and vent pipes

The vent pipes shall be of internal diameter at least fifty (50 mm) and the discharge shall not be vertically downwards.

The pipelines from tanks to off-set filling points, metering pumps, dispensers and vent pipes must be routed below the ground surface not under buildings or other obstructions at a depth of three hundred millimeters (300mm).

The vent pipes shall extend to a height greater than the maximum liquid level in any road tanker likely to deliver petrol to associated tanks and install in accordance with relevant national and international standard such as RS 141-1.

The distance of vent outlets must be located at least at:

- a) 600 mm above adjacent roof level within the high risk zone;

- b) 3.5 m above ground level;
- c) 1.5 m from any door, window, or other opening in a building;
- d) 3 m from any chimney opening, any hot surface or on any source of ignition.

Article 9 – Pipes specifications

The design, manufacturing, and installation of a tubes for pipe work shall comply with RS 141 -1 or ISO 7-1, ISO 7-2 or any other relevant regional or international standards on petroleum equipment.

A check valve shall be fitted in each suction pipeline to restrain the fallback of petroleum product to the tank compartment between delivery operations or during prolonged shut down of the system.

Article 10 – In-situ testing

The operator shall provide to the Regulatory Authority with a certificate stating that all types of tests as per relevant national and international standard such as RS 141-1 were performed and approved by a competent person or authority.

Article 11 – Installation of dispensers

The installation of dispensers must comply with the manufacturer's instructions and comply with relevant standards on equipment designed for use in explosive atmosphere.

After the installation of dispensers, the licensee must ensure that the dispensers and pumping units, hoses, nozzles together with associated valves are checked for leaks before any service operation.

The licensee shall always ensure that the dispensers are of digital type, installed under the standard canopy and calibrated by the competent at least twice a year.

The minimum distance required between adjacent dispensers' islands must be at least six (6) meters.

Article 12 – Drainage and interceptors

Surface drainage of any area surrounding dispensers and road tanker delivery points shall be arranged to carry any spills or leaks of petroleum products, through trapped gullies or by channels, to interceptors or oil-water separators before draining from the service station.

Drainage system shall be connected to the local sewage system, but where this is impracticable, septic tanks or other suitable disposal units shall be installed. Contamination with product in such systems shall be avoided.

Article 13 – Construction and height of canopy

The area under the canopy shall be concrete and the dangerous zone demarcated around the dispenser islands must be covered with a canopy extending outside a minimum of 1.5 m on all sides and raised as to comply with national building code.

Canopy must have at least a minimum height of five (5) meters; its structures and must be constructed of non-combustible materials that conform to Rwanda Building Code.

Article 14 – Compliance with petrol service station requirements

1. The installation of the underground storage tanks must comply with all requirements of a normal Petrol Service Station except the 1 km distance requirement between two neighboring Petrol Service Stations

if only the operator serves his own vehicles or through an agreement serves vehicles owned by the other party.

2. The installation of the above ground storage tanks is subjected to the assessment to determine the risks from unloading process, fuel leakage from the tanks, fire or explosion, site traffic arrangements which could lead to a vehicle colliding with the tank, other types of impacts and other potential vandalism activities.

Article 15 – Control measures for bulk fuel delivery facilities

The installer of for bulk fuel delivery facilities must take control measures to serve the following purposes:

- i. Locate or re-locate tanks away from normal site traffic route;
- ii. Provide spill containment;
- iii. Provide physical protection such as fencing;
- iv. Protect tank with an insulating material;
- v. Provide additional fire protection measures such as automatic fire detection equipment or suppression systems;

Where dispensing pumps are installed, they must be protected against rainwater and sunshine with a canopy.

Pipework installed above ground need to be firmly supported and adequately protected against fire, corrosion, and from impact where it is adjacent to traffic areas. Above ground pipework should be made of materials resistant to light degradation.

Section 2 – Construction of other premises of service station

Article 16 – Forecourt area

The forecourt area must be constructed by macadam material type or reinforced concrete or pavement cement blocks and designed in a way capable of supporting the anticipated weight and intensity of traffic.

Article 17 – Control point bureau

Any building intended for use as a control point at an attended self-service station must be located where an attendant at the control point can exercise adequate supervision over dispensing activities.

Article 18 – Road tanker stand

The road tanker stands for delivering petroleum products into storage tanks shall be in the open, away from buildings, dispensing activities, and emergency escape routes. It shall be large enough to allow a road tanker to be positioned wholly within it during delivery.

Article 19 – Firefighting and security management

Every service station shall be equipped with firefighting and security management before operating. All fire equipment and hydrant points shall be clearly identified by the appropriate signs. The retro-reflective materials shall be used for this purpose.

Article 20 – Equipment to ensure safety

The equipment required to ensure the safety shall include but not limited to:

- a. fire extinguishers;
- b. fire hoses;
- c. dry sand;
- d. foam or similar absorbent material;
- e. fire alarms;
- f. power back-up to run the operations in case of power failure.

Subject to the provision the above paragraph, every service station shall be equipped with an accessible emergency switch.

Section 3 – Identifications of stations facilities

Article 21 – Safety signs

Appropriate safety signs shall be installed at fuel dispensing points and tank vent pipes. Warning notices and signs such as, “switch off engine”, “no smoking”, “danger inflammable” and any other as authorities may deem necessary. These signs must be of such color, type and sizes that they can be read from a distance of 7,5 m.

Entrances and exits shall be made of artificially illuminated retro reflective material and readable from a distance of fifty (50 m).

Article 22 – Identification of tanks

Each tank of a service station shall be marked with an identifying number to distinguish it from any other tank.

In the event of multi-compartment tanks, each compartment shall be marked with a separate number and type of petroleum product with the following specific color:

- a. Black color, for Kerosene;
- b. Yellow color for Diesel;
- c. Blue color for Gasoline.

Article 23 – Identification of dispensers

The dispensers’ panels and dispenser pumps shall be clearly marked to indicate the type of petroleum products distributed with the following words:

- a. Gasoline;
- b. Diesel;
- c. Kerosene

The pump price must be displayed and visible to customers in local currency and the quantity of product dispensed in liters.

Chapter III

Electrical installation

Article 24 – Standards of electrical installations of a service station

All electrical and electronic installations shall comply with the requirements of the RS141-3 and any other health and safety requirements.

If any device capable of emitting electromagnetic waves is installed, care shall be taken to ensure that it cannot induce a current or charge which could ignite a flammable material.

The dispenser circuit shall be provided with an isolating circuit breaker for disconnection from the source of electrical energy.

Article 25 – Supply of electricity

The service station site shall be supplied with electricity via underground cables suitably protected against mechanical and environmental damage and routed outside the hazardous areas as specified in RS 141-3. The back-up power supply shall not be located in the vicinity of the hazardous areas.

Article 26 – Installation of emergency switch

Emergency stop switch shall be installed on every service station to switch off the whole electrical power supply in case of electrical incident.

Chapter IV

Location of a service station *vis a vis* the neighboring infrastructures

Article 27 – The distance between a property line of a service station and roads

The distance between a property line of a service station and the median line of the National Road Class 1 shall be not less than twenty-two (22) meters.

The distance between a property line of a service station and the median line of the District's and City of Kigali roads class 2 shall be not less than twelve (12) meters.

Without prejudice to the paragraph above, the dimensions of the road reserve for City of Kigali and other urban areas must be determined in accordance with the master plan of the City of Kigali or other urban area.

Article 28 – The distance between a property line of service station and road junctions

Distance between a property line of a service station and roads junction shall not be less than one hundred (100) meters.

Article 29 – The distance between a service station and sensitive areas or other buildings

The distance between a service station facility and sensitive areas shall not be less than one hundred (100) meters.

The distance between any service station facility or structure located in the hazardous area and the nearest residential house footprint shall not be less than thirty (30) meters.

Article 30 – The distance between a service station and a power line

The horizontal clearance from the tanks and vent pipes of a service station to the line conductors of the high and medium voltage power line must be at least fifteen (15) meters from power lines of 0.4 KV to 220KV and twenty (20) meters from 400 KV lines.

Article 31 – The distance between one service station to another

Service stations shall be sited at distance of not less than one thousand meters (1000) from each other on the same section of the single carriage road; this applies to either side of the dual carriage road;

The distance from one service station to another, shall not be less than two thousand (2,000) meters in rural areas.

Chapter V

Licensing regime for installation and upgrade of a service station or a bulk fuel delivery

Section One – Requirements and conditions for an installation license

Article 32 – Application for an installation license

Any person who intends to install a service station shall apply for an Installation License to the Regulatory Authority.

The Applicant shall send an application letter to the Director General of the Regulatory Authority accompanied by the following documents:

- a. A copy of Construction Permit issued by the competent Authority;
- b. A copy of land title;
- c. A copy of an environmental impact assessment certificate;
- d. A copy of a business registration certificate;
- e. A copy of a site plan and detailed drawing designs approved by a Competent Authority;
- f. Proof of payment of the license application fee as specified in annex one of this regulation;
- g. Any other information as shall be required by the Regulatory Authority.

The Regulatory Authority shall notify the applicant the decision taken thereof within twenty-one (21) working days.

Article 33 – Application for installation license of a bulk fuel delivery facilities

Any person intending to install a facility to be used as bulk fuel delivery facilities for commercial purposes shall send an application letter to the Director General of the Regulatory Authority accompanied by documents with the requirements set on Article 30 of this regulation.

Article 34 – Validity for an installation license

The installation license shall be valid for a period of three (3) years. When the license is expired before starting the installation works, such license shall cease to have effects and the applicant shall apply for a new license in accordance with the provisions of this regulation.

An extension period for the expired license while construction and installation works are ongoing shall be given basing on extension period of construction permit.

Article 35 – Installation license fee

An installation license shall be issued to the applicant upon the presentation of proof of payment of the license fee as specified in Annex One of this regulation.

Article 36 – License modification and transfer

In the event that a licensee initiates the transfer of the license to another person, the licensee shall seek for a prior approval from the Regulatory Authority;

The transferee shall be considered as the applicant to assume the Installation License. The duration of the license and the license terms and conditions shall remain the same.

Article 37 – Suspension of an installation license

The licensee shall install the service station in accordance with the approved design plans and standardized building material. Failing to do it, the Regulatory Authority shall suspend the installation license until regulation is complied with.

Article 38 – Revocation of an installation license

The Regulatory Authority may revoke the license before its expiration in the following cases:

- a. abandonment of licensed activities;
- b. submittal of false or deliberately misleading data or information to the Regulatory Authority in response to its request or in response to its monitoring reporting inspection or audit requirements;
- c. failure of the licensee to cooperate with the Regulatory Authority' inspection and audits;
- d. bankruptcy, financial insolvency or liquidation of the licensee;
- e. Revocation of the construction permit.

Article 39 – Appeal on installation license matters

Any applicant who is not satisfied with the decision of the Regulatory Authority refusing to grant the license, suspension, or revocation of an installation license, may appeal before a Competent Jurisdiction.

The Regulatory Authority decisions shall remain effective until overruled by the final judicial decision on the appeal.

Section 2 – Requirements for authorization to upgrade a service station or a bulk fuel delivery

Article 40 – Application for an authorization

Any person who intends to upgrade an existing service station or a bulk fuel delivery shall apply, in writing, to the Regulatory Authority for an Authorization.

The application shall describe the purpose and type of upgrading by indicating the station or bulk fuel delivery facilities to be upgraded.

The applicant intending to upgrade a service station or bulk fuel delivery shall submit the following documents:

1. An application letter addressed to the Director General of the Regulatory Authority;
2. A copy of the rehabilitation permit issued by One Stop Center or any other competent Authority;
3. A copy of Installation License where applicable;
4. Detailed designs related to the upgrading;
5. A proof of payment of application fee for upgrading as specified in annex one of this regulation.

The Regulatory Authority shall notify the applicant of the outcome of the application within a period not exceeding twenty-one (21) working days.

Chapter VI

Operation of a service station or bulk fuel delivery

Section One – Operation activities for a service station or bulk fuel delivery

Article 41 – Testing and commissioning of a service station or bulk fuel delivery

Prior operation of a service station or bulk fuel delivery, the operator must inform the Regulatory Authority to conduct an inspection to ensure that all service station facilities shall comply with applicable standards and license obligations.

The existing service stations or bulk fuel delivery shall comply with provisions of this regulation with respect to operation and maintenance requirements.

Article 42 – Off-loading of petroleum products

Road tankers with vapor balancing system, loaded with petroleum product shall have two (2) hoses connected, one to load petroleum product into the tanker and another to collect vapor displaced out of the tanker to the recovery unit.

The vapor hose shall be connected before the delivery hose prior to the off-loading of petroleum product, and it shall not be disconnected until the delivery hose has been discharged and disconnected.

Article 43 – Position of tanker in the delivery premises

The tanker shall be completely within the boundary of the service station or bulk fuel delivery premises. It shall be so positioned that it can be driven directly from the site in the event of a dangerous occurrence.

No other vehicle movement shall be permitted within 4.5m from the tanker discharge manifold during offloading.

Article 44 – Storage of petroleum products

Automated tank gauging system must be installed to underground tanks to avoid overflow of petroleum product.

Tanks shall be filled to an acceptable safe filling level corresponding to approximately ninety (90%) percent of capacity.

Article 45 – Safety measures related to dispensing operations of petroleum products

The dispensing equipment shall be operated in accordance with the following safety measures:

- 1° All electronic equipment transmitting signals such as receivers, radios, mobile telephones and engines of vehicles shall be switched off at the vicinity of dispensing equipment at a service station or bulk fuel delivery;
- 2° Containers must be securely closed as soon as dispensing finishes and shall be removed from the dispensing area promptly;
- 3° Operators or service stations' attendants or bulk fuel delivery shall always keep the nozzle while refueling;
- 4° The attendant shall not allow customers to operate the equipment without supervision at an attendant operated service station or bulk fuel delivery;
- 5° Dispensing equipment shall be operated in accordance with instructions of its manufacturer.

Article 46 – Reporting hazards

When reporting major or significant leaks and spillages to the Regulatory Authority, the Licensee shall clearly provide:

- a. The location and date of the incident;
- b. A brief description of the incident, injuries to people or property;
- c. The corrective actions taken, if any.

Section 2 – Maintenance and spill management

Article 47 – Maintenance of equipment

The licensee shall conduct regular maintenance of equipment as specified by the manufacturers and maintenance of the tanks and their accessories on a two (2) years basis in accordance with RS 141-1;

Any significant repairs, removals or abandonments of tanks, tank compartments, pipelines, metering pumps, dispensers and associated equipment shall be carried out after being drained, free from fuel vapor.

The above-mentioned works shall be under the control of the accredited technicians by the Competent Authority and shall comply with the provisions of this regulation.

Article 48 – Leaks detection

Any suspected tank or compartment shall be subjected to an ullage test using water or a pressure test and any defective storage and dispensing equipment shall be taken out of service;

Underground tanks and supply pipelines shall be monitored regularly to detect leaks and an automatic leak detection system must be installed.

Article 49 – Spill management

There shall be a written Spill Management Plan to ensure effective response to container spill and ensure that the staff is familiar with that plan.

Any leaks or spills shall be prevented from escaping from the service station or bulk fuel delivery premises. Small leaks or spills shall be cleared up promptly by the application of dry sand or any other absorbent material.

A remote fill box incorporating spill containment shall be provided on the off-site filling points.

Any spillage of product shall be collected and disposed off in an acceptable way. When continuity in a pipeline is broken, the work area shall be bridged with a heavy electrical jumper cable to reduce the risk of sparks from stray or induced currents.

Article 50 – Training of personnel

Petrol station or bulk fuel delivery employees shall be trained prior to the commencement of their work and entitled to the requirements as stipulated in the national labor law and other health and safety requirements.

Records of all trainings in respect of firefighting shall be kept at site. The Regulatory Authority shall verify those records on quarterly basis.

Article 51 – Decommissioning of a service station or bulk fuel delivery from operation

Any tank which has been removed from its excavation or tank installed aboveground shall be disposed of safely and be filled with acceptable materials filler; and the removal of pipe work shall comply with RS 141 -1.

The licensee or owner of the service station or bulk fuel delivery must notify the Regulatory Authority fifteen (15) days before decommissioning of the service station.

Chapter VII

Licensing regime for retail of petroleum products at a service station or bulkfuel delivery

Article 52 – Application for a retail license of a service station

The applicant intending to operate a service station as a retailer shall submit an application letter addressed to the Director General of Regulatory Authority accompanied by the following documents:

- a) The Rent agreement between Service Station owner and the Retailer;
- b) A copy of business registration certificate specifying that petroleum products retail services are among the businesses to carry out;
- c) A 5 year Business Plan;
- d) Proof of payment of the application fee as specified in Annex One;
- e) Any other additional information that may be necessary to enable the Regulatory Authority to make an informed decision.

The Regulatory Authority shall notify the applicant the decision taken thereof within twenty-one (21) working days.

Article 53 – Application for retail license of a bulk fuel delivery facilities

The applicant intending to operate bulk fuel delivery facilities for commercial purposes shall submit an application letter addressed to the Director General of Regulatory Authority accompanied by a fuel supply agreement with the institution owning the vehicles and administrative documents required in previous article of this regulation.

Article 54 – Validity for a retail license

The Retail license shall be valid for a period of five (5) years renewable.

Article 55 – Renewal of a retail license

When the license is expired, the applicant may apply for a new license in accordance with the provisions of this Regulation.

The Licensee shall make an application for a license renewal at least thirty (30) working days prior to its expiration.

The Regulatory Authority shall notify the applicant the decision taken before the license expiration date.

Article 56 – Transfer of a retail license

Before a license be transferred from the Licensee to another person, the licensee shall seek for a prior approval from the Regulatory Authority;

The duration of the license, license terms and conditions shall remain the same.

Article 57 – Suspension of retail license

The Regulatory Authority shall suspend the Retail License in order to respond to failure to comply with license terms and conditions.

Article 58 – Revocation of a retail license

The Regulatory Authority may revoke the license before its expiration when it determines that revocation is needed in order to respond to:

- a. abandonment of licensed activities;
- b. Bankruptcy, financial insolvency, or liquidation of the licensee;
- c. submittal of false or deliberately misleading data or information to the Regulatory Authority in response to the Authority request or in response to the Authority monitoring reporting inspection or audit requirements;
- d. failure of the licensee to cooperate with the Regulatory Authority' inspection and audits;
- e. Persisting in non-compliance of this regulation and license obligations.

Article 59 – Appeal on retail license matters

Where the applicant is not satisfied with the decision of the Regulatory Authority refusing to grant the license, he/she may appeal before a Competent Court of Law.

Article 60 – Retail license fee

Retail License shall be issued to the applicant upon the presentation of proof of payment of the license fee as specified in Annex One to this regulation.

Chapter VIII

Monitoring and enforcement

Article 61 – License monitoring requirements

The Regulatory Authority shall monitor the performance of each licensee for full compliance with all terms and conditions of the license. The Regulatory Authority may also perform physical inspections of the licensee's facilities and corporate records on its premises.

These inspections may be conducted on an announced or unannounced basis.

The inspections and audits shall be conducted during normal business hours, except when the Regulatory Authority has a reasonable basis to believe that non-compliant activities are occurring outside of normal business hours.

Article 62 – License enforcement action

If the Regulatory Authority determines that the licensee has failed to comply with any term or condition of the license, it shall send a written warning to the licensee including a deadline for correction of the alleged license violation.

If the licensee, after receipt of the warning from the Regulatory Authority, does not cure the alleged non-compliance, it may proceed with further regulatory measures which may consist of monetary sanctions.

Article 63 – Complaints handling and dispute resolutions

The Regulatory Authority shall handle various types of complaints received from consumers or petrol service stations' operators.

Chapter IX

Faults and administrative sanctions

Article 64 – Installation of a service station without license

Any person who starts the activities of installation of a service station without license shall be liable to an administrative fine of one million (1,000,000 frw) Rwanda francs and must remove structures at his own expense.

Article 65 – Operating a service station without license

Any person who starts operating a service station before obtaining a Retail License shall be liable to an administrative fine ranging from five hundred thousand to one million (500,000 - 1,000,000frw) Rwanda francs and suspension until license granted.

Article 66 – Installing a service station in contradiction with the design and approved plans

Any licensee who installs a service station in contradiction with the design and approved drawings shall promptly stop installation works until he/she complies with the approved design and drawings.

Article 67 – Upgrading a service station without authorization

Any person found upgrading a service station without an authorization shall be liable to an administrative fine of between five hundred thousand (500,000) and one million (1,000,000) Rwanda francs and suspension of upgrading activities until authorization granted.

Article 68 – Retailing substandard petroleum products

Any person who retails substandard petroleum products or sells adulterated products shall be liable to an administrative fine as stipulated in law regulating petroleum and petroleum products trade in Rwanda.

Article 69 – Selling petroleum products on pump price other than the one approved and published by the Regulatory Authority

Any person who sells petroleum products on pump price higher than the one approved by the Competent Authority shall be liable to an administrative fine of five million (5,000,000frw) Rwanda francs.

Article 70 – Failure to provide information

Any licensee who fails to provide the required information by the Regulatory Authority as specified under these regulations shall be liable to an administrative fine as stipulated in the law establishing the Regulatory Authority.

Article 71 – Absence of functioning safety and security management systems

Any licensee found with firefighting and security management system without effective functioning, shall be liable to the sanctions provided for in the Ministerial Order determining urban planning and building regulations.

Chapter X Transitional and final provisions

Article 72 – Transitional provision

Installed service stations that are not complying with this regulation and standards with regards to service station installation are given a grace period not exceeding two (2) years from the date of commencement of this regulation to upgrade the service station.

Installed service stations that are unable to upgrade and comply with terms of this regulation, shall have a transitional period not exceeding five (5) years to decommission according to the guidelines set by the Regulatory Board.

Article 73 – Repealing provision

The regulations n° 003/ENERGY/PSS/RURA/2014 governing the construction, installation and operation of petrol service stations and all prior provisions contrary to this regulation are hereby repealed.

Article 74 – Commencement

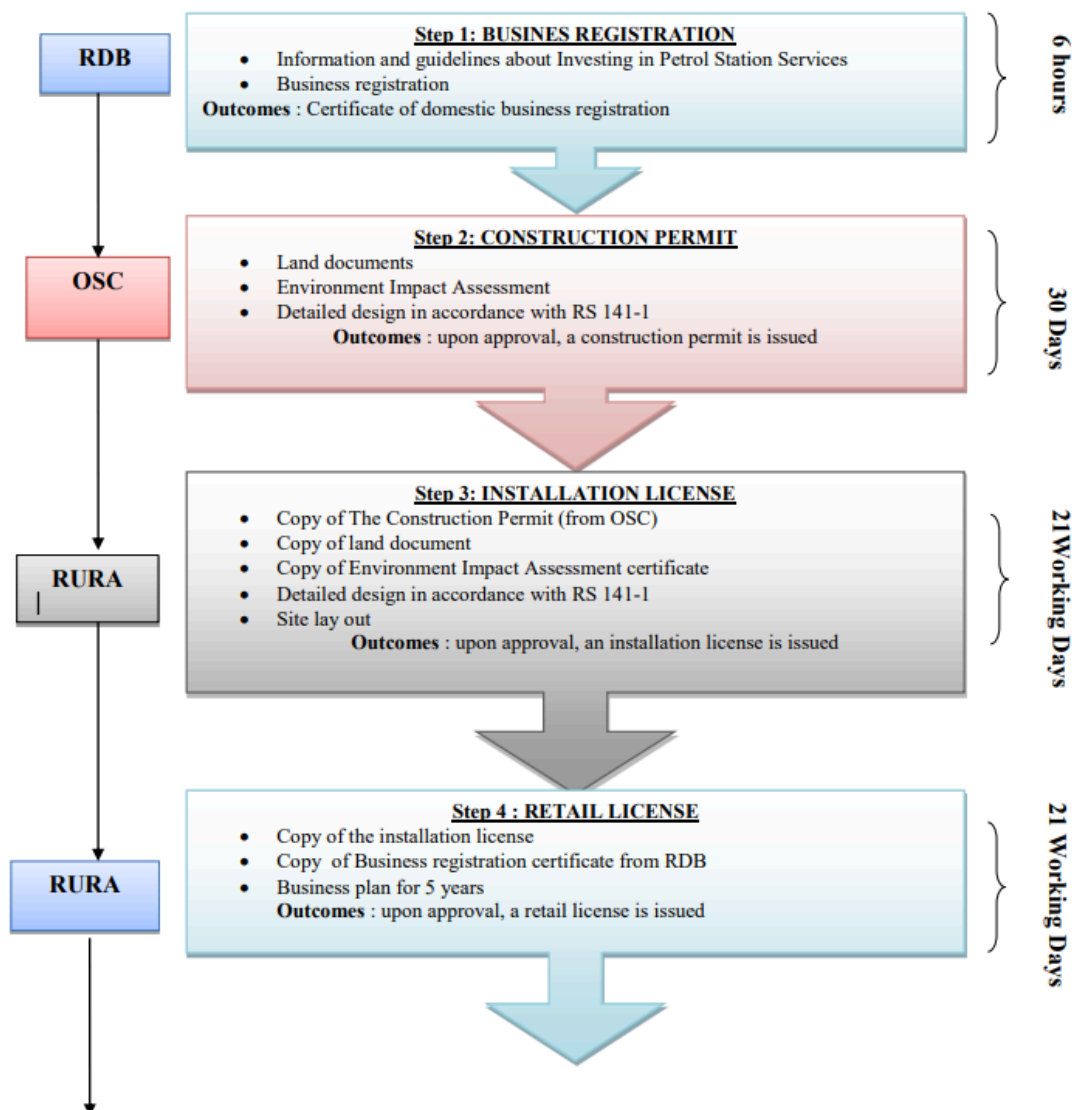
This regulation shall come into force on the date of approval and signature by the Chairperson of the Regulatory Board.

Annex One**Applicable fees per station or bulk fuel delivery facility**

S/N	Type	Amount (Frw)
1.	Application fee for the Installation License	200,000
2.	Application fee for Retail License	100,000
3.	Installation License Fee	500,000
4.	Retail License Fee (5 years)	2,500,000
5.	Authorization fee for upgrade activities	100,000
6.	Fee for Transfer of license	100,000

Annex II

Investment process chart



Annex III

Site planning for service stations

A petrol station is a development which is involved in the sale of fuel for motor vehicles. The petrol station can also include a range of other facilities such as: minor repairing and servicing of vehicles, retail outlets, and car wash and tire service facilities. Petrol stations are conditional uses in most residential and commercial uses and are allowable uses in industrial zones.

Criteria for development of petrol stations		Remarks
1. Uses		
1.1. Mandatory Uses	Public toilets (minimum of 2 toilets) <ul style="list-style-type: none"> • One for Gents; • One for Ladies. 	
1.2. Permitted Uses	<ul style="list-style-type: none"> • Service Station • Minor Vehicle Repair and Servicing • Tire service facilities • Car wash • Retail Outlets 	Preparation, processing, and cooking of food as well as serving of alcohol are not permitted within the site.
1.3. Prohibited Use	<ul style="list-style-type: none"> • Residential • Offices other than service station bureau • Industrial Uses • Civic Facilities 	
1.4. Ancillary Use	Office, Store and compressor room associated with the functioning of the service station	
1.5. Minimum Lot Size	<ul style="list-style-type: none"> • 1200 m² for a service station without a service bay, • 1500 m² for a service station with a service bay 	
1.6. Plot location	From the boundary of the petrol station site (1200m ² and/or 1500m ²): <ul style="list-style-type: none"> • At least 1000m in urban areas and 2000m in rural areas from other petrol station, • At least 100m from sensitive area, 	

	<ul style="list-style-type: none"> At least 30m from any petrol station facility/ structure located in the hazardous area to the residential house footprints At least 100m from roads junction 	
2. Coverage		
2.1. Minimum width frontage	<ul style="list-style-type: none"> 30 m 	
2.2. A buffer strip	<ul style="list-style-type: none"> Length: 12 m (min) Width: 3 m (min) 	
2.3. The minimum Entry and Exit width	<ul style="list-style-type: none"> 9 m 	
3. Building		
3.1. Maximum Number of Floors	<ul style="list-style-type: none"> Single Storey 	
3.2. Maximum height of any building	<ul style="list-style-type: none"> 5m 	
3.3. Building Form	<ul style="list-style-type: none"> Free standing 	
4. Parking		
4.1. Location	Required parking stalls shall be provided within the plot boundary	
4.2 Surfacing	Parking shall be hard surfaced and provided with adequate drainage	
4.3. Minimum Required Parking Stalls	<ul style="list-style-type: none"> Service station without a service bay: 3 parking stalls Service station with a service bay: 5 parking stalls 	
4.4. Disabled Parking	<ul style="list-style-type: none"> N/A 	
4.5. Minimum Dimensions	<ul style="list-style-type: none"> 90 degree 2.5 m x 5.0 m stalls 	

	<ul style="list-style-type: none"> • 5.5 m travel aisle • Angled parking permitted 	
5. Signage		
5.1. Permitted	<ul style="list-style-type: none"> • One petrol station identification sign shall be permitted in the buffer strip at 2m minimum from the road boundary • Maximum height from the ground level: 6m max 	
5.2. Prohibited	<p>The following signs are prohibited:</p> <ul style="list-style-type: none"> • Roof mounted signs • Offsite signage 	
5.3. Lighting	<ul style="list-style-type: none"> • Public lights must be installed for the security purposes 	
6. Security and safety		
6.1. Firefighting	All measures for firefighting management have to be in place (equipment for fire detection and suppression and emergency evacuation plan)	
6.2. Security	Building insurance, and a security Guards have to be in place during operational phase of a service petrol station	