

**INFORMATION GUIDE**

**PETROLEUM PRODUCTS REGULATIONS, 2000**

**GUIDELINES FOR CONSUMER  
INSTALLATIONS**

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# GUIDELINES FOR CONSUMER INSTALLATIONS

## 1. WHY DO I NEED A CONSUMER INSTALLATION CERTIFICATE?

The new Petroleum Products Regulations prohibit a person to have in possession more than 200 litres of petrol or diesel in an urban area or more than 600 litres of petrol or diesel in a rural area. (This amount of petrol/diesel *does not include* petrol/diesel you may have in the tank of a vehicle.) However, sometimes it is necessary for a person to have more than that amount of petrol or diesel and therefore the Regulations state that a person, under the following circumstances, may have more than that amount of petrol or diesel:

### (a) Permission by the Minister of Mines and Energy

If you have applied to the Minister of Mines and Energy (remember you must apply in writing – that is by writing a letter) and have given good reasons why you want to have more than that amount of petrol or diesel in your possession, the Minister may give you permission in writing to do so. The Minister may give permission for a specific incident (say a person wants to go on safari through Namibia to regions where there are no petrol/diesel providers), but the permission may also be given in general (for example if you are a farmer and do not see the need of applying for a consumer installation certificate but you need to keep more than the prescribed amount of petrol or diesel on your farm for use in farm vehicles and implements). However, if you do not apply for this permission but have a need to keep more petrol or diesel in your possession you must apply for one of the licences or certificate below.

### (b) Licences or certificates

The Regulations provide for a wholesale licence (that would be a big oil company that imports fuel into Namibia); a retail licence (that is a service station that sells petrol/diesel to the public) and a consumer installation certificate. This information guide mainly provides information with regard to consumer installations.

## 2. WHAT IS A CONSUMER INSTALLATION?

A consumer installation is a petrol or diesel installation (above ground or below ground), including any pump, storage tank and piping used in relation thereto, for the purpose of dispensing fuel into own or hired petrol or diesel consuming equipment or own or hired vehicles.

It is important to note that with one exception, if you have a consumer installation you may only use it for own use and may not give or sell petrol or diesel to another person. The exception relates to building contractors and is dealt with in paragraph 11.

To operate a consumer installation means to install and to conduct the activity of an operator in respect of such installation, and to conduct any activity reasonably required in connection with petrol or diesel or incidental thereto, including the obtaining, handling, possession, storage and dispensing of such petrol or diesel.

### 3. WHO MAY APPLY FOR A CONSUMER INSTALLATION?

Not everybody may apply for a consumer installation certificate. You may apply if you need a consumer installation for one of the following activities:

- ◆ A commercial or industrial undertaking (for example a transport business, a construction business, or any other business which relates to business or commerce);
- ◆ A farm where you are a *bona fide* farmer;
- ◆ A mining business.

Only the operator of one of the activities listed above may apply. You are the operator if you are responsible for the day to day activities of a consumer installation, whether or not you are located on the premises where the activities are conducted during business hours and whether or not you are the owner of the consumer installation.

### 4. WHAT KINDS OF CONSUMER INSTALLATION CERTIFICATES ARE THERE?

- ◆ Diesel Consumer Installation
- ◆ Petrol Consumer Installation

You must apply on a separate application form for a certificate for every consumer installation you want to operate and you must specify whether it is for petrol or diesel. A certificate will be issued for each and every consumer installation you operate and will specify whether it is for petrol or diesel. For your convenience, an application form is attached to this information guide. Should you wish to so apply, you may do so on the form attached to this guide. Submit the completed form together with the requested information, to the Ministry of Mines and Energy at the place/address given in paragraph 27.

If you apply for a **petrol** consumer installation certificate you must prove that you have for a consecutive period of at least three months consumed more than 10 000 litres of petrol per month and that the petrol was obtained from one supply point (supply point means the place where the petrol was bought). The way you prove that you have so consumed more than 10 000 litres of petrol is by having a registered accountant or auditor sign your declaration that you have consumed that amount of petrol. You could prove that you have obtained that amount of petrol from one supply point by attaching for example the receipts of the supplier or a declaration from the supplier that you have obtained that amount of petrol from that supplier.

### 5. WHAT HAPPENS IF I ALREADY OPERATE A CONSUMER INSTALLATION?

If you have been operating a consumer installation before the start of the Regulations you will be allowed a six month period to apply for a certificate. During this six month period you will be deemed to have a certificate and all the provisions of the Regulations will apply to you. You must apply for a certificate during these six months. If you do not apply during this period and the six months have passed you will not be deemed to have a certificate anymore and your consumer installation activities will be illegal and you could be found guilty of an offence. If it appears to the Minister that this six month period is not long enough to deal with all the applications, the Minister may extend the period for further period of six months each. Should this happen, you will be informed thereof by the Ministry.

However, if you submit all the information required under the Regulations, the Minister must issue you with a certificate. The disqualification grounds set out in paragraph 6 will not apply

to applicants who are existing consumer installation operators. But remember these are circumstances, should they happen during the course of you holding a certificate, which will disqualify you from holding a certificate.

## 6. WHO ARE DISQUALIFIED AS APPLICANTS FOR A CERTIFICATE?

A certificate will not be issued to a new applicant, nor may a new applicant hold a certificate, if such an applicant:

- ◆ has during the five years preceding the application for the certificate been convicted of an offence under the Act, or is so convicted during the currency of the certificate;
- ◆ is not a Namibian citizen or is not lawfully resident in Namibia, or loses Namibian citizenship or the right to be lawfully resident in Namibia;
- ◆ is a body corporate, and is not registered in Namibia or if its registration in Namibia is cancelled;
- ◆ is or becomes an unrehabilitated insolvent;
- ◆ is or becomes subject to an order of competent court declaring such a person to be mentally ill or disordered (mad).

Note that if you, during the course of your certificate, become subject to a disqualification mentioned above you may lose your certificate.

## 7. HOW DO I APPLY FOR A CONSUMER INSTALLATION CERTIFICATE?

You must complete the prescribed form (that is form PP/5 – see attached at the end of this guide). This form can also be obtained from the Ministry of Mines and Energy, 1 Aviation Road (next to the Safari Hotel/Eros Airport), Sixth Floor, Directorate Energy, Room 611, 626 or 628. Alternatively, if you are not in Windhoek, you can contact the Ministry at telephone number (061) 284 8111 (and ask to speak to one of the persons mentioned at the end of this information guide) and request that a form be posted or faxed to you. Although it would be preferable to complete the form on an original form, photocopies would be accepted.

An application fee of N\$ 100 must be paid together with the submission of the application form. All fees are payable on the 2<sup>nd</sup> Floor of the Ministry of Mines and Energy at the Mining Commissioner's Office. A receipt will be issued to you which you must attach to your application as prove that you have paid.

The Regulations also require that certain other information be submitted together with the application form. Please check that all these documents are attached because if they are not then your application cannot be processed until everything has been submitted:

- ◆ Form PP/5 (the formal application) – duly completed (for your convenience one is attached to this guide)
- ◆ A certified copy (you can certify your copy at a police station/your attorney or any other commissioner of oaths) of your identity document and in the case of non-Namibian citizens, a certified copy of any of the following:
  - \* a permanent residence permit, or
  - \* an employment permit and proof of residence in Namibia, or
  - \* proof of domicile in Namibia;\*
- ◆ If you are a body corporate (that is for example a company, close corporation or co-operative), a certified copy of registration;
- ◆ Proof that you operate a commercial or industrial undertaking or mine or is a *bona fide* farmer;

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\* Proof of residence or domicile is for example a municipal account in your own name.

- ◆ If an environmental assessment study has been conducted, a certified copy of the document setting out the outcome of the study;\*
- ◆ In the case of an application for a petrol consumer installation, a signed declaration by a registered accountant or auditor that you have for a consecutive period of at least three (3) months consumed more than 10 000 liters of petrol per month and that the 10 000 liters of petrol was obtained from the same supply point.

If your application is successful (see paragraph 8 on how your application will be evaluated), a certificate will be issued to you in the form of Form PP/6. However, prior to obtaining your certificate you must pay the fee for the issue of the certificate which is N\$ 250,00.

## **8. HOW IS MY APPLICATION CONSIDERED?**

In deciding whether or not to issue a certificate, the Minister will take the following issues into consideration:

- ◆ The protection of the environment.
- ◆ The record of compliance with the Petroleum Products and Energy Act, 1990, the Petroleum Products Regulations and other applicable laws by the person applying for the certificate.
- ◆ If applicable, the suitability of the site concerned with regard to safety, health, security, hazardous substances, environment and town planning requirements.
- ◆ Any significant negative impact which the granting of a certificate may have on the petroleum product retail industry.
- ◆ Any recommendation by a person or body to which the matter has been referred.\*
- ◆ Any other matter relevant to the orderly provision of petroleum products in Namibia.

Finally, when considering an application the Minister may request the applicant for further information relating to the above issues if the Minister needs such further information in order to make an informed decision.

The Minister may grant and issue a certificate or may refuse to issue a certificate. It is possible that the Minister may provisionally grant a certificate, but need further information before the certificate is issued. In such a case the applicant must first provide the Minister with further information. If the Minister refuses the certificate, the Minister must provide written reasons for such refusal.

Keep in mind that if your past conduct provides reasonable grounds for the Minister to believe that you will contravene the law and not conduct activities under the certificate in a safe manner, the Minister may refuse to grant a certificate.

## **9. TEMPORARY AND PERMANENT CERTIFICATES**

A consumer installation certificate can be temporary or permanent. You must indicate on your application for which you apply and in the case of a temporary certificate for how long you want to have a certificate. If you need to extend the period of validity of a temporary certificate, you must apply therefor in writing to the Minister. The Minister will then extend

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\* In terms of the new Environmental Legislation which will come in operation later in 2000 or in the beginning of 2001 it may be that you will be required under certain circumstances to do an environmental impact study. Alternatively, you may decide to do one. However, the Regulations do not require you to do an environmental impact study, it is only if one has been done, that it must be submitted.

\* In terms of the Regulations the Minister may refer an application to the Ministry of Environment and Tourism or to any other relevant body or person for a recommendation.

the period. A permanent certificate is valid permanently or until you surrender it or it is cancelled or suspended.

A temporary certificate is only valid for the period it is issued. A permanent certificate does not need to be renewed.

## **10. THE CERTIFICATE AND DUPLICATE CERTIFICATES**

One original certificate will be issued for each consumer installation and will specify the type of certificate (petrol/diesel) and whether it is a temporary or permanent certificate.

If a certificate is lost, stolen or damaged you may apply for a duplicate. There is a form prescribed for such an application and that is form PP/8. On payment of a fee of N\$ 100 a duplicate certificate will be issued.

## **11. CONDITIONS APPLICABLE TO A CERTIFICATE**

The following general conditions apply to all certificates:

- ◆ The certificate holder must at all times comply with the Petroleum Products and Energy Act and the Regulations including laws relating to labour, safety, hazardous substances, security, health and environment.
- ◆ Any petrol or diesel purchased pursuant to the certificate may only be used by the certificate holder for own personal use with regard to own or hired petrol or diesel equipment or own or hired vehicles, and may not be resold (see exemption at the end of this paragraph).
- ◆ No other fuel may be bought pursuant to the certificate other than the type (that is petrol or diesel) specified in the certificate.
- ◆ The certificate holder must inform the Minister as soon as practicable of any dangerous situation arising from the conduct of activities authorised under the certificate\*, including the steps taken or proposed to be taken to rectify such situation or to eliminate or minimise the danger arising from such situation.
- ◆ The certificate holder may not permit any person to use the certificate to purchase petrol or diesel for a person other than the certificate holder.
- ◆ The certificate holder must keep such records and submit such information to the Minister as required by or under these Regulations.
- ◆ The certificate holder must comply with all provisions of these Regulations relating to petroleum product spills.
- ◆ A pump or dispenser operated under the certificate must have a model and serial number.

With regard to the requirement that you may not supply any other person with petrol or diesel from your consumer installation, there is one exemption, namely:

When one contractor uses or purchases diesel from another contractor who has a diesel consumer installation certificate, if such diesel is used in connection with construction works in which both contractors are involved.

On the certificate provision is made for certain special conditions which the Minister may make applicable to a certificate. Only if these conditions appear on the certificate will they be applicable to you. They are:

- ◆ Conditions relating to the reporting of dangerous situations or accidents;

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\* A dangerous situation is a situation involving petroleum products that is immediately endangering the safety or health of a person, or the safety of a person's property or is creating an immediate risk of significant environmental harm.

- ◆ Conditions requiring the certificate-holder to prepare and submit to the Minister assessments of the safety, health, environment and security risks associated with the activities authorised under the certificate;
- ◆ Conditions relating to the safe disposal of petroleum products, including the collection and discarding of used oil;
- ◆ Conditions requiring insurance against, or guarantee for, petroleum product spills which insurance or guarantee cover cost involved in the cleaning up of such spills up to an amount not exceeding N\$ 500 000.

## **12. CAN I TRANSFER MY CERTIFICATE TO SOMEBODY ELSE?**

No, a certificate is not transferable. If you do not need it anymore, that is if activities under the certificate have ceased, you must tell the Minister so in writing and surrender the certificate.

## **13. HOW CAN I LOSE MY CERTIFICATE?**

### **(a) Cessation of a petrol consumer installation certificate**

If you cease to have a throughput of 10 000 litres of petrol per month for more than three consecutive months, the Minister may cancel your certificate.

### **(b) Surrender of certificate**

If you do not need a consumer installation anymore (that is activities under the certificate have ceased) the certificate must be surrendered in writing to the Minister. Send the certificate together with a letter stating that you are surrendering your certificate to the Minister.

### **(c) Cancellation and suspension of certificate**

If you fail to comply with the Regulations or a condition of your certificate, the Minister may cancel or suspend, for such a period as the Minister may deem appropriate, your certificate.

The Minister must, however, first by letter inform you that your certificate is going to be cancelled or suspended. In this letter the Minister must state what contravention you committed and must ask you to reply thereto within thirty (30) days.

Before the Minister cancels or suspends your certificate, the Minister must look at any steps you have taken to remedy your failure to comply or contravention and to avoid it from being repeated.

### **(d) Disqualification**

If you become subject to one of the disqualifications mentioned in paragraph 6 your certificate will cease to have effect.

### **(e) General notes**

Under any of the circumstances set out above your certificate ceases to have effect and you cannot legally go on using your consumer installation. You must send your certificate back to the Minister within fourteen (14) days after it ceased to have effect. In the case of a suspension, you do not have to send the certificate back, but may not during the period that the certificate is suspended legally perform activities for which you need a certificate.

## **14. WHERE MAY I PUT/USE MY CONSUMER INSTALLATION?**

A consumer installation for which you have a certificate may be used or installed anywhere in Namibia. The place where you are using it is called the site. A site is:

- (a) in the case of a below-ground storage tank or an above-ground storage tank that is permanently fixed to the ground, the premises on which such storage tank is installed;



- (b) in the case of an above-ground storage tank that is not permanently fixed to the ground, the premises where activities in connection with such consumer installation are conducted.

**15. INFORMATION WHICH MUST BE GIVEN TO THE MINISTER ON A YEARLY BASIS AND OTHER INFORMATION THE MINISTER MAY ASK**

If you have a consumer installation certificate, you must every year not later than 28 February give to the Minister the total throughput of the type of fuel (petrol or diesel) specified in the certificate for the preceding year or portion of a preceding year in the case where you did not get the certificate in the beginning of the year.

The Minister may ask you to give any of the following information:

- (a) any information regarding a dangerous situation and remedial measures taken in respect thereof;
- (b) any information regarding the site where a consumer installation is being operated;
- (c) any information the Minister may request in order to enable the Minister to effectively exercise his or her powers under the Regulations;
- (d) confirmation that the consumer installation is still in operation and, in the case of a petrol consumer installation, that for no continuous period of more than three months in the preceding year was the throughput less than 10 000 litres a month.

**16. WHAT IF MY PARTICULARS ON THE CERTIFICATE CHANGE OR I WANT TO CHANGE FROM SITE?**

**(a) Change of information on certificate**

If any information on your certificate changes, you must, prior to such change, apply to the Minister for an amendment of the certificate. The amendment of the certificate must be completed on Form PP/9 and the appropriate fee must be paid which is N\$ 100. If the Minister finds out that some information on a certificate has changed and you failed to inform the Minister thereof, the Minister may self change such information. The new information can then either be written on your certificate or the Minister can give to you a notice with the new information.

**(b) Change of site or closing down**

The requirements set out below regarding a change of site only applies if your consumer installation is permanently fixed to the ground.

In the case of a change of site, notice must be given to the Minister at least one month before such change. Once the Minister has received your notice, an inspector, or other competent person authorised thereto by the Minister, will inspect the site in order to see whether the site has been sufficiently restored with regard to the petroleum activities conducted thereon in order not to pose a threat to the environment or the safety and health of the public.

If the inspector is satisfied regarding above, the inspector will issue a certificate of compliance in the form of a Form PP/7. No fee is payable.

Restore means:

- (a) the return of that part or parts of a site where activities relating to petroleum products were conducted, to its original or its natural state; or
- b) the rendering of the part or parts of a site compatible with its intended after-use after cessation of petroleum-related activities thereon,
- and includes the removal of buildings, structures, plant and debris, establishment of compatible contours and drainage, replacement of top soil, re-vegetation, slope stabilisation and infilling of excavations.

## **17. WHERE MUST I PUT MY CERTIFICATE?**

You must display your certificate in or on a conspicuous (noticeable) place in any part of the site or the consumer installation or at your official place of business in Namibia.

## **18. HOW LONG MUST I WAIT FOR THE MINISTER TO MAKE A DECISION?**

The Regulations state that the Minister must make decisions within a reasonable time. If the Minister has not answered you within 60 days you may ask the Minister to give you reasons in writing as to why there is such a delay.

## **19. CERTAIN GENERAL PROHIBITIONS AND DUTIES**

The following prohibitions and duties apply to everybody:

- ◆ Nobody may falsely claim to have a licence or certificate.
- ◆ Petrol and diesel may only be sold for cash\* or if a pre-payment has been made.
- ◆ Apart from a fork lift, no vehicle may be driven by gas unless the Minister's permission has first been obtained.
- ◆ Petrol may only be sold at the official price.
- ◆ No benefits may be offered in return for the sale of petrol.
- ◆ Nobody may serve themselves by self dispensing petrol or diesel into a vehicle (protection of labour).
- ◆ Nobody may mix or blend a petroleum product so that it does not comply with the approved specifications.
- ◆ Containers used to store petroleum products must be leakproof, spillproof and safe and suitable for storage or conveyance. A container in which a petroleum product was stored may not be used as a water trough or in any way in which it will harm the environment or the safety or health of a person or an animal.
- ◆ There is a general duty on any person who stores, keeps, handles, conveys, uses or disposes a petroleum product to exercise such care so as not to harm the environment or people or animals.
- ◆ In disposing or dumping a petroleum product, a person must do so in a manner that is safe and in line with good petroleum industry practices and other laws relating to the dumping thereof.

## **20. SPECIFIC DUTIES AND PROHIBITIONS RELATING TO LICENCE- AND CERTIFICATE-HOLDERS**

The following duties and prohibitions specifically relate to licence- and certificate-holders:

- ◆ Buildings, roadworks, structures and plant used in connection with petroleum products must be erected and maintained in such manner as to avoid significant environmental harm and/or endangering the safety or health of a person or the safety of a person's property. There are also further duties relating to plant which may not give risk to significant environmental harm and the duties of licence- and certificate-holders in this regard that must be taken notice of.
- ◆ Measuring instruments must be correct and must comply with the Trade Metrology Act, 1973.

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\* Cash is money, cheque, traveller's cheque, postal order, money order, or such other instrument that is payable on demand, may be deposited with a bank and is cleared through the ordinary settlement process of a banking system.

## **21. SPECIFICATIONS**

In terms of the Regulations, the Minister intends to make certain SABS (South African Bureau of Standards) specifications applicable to the petroleum industry. A list of these specifications will be published in a Government notice. If you wish to obtain the list and do not have the Government notice you can contact the Ministry of Mines and Energy. A copy of the specifications can be inspected at the Ministry of Mines and Energy alternatively you can buy your own copy from the Ministry of Trade and Industry who currently keeps SABS specifications and sells them.

SABS specification on the following will be made applicable:

- ◆ specifications with regard to the design, construction and maintenance of electrical equipment;
- ◆ specifications with regard to the storage, distribution and handling of petroleum products and the installation of storage tanks and other structures, pipework, pumps and plant;
- ◆ specifications with regard to the composition of petroleum products (leaded and unleaded petrol, diesel, jet fuel and LPG).

If you want to deviate from a specification you can apply to the Minister for permission to do so. The Minister will only give permission if the Minister is satisfied that the deviation will not impact negatively on public safety or the environment. The Minister may make conditions applicable to a deviation.

## **22. STORAGE TANKS AND INFORMATION TO BE GIVEN YEARLY**

In the case of an above-ground storage tank with a capacity of 2 200 litres or more or in the case of a below-ground storage tank with a capacity of 4 500 litres or more, a licence- or certificate-holder must with regard to any replacement, installation or existing storage tank of that capacity provide yearly to the Minister (not later than 28 February of every year) the information required in form PP/10.

## **23. FIRE PRECAUTIONS**

The following fire precautions exist:

- ◆ Licence- and certificate-holders must ensure that buildings, roadworks, structures and plant are designed, constructed, equipped and maintained so as to prevent or minimise the danger of fires and explosions.
- ◆ All personnel involved in petroleum products must act in a cautious manner and comply with the provisions of the Regulations and other laws relating to fires and explosions.
- ◆ Buildings, structures and plant where petroleum products are handled or stored must be suitably signposted.
- ◆ Licence- and certificate-holders must when storing, keeping, handling, conveying, using or disposing of a petroleum product take adequate precautions to prevent the outbreak of fires.
- ◆ Adequate fire-extinguishing appliances maintained in a good working order (and tested at least once a year) and kept in accessible places where petroleum products are kept must be available.
- ◆ Licence-holders must have a written fire emergency plan available on their premises. Such plan must show the location of fire-fighting equipment and include a plan of action for employees. Employees must be trained. The fire-fighting plan must be provided to employees.

- ◆ Nobody may near petroleum products throw, leave or create any open or naked spark, light or flame or any burning or smouldering material that may cause danger or fire explosion.
- ◆ No person may keep a vehicle running while petrol or diesel is being dispensed into the tank of the vehicle.
- ◆ No person may smoke in the forecourt of a retail outlet where petrol or diesel is dispensed.
- ◆ No person may keep a cellular phone active (or any other electronic communication apparatus) within two (2) metres from a dispensing pump or within fifteen (15) metres from a vehicle while a petroleum product is being discharged from that vehicle into an underground storage tank.

## **24. PETROLEUM PRODUCT SPILLS**

In the case of a petroleum product spill, the person in control of activities must take such steps as may be necessary in accordance with good petroleum industry practices to clean up such spill. If it is a major spill, that is a spill of more than 200 litres, the Minister must be informed thereof by completing form PP/11.

If a person fails to clean up a spill, the Minister may order a person to take such steps as the Minister will specify in the notice to clean up the spill within the period specified by the Minister. If a person still fails to clean up a spill the Minister may clean it up and recover via Court procedures the costs thereof.

## **25. WHAT MAY INSPECTORS DO?**

Inspectors are responsible to ensure that the Petroleum Products and Energy Act, 1990, and the regulations thereunder are complied with. An inspector, when exercising a power referred to in this paragraph, must show you his/her certificate of appointment. An inspector must also provide you with a notice in the form of form PP/12 when he/she exercises a power referred to in this paragraph. Unless it is not possible immediately, in which case the form must be provided as soon as possible thereafter. An inspector may also request your assistance and you must provide such assistance as is reasonably required.

### **(a) Prohibition notices by inspectors**

If an inspector thinks that a dangerous situation exists, the inspector may issue a prohibition notice prohibiting the activity giving rise to the dangerous situation until such time as the inspector is satisfied the sufficient measures have been taken to limit the risk. The prohibition notice may state actions to be taken to minimise the risk.

If a person fails to comply with a prohibition notice, the inspector may take such steps as is necessary to minimise the risk. The costs of such steps may be recovered from the person who failed to comply with the inspector's prohibition notice.

### **(b) Action in emergency situations**

If an inspector thinks that a dangerous situation exists and there is not enough time to issue a notice in the form of PP/12, the inspector may after giving notice in writing or verbally, take such action as is necessary to minimise the danger or risk. An inspector may seek assistance if necessary.

Finally, nobody may hinder or obstruct an inspector in the exercise of his/her duties, use foul or abusive language towards an inspector, fail to comply with an instruction from an inspector, refuse information or answers requested by an inspector or falsely pretend to be an inspector.

**26. WHAT ARE THE PENALTIES FOR CONTRAVENTION OF OR FAILURE TO COMPLY WITH THE PROVISIONS OF THE PETROLEUM PRODUCTS AND ENERGY ACT OR REGULATIONS?**

If a person contravenes or fails to comply with a provision of the Petroleum Products and Energy Act, 1990, or the Regulations the following penalties can be imposed:

- ◆ A fine of not more than N\$ 20 000
- ◆ A term of imprisonment of not more than two years
- ◆ Both a fine and imprisonment
- ◆ Confiscation of goods used to commit the offence
- ◆ Your certificate may be suspended or cancelled

**27. WHO AT THE MINISTRY OF MINES AND ENERGY COULD BE CONTACTED IN CONNECTION WITH ANY MATTER REGARDING THE NEW LAWS?**

The details of the Ministry of Mines and Energy are as follows:

**Postal address**

The Permanent Secretary  
Ministry of Mines and Energy  
Private Bag 13297  
WINDHOEK

or

**Physical address**

The Permanent Secretary  
Ministry of Mines and Energy  
1 Aviation Road  
WINDHOEK

**Contact Persons at the Directorate: Energy**

<b>Position</b>	<b>Name</b>	<b>E-mail</b>
Economist:	Mr Immanuel Nghishoongele	inghishoongele@mme.gov.na
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