

LEGAL NOTICE NO. 196

REPUBLIC OF TRINIDAD AND TOBAGO

THE PETROLEUM ACT, CHAP. 62:01

REGULATIONS

MADE BY THE PRESIDENT UNDER SECTION 29 OF THE PETROLEUM ACT

THE PETROLEUM (COMPRESSED NATURAL GAS)
REGULATIONS, 1994

1. These Regulations may be cited as the Petroleum (Compressed Natural Gas) Regulations, 1994. Short title

2. In these Regulations—

“Compressed natural gas” hereafter referred to as “CNG” means petroleum in the form of a mixture of hydrocarbon gases and vapours, consisting principally of methane (CH₄), which have been compressed for use as a vehicular fuel;

Interpre-
tation

“compressed natural gas vehicles” hereafter referred to as “CNGV” means a vehicle which contains systems for use of CNG as a fuel;

“CNG consumer refuelling station” means premises on which CNG is dispensed for use in motor vehicles;

“container” means either a cylinder or pressure vessel used to store CNG;

“cylinder” means a container constructed, inspected and maintained according to the standards issued by the Trinidad and Tobago Bureau of Standards or such other regulatory organisation approved by the Minister;

“licensee” means the holder of a licence in accordance with these Regulations;

“Minister” means the Minister to whom responsibility for the subject of petroleum is assigned, and “Ministry” shall be construed accordingly;

“CNG system” means CNG refuelling station equipment and all components thereto used in the refuelling facility;

“CNGV system” means CNG conversion equipment and all components thereto used in motor vehicles.

**Publication of
CNG System**

3. (1) The Minister shall from time to time approve CNGV and CNG systems and shall, by Notification in the *Gazette* and in at least one daily newspaper circulating in Trinidad and Tobago, publish the information on the systems that have been approved by him.

(2) No action shall lie against the Minister for any act omitted to be done, or done in pursuance of his functions under this section.

CNG Licences

4. The Minister may grant the following types of licences for the purposes of these Regulations:

- (a) a CNG Service Licence;
- (b) a CNG Marketing Licence;
- (c) a Consumer Refuelling Licence.

Prohibition

5. No person may—

- (a) install, maintain or repair a CNGV system unless the person holds a CNG Service Licence;
- (b) supply CNG to a motor vehicle unless the person holds a CNG Marketing Licence; or
- (c) dispense CNG for his own use, unless the person holds a CNG Consumer Refuelling Licence.

**Applications
for licences**

6. (1) A person may obtain a licence required under regulation 4, by applying in writing to the Minister, and supplying the following particulars:

- (a) name and nationality;
- (b) the name of the business and the address of the premises to which the application relates;
- (c) a description of the premises to which the application relates, illustrated by a plan or map to be prepared in such scale as the Minister may require, a description of the situation, boundaries and area of the parcel of land, and in the case of any land referred to in section 2(3) of the Act, such other particulars as may be required in order to identify them;
- (d) with regard to the premises, evidence that prior permission has been obtained from the appropriate authorities and submitted to the Minister, ensuring compliance with all the statutory provisions in respect of traffic, town and country planning, public health and other relevant written law;
- (e) a description of the CNGV or the type of CNG system which is to be installed, maintained or repaired;

- (f) the manufacturers' specifications, including the codes or standards to which components of the system referred to in paragraph (e) adhere, and those specifications shall conform to standards issued by the Trinidad and Tobago Bureau of Standards or such other regulatory organisation approved by the Minister from time to time;
- (g) where applicable, the qualifications of the technical members of staff employed in inspection, installation, maintenance and repair of CNGV or CNG systems;
- (h) a statement of the capital investment involved, and evidence of the applicant's financial and technical resources and capability to function efficiently;
- (i) evidence of the applicant's ability to obtain the appropriate equipment to ensure safe and efficient operations;
- (j) such other particulars as the Minister may require.

(2) In addition, an applicant for a CNG Marketing Licence shall show that—

- (a) the CNG system to be used is of the type and rating approved by the Minister; and
- (b) he is capable of operating and maintaining the CNG equipment, in accordance with sound industry practice.

7. (1) An application shall be accompanied by an application fee of ^{Application} five hundred dollars, however where the Minister does not approve the ^{fee} application, one half of the fee shall be refunded to the applicant.

8. (1) Where the Minister is satisfied that an applicant for a ^{Approval of} licence meets the requirements of these Regulations, he shall grant the ^{application} licence in accordance with the Form set out in the Schedule, upon the applicant paying the licence fee as stipulated in subregulation (2).

(2) The fee for each type of licence shall be as follows:

- (a) CNG Service Licence \$1,000.00
- (b) CNG Marketing Licence \$1,000.00
- (c) CNG Consumer Refuelling Licence \$5,000.00

(3) A licence shall be granted for a period of one year and shall be renewable annually.

9. Where, before the application is granted, a change occurs in ^{Change in} respect of any of the particulars contained in the application, the ^{particulars} applicant shall inform the Minister forthwith of the relevant change.

Conditions of
licence

10. (1) The Minister may include as conditions of the licence, instructions and specifications relating to design and installation, testing, maintenance, repair and storage of CNGV or CNG systems in addition to any other conditions that he may be authorised to impose under the Act.

(2) Further to subregulation (1) it shall be a condition of the licence that the licensee shall enable authorised representatives of the Minister at all reasonable times to enter the premises and to inspect the operations carried out under the licence, and such authorised persons may make abstracts or copies of any records, accounts and other documents which the licensee is required to keep in accordance with the provisions of his licence, but the inspection shall not be carried out in such a manner as unduly to hinder or affect adversely the operations being conducted by the licensee.

Special
obligations of
each licensee

11. (1) The holder of a CNG Service Licence shall ensure that only CNGV systems approved by the Minister are installed, maintained or repaired by the holder.

(2) The holder of a CNG Marketing Licence shall refuse to refill any type of CNGV system which has not been approved by the Minister.

(3) The holder of a CNG Consumer Refuelling Licence may dispense CNG for his own use, but:

(a) shall not engage in retail operations to the public; and

(b) shall ensure that only CNGV and CNG systems approved by the minister are used in his operations.

(4) CNGV systems approved by the Minister shall be installed, maintained and repaired according to the standards issued by the Trinidad and Tobago Bureau of Standards or such other regulatory organisation approved by the Minister.

(5) The licensee shall within a period of fourteen days respond to any queries raised by the authorised representatives of the Minister.

(6) The licensee shall take every precaution to ensure safety in operations and shall comply with instructions given by authorised representatives of the Minister from time to time.

(7) The holder of a CNG Service Licence shall provide the customer with written guidelines detailing the periodic inspections that need to be performed on the CNGV system to ensure its integrity.

(8) The holder of a CNG Service Licence shall provide upon request by customers, inspection services for CNGV systems installed by him and shall on satisfactory completion of the inspection, issue to the customer a certificate or statement of inspection for the current period.

(9) The guidelines referred to above shall include all guidelines on the periodic inspection of CNGV systems issued by the Trinidad and Tobago Bureau of Standards or other regulatory organisation approved by the Minister, and specific guidelines issued by the appropriate CNGV system manufacturers.

12. A Licensee shall exhibit a copy of his licence in a conspicuous place on the licensed premises. Exhibition of
licence

13. (1) An application for renewal of a licence shall be made two months before the date of expiry of the licence. Renewal of
licence

(2) Where an application for renewal of a licence has been made within the required time, the applicant may continue in business pending the determination of his application by the Minister.

(3) The Minister in considering an application for renewal of a licence shall be guided by the provisions of these Regulations that relate to an application for a licence, and may renew such licence on receipt of a renewal application fee of five hundred dollars.

14. A licensee shall keep accurate records and accounts of his operations including where applicable, volumes of CNG sold or used and records of the CNG system and the vehicles on which CNGV systems were installed, maintained or repaired, the manufacturers specifications, codes, standards and the nature of the work done, and shall submit such information as the Minister may require from time to time. Records, etc.

15. The Minister shall as soon as possible after the grant, termination or revocation of a licence, cause Notice of that fact to be published in the *Gazette* and in at least one daily newspaper circulating in Trinidad and Tobago stating— Publication of
grant or
renewal or
revocation of
licence

(a) the name of the licensee and the address of the licensed premises; and

(b) the person whose licence was terminated or revoked, and the name and address of the premises to which the termination or revocation relates.

Compilation
of CNG
Register

16. The Minister shall cause a CNG register to be compiled by and maintained by the Ministry for the registration of all applications for the grant, renewal, termination and revocation of licences and other particulars relating thereto.

Alteration of
system

17. A licensee shall not enlarge or substantially alter a CNGV or CNG system without the prior consent of the Minister in writing.

Breach of
regulations

18. (1) Where an authorised representative of the Minister discovers that a licensee has committed a breach of these Regulations or the conditions of the licence, he shall inform the Minister forthwith and the Minister may, according to the nature of the breach:

(a) revoke the licence; or

(b) suspend it, giving appropriate notice requiring the licensee to remedy the breach within a specified time.

(2) Where the licensee does not remedy the breach within the time specified, the Minister may revoke the licence according to the circumstances.

Suspension or
revocation to
be in writing

19. Suspension or revocation of a licence under these Regulations shall be communicated in writing.

Accidents

20. (1) Where an accident occurs on the licensed premises and such accident causes damage to any person, his property or to the licensed premises, the licensee shall notify the Minister about the accident immediately.

(2) Within seven days after the accident occurs, the licensee shall submit a formal report to the Minister who shall take such steps as the circumstances necessitate.

(3) No alteration may be made by a licensee to any CNG system on the licensed premises after an accident or fire without the written permission of the Minister, unless such alteration is necessary to render the CNG system safe.

Offences

21. A person who contravenes any of the provisions of these Regulations is guilty of an offence and is liable on summary conviction to a fine of fifteen thousand dollars, and in the case of a continuing offence, to a further fine of one thousand dollars, for every day during the continuation of the offence.

SCHEDULE

(Regulation 4)

FORM 1

THE PETROLEUM ACT, CHAP. 62:01

(CNG REGULATIONS)

SERVICE LICENCE

Fee: \$1,000.00

In respect of Installation, Repair and Maintenance Compressed Natural Gas Vehicles

IN EXERCISE of the powers conferred on me under section 9 of the Petroleum Act, Chap. 62:01, I hereby grant a licence to to engage in offering for sale, maintaining or repairing a CNG system or any of its components in a motor vehicle at subject to the conditions set out hereunder.

CONDITIONS

1. The licensee shall comply with the provisions of the Act and the Regulations and any rules or Orders made thereunder.
2. Technical members of staff must be trained in the installation, maintenance and inspection of CNGV systems and must be competent to carry out such operations.
3. The following equipment installed on the premises shall be kept in good working conditions at all times:
 - (i) gas leak detection equipment;
 - (ii) vehicle lifting equipment or a suitable ramp;
 - (iii) floor creepers;
 - (iv) gas proof inspection lights.
4. No fire or lights except enclosed electric lamps or such type of lighting as approved by the competent authority shall be allowed on the licensed premises.
5. The licensee shall ensure that only CNGV systems approved by the Minister are installed, maintained or repaired by him.
6. The said premises must provide a well ventilated building with room for working on at least two vehicles under cover at one time.
7. The licensee shall keep accurate records and accounts for a period of five years of the vehicles on which CNGV systems were installed, maintained or repaired including the type of CNGV systems and components, the manufacturers' specifications, codes, standards and the nature of the work done.
8. Personnel authorised by the Minister shall be permitted to enter the licensed premises at any reasonable time, to ascertain whether the conditions of the licence are being adhered to, to examine and if necessary, make abstracts or copies of records and accounts stipulated in paragraph 7 above.
9. This licence shall be prominently displayed at (address).
10. The rights acquired by this licence shall not be assigned.
11. This licence may be revoked for breach of any of the conditions set out above or for any contravention of the Act or the Regulations.
12. This licence expires on the 19

Date

Minister of Energy and Energy Industries

SCHEDULE

(Regulation 4)

FORM 2

THE PETROLEUM ACT, CHAP. 62:01

(CNG REGULATIONS)

MARKETING LICENCE

Fee: \$1,000.00

In respect of Retail Transactions

IN EXERCISE of the powers conferred on me under section 9 of the Petroleum Act, Chap. 62:01, I hereby grant a licence to to engage in retail marketing transactions of compressed natural gas at subject to the conditions set out hereunder.

CONDITIONS

- 1. The licensee shall comply with the provisions of the Act and the Regulations and any rules or Orders made thereunder.
2. The licensee shall keep accurate records and accounts, for a period of three years, of the volumes of natural gas sold.
3. Equipment installed on the premises shall be kept in good working condition at all times including— (i) gas leak detection equipment; and (ii) gas proof inspection lights.
4. CNG shall be dispensed by means of dispensing units at the positions marked "X" on the approved plan.
5. No fire or lights except enclosed electric lamps or such type of lighting as approved by the competent authority shall be allowed on the approved premises.
6. Personnel authorised by the Minister shall be permitted to enter the licensed premises at any reasonable time to ascertain whether the conditions of the licence are being adhered to, to examine and if necessary, make abstracts or copies of records and accounts stipulated in paragraph 2 above.
7. The licensee shall refuse to refill any type of CNGV system which has not been approved by the Minister, or which was not installed or maintained according to the standards issued by the Trinidad and Tobago Bureau of Standards, or such other regulatory organisation approved by the Minister.
8. This licence shall be prominently displayed at (address)
9. The rights acquired by this licence shall not be assigned.
10. This licence expires on day of , but may be renewed for successive periods of one year.
11. This licence may be revoked for breach of any of the conditions set out above or for any contravention of the Act or the Regulations.
12. Upon termination of the agreement/agreements between the licensee and the supplier of natural gas for any cause whatsoever, this licence shall be determined by the licensee giving notice thereof to the Minister.

Date

Minister of Energy and Energy Industries

