

**NATIONAL COUNCIL FOR
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LEGAL NOTICE NO. 6

THE ENERGY ACT

(No. 12 of 2006)

IN EXERCISE of powers conferred by Section 102 of the Energy Act 2006, the Cabinet Secretary for Energy and Petroleum makes the following Regulations—

**THE ENERGY (PETROLEUM INFORMATION AND STATISTICS)
REGULATIONS, 2013**

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| 1. These Regulations may be cited as the Energy (Petroleum Information and Statistics), Regulations 2013. | Citation. |
| 2. These Regulations shall not apply to the Kenya Defence Forces. | Application. |
| 3. An officer of the commission may require any person engaged in petroleum business; or a petroleum business licensee to submit any information in the prescribed manner and within the prescribed period. | Requirement to Submit Information. |
| 4. A petroleum business licensee who is engaged in the importation of petroleum shall submit to the Commission or its agents the following information— | Information on Importation and Sales. |
| (a) the quantity of petroleum products imported each month for consumption in Kenya by type, country of origin and point of entry; | |
| (b) the quantity of petroleum products sold each month specifying the type of product sold and the consumer category; | |
| (c) the quantity of petroleum exported each month specifying the type of petroleum and its destination; | |
| (d) the quantity of foreign financed transit petroleum products received and transferred specifying the destination and exit point; and | |
| (e) the stocks of petroleum products held for consumption in Kenya at the end of each month stating the product type and the storage facility in which it is held. | |
| 5. A petroleum refining business licensee shall submit the following information to the Commission or its agents— | Information on petroleum refining business. |
| (a) the quantity and cost of crude oil imported during the month by type, origin and importer; | |
| (b) the quantity of crude oil refined during the month; | |
| (c) the yield of petroleum products obtained and the deliveries made; and | |

- (d) stocks of crude oil and petroleum products at the end of the month stating the type and owner.
- Information on petroleum storage facility business
6. A petroleum storage facility licensee shall submit to the Commission or its agent's information relating to the opening and closing stocks, receipts and deliveries of petroleum products stating the type for the month.
- LPG Information
7. (1) A petroleum business licensee dealing in liquid petroleum gas shall submit to the Commission or its agents information relating to the -
- (a) quantity of liquid petroleum gas received in bulk and the source from which it is received for each calendar month;
 - (b) quantity and cost of liquid petroleum gas cylinders imported or procured locally per quarter;
 - (c) opening and closing stocks of liquid petroleum gas cylinders for each calendar month;
 - (d) sales of liquid petroleum gas and the destination for each calendar month; and
 - (e) sales of liquid petroleum gas in cylinders for each calendar month.
- (2) A petroleum business licensee shall submit the information required to be submitted under paragraph (1) before the fifteenth day of the month following the month to which the information relates.
- Other Information.
8. The Commission or its agents may require a petroleum business licensee to submit any other relevant information.
- Database.
9. (1) The Commission or its agents shall maintain a data base and shall keep records of the information provided under these Regulations in the prescribed manner and form.
- (2) The data maintained by the Commission or its agents shall be made available to the public on payment of such reasonable charges as maybe prescribed from time to time determine.
- (3) The Commission shall publish an annual report which shall include an analysis of the trends and developments based on the information drawn from its database and other sources.
- Offences
10. (1) A person who gives false information to the Commission, any of its officers or agents commits an offence and shall be liable on conviction to a fine not exceeding one million.
- (2) A person who fails, refuses or neglects to submit any data or information required under these Regulations commits an offence and shall be liable on conviction, to a fine not exceeding one million shillings.

Made on the 19th December, 2013.

D. K. CHIRCHIR,
Cabinet Secretary for Energy and Petroleum.