# **DEMOCRATIC REPUBLIC OF TIMOR-LESTE**



REGULATION NO. 1/2022, of 15 September 2022

THIRD AMENDMENT TO ANPM REGULATION NO. 1/2013, OF 18 SEPTEMBER 2013
ON INSTALLATION AND OPERATION OF FUEL FILLING STATIONS AS AMENDED
BY ANPM REGULATIONS NO. 3/2014, 24 OCTOBER 2014, AND NO. 1/2020, 14
OCTOBER 2022

Regulation No. 1/2013, of 18 September 2013, was approved almost a decade ago, and since then, the ANPM has been gaining experience in its implementation and the challenges facing the sector, especially considering the social and economic context of Timor-Leste.

The challenges presented, the practices adopted by the sector's players, and the reality of the country have given rise to a need to update certain matters to ensure that downstream activities continue to be carried out in a manner that is safe and, in general, that guarantees the safety of the population, their property and the environment.

It is expected that the changes now approved will increase the safety standards applicable to Automotive Fuel Filling Stations and ensure the steady and balanced development of the Timor-Leste downstream sector.

Now therefore, under the terms of Articles 7.2 (a), (b), (c), and (e) of Decree-Law No. 1/2012, of 1 February 2012, the Board of Directors of the ANPM approves the following Regulation:

#### Article 1

# Amendment to Regulation No. 1/2013, of 18 September 2013

Articles 7, 15, 40 and 41 of Regulation No. 1/2013, of 18 September 2013 on Installation and Operation of Fuel Filling Stations, are amended as follows:

#### Article 7

[...]

- 1. [...]
- 2. [...]
- 3. [...]
- 4. If a Retail Fuel Filing Station is installed on leased land or on any other land over which land rights have been validly granted that is not owned by the Licensee, the License shall expire whenever the right over the land ceases to exist, whether due to termination of the underlying contract, lapsing of its term, or any other reason.
- 5. [Wording of former paragraph 4]
- 6. New Automotive Retail Fuel Filling Stations shall not be installed:

- (a) within a radius of 1 km of existing Automotive Retail Fuel Filling Stations in the Dili municipality;
- (b) within a radius of 500 meters of existing Automotive Retail Fuel Filling Stations in roads, in other areas of the Municipality of Dili, and in cities and villages of other Municipalities; and
- (c) Notwithstanding with distance requirement set in paragraphs 6. (b) above, an automotive new fuel filling station shall not be installed less than 20 kms from existing Automotive Retail Fuel Filling Stations on motorways.
- 7. The minimum distances set forth in Article 7.6 shall not apply to Automotive Retail Fuel Filling Stations of any nature that already exist on the effective date of this Regulation, irrespective of their suspension of operations or abandonment, or to the installation of new Automotive Home Base Fuel Filling Stations.

[...]

- 1. [...]
- 2. [...]
- 3. [...]
- 4. All electrical utilization equipment and wiring shall be of a type specified by and installed in accordance with NFPA 70 or international best practices or industry standard formally and expressly approved by the ANPM and or applicable National laws and regulations, whenever the latter are approved and come into force. Upon coming into force of national laws and regulations, the most rigorous rules and standards shall apply.
- Notwithstanding paragraph 4 above, certification of electrical equipment and installations shall be mandatory upon creation of a Timor-Leste certification entity.

#### Article 3

# Addition to Regulation No. 1/2013, of 18 September 2013

Article 33-A is added to Regulation No. 1/2013, of 18 September 2013 on Installation and Operation of Fuel Filling Stations, with the following wording:

# "Article 33.º-A

# Suspension of Operations

- In case of suspension of operations and/or abandonment of Fuel Filling Stations, either due to non-renewal of the underlying lease or other land use agreement, or due to lack of interest to carry on operations the License shall be suspended.
- 2. The Licensee, or, alternatively, the land owner, shall have maximum 2 years as of the suspension of operations to ensure the tanks are properly cleaned, flushed and emptied of all petroleum products, and sealed, and that the equipment is adequately deactivated and all electrical installations safely disconnected, and that the land on which the facilities are located and any other potentially dangerous areas are adequately fenced to avoid access by third parties.
- 3. Within the period referred in paragraph 2 above, the suspended Fuel Filling Station will continue to be considered as an existing facility for the purposes of Article 7.6. Once the period has elapsed, the Fuel Filling Station is deemed as a non-existing facility for such purposes.
- 4. Notwithstanding Article 33.° -A, the operator shall remain responsible for the installations, including for any incident occurring therein, during the period of suspension.
- 5. Fuel Filing Stations which operations have been suspended may be reactivated by another operator by requesting a new License from the ANPM.
- 6. In the event that the land issue is unsettled within the period mentioned in paragraph 2 above or lack of interest to carry on operations, the License shall be terminated in accordance with Article 22 of the Regulation No. 2/2014, First Ammendment to Regulation No. 1/2012 of 24 October on Administrative Procedures, Requirements and Fees for the Granting, Renewal and Modification of Downstream Activities' Licenses.

# Republication

The full version of the Regulation No.1/2013, of 18 September 2013 incorporating amended provisions is republished in its entirety as provided in the annex to this Regulation.

# Article 5

# **Entry into force**

This Regulation shall enter into force on the day immediately after its publication in the *Jornal da República*.

Approved by the ANPM Board of Directors, on 15 September 2022

# Members:

1)	) Florentino Soares Ferreira – Chair		
2)	Jose Manuel Gonçalves – Executive Board Member		
3)	) Jonianto Monteiro, Non – Executive		
4)	) Mateus da Costa - Executive Board Member		
5)	Nelson de Jesus - Executive Board Member		

ANNEX		

## REGULATION NO. 1/2013, OF 18 SEPTEMBER 2013

## ON

## **INSTALLATION AND OPERATION OF FUEL FILLING STATIONS**

This Regulation builds on the basic rules and general provisions of Decree-Law no. 1/2012, of 1 February 2012, on Downstream Activities in Timor-Leste and sets forth the principles and conditions to be met in the installation and operation of Fuel Filling Stations.

With the approval of this Regulation, the ANP has a legal instrument necessary to efficiently manage the procedures for reviewing existing installations, installing new Fuel Filling Stations, renovating or making alterations to existing Fuel Filling Stations, as well as their operation, thus ensuring the level of health, safety, quality and environmental standards that will support the development of the Marketing Activity of the Downstream Sector in the Democratic Republic of Timor-Leste.

Now therefore, under the terms of Articles 7.2 (b), (c), and (e) of Decree-Law no. 1/2012, of 1 February 2012, the Board of Directors of the ANP approves the following Regulation:

## **CHAPTER I**

## **GENERAL PROVISIONS**

#### Article 1

# (Definitions)

- The expressions, terms and concepts defined in Article 2 of Decree-Law no. 1/2012, of 1 February 2012, shall have herein the same meaning as conferred upon them in the above-mentioned Decree-law.
- 2. Notwithstanding Article 1.1 above, for the purposes of this Regulation:
- (a) "Accesses": means pathways for the entrance and exit of vehicles in and out of Fuel Filling Stations;

- (b) "Bottled LPG Storage Area": means an adequately demarcated and protected open air space or closed division within a Fuel Filling Station, duly licensed by the ANP, where Bottled LPG is stored;
- (c) "Area for Unloading Fuel": means an area used for the parking of road Fuel tankers during operations of unloading Liquid Fuel into storage at Fuel Filling Stations;
- (d) "Sensitive Area": means an area that by its dimension or use may entail disruption or danger to traffic, such as car parks contiguous or adjacent to sporting, entertainment and cultural facilities, malls and similar facilities, including their exclusive access, as well as parking facilities for public or private use for more than 50 vehicles, excluding parking on public streets and roads;
- (e) "Pump Attendant": means the individual who performs the operation of filling automotive, marine or aviation vehicles;
- (f) "Ancillary Activities": means activities installed within the Property Limits of the Fuel Filling Station, in addition to the supply of Liquid and Liquefied Fuels, including products and services for the drivers, passengers and vehicles, such as other products processed and blended from Crude Oil and Condensate (i.e. Bottled LPG, Lubricants and others), merchandise for automotive vehicles (i.e. tires, batteries, and other parts), vehicle repair and wash units, convenience stores, restaurants and other commercial activities;
- (g) "Autogas": means the common name for LPG when it is used as a Fuel in internal combustion engines in vehicles, as well as in stationary applications;
- (h) "Filling Nozzle or Valve": means the equipment used in the operation of unloading Fuel from road Fuel tankers into the Storage Tanks at Fuel Filling Stations;
- "Fuel Dispenser": means the equipment that draws and measures the volume of Liquid or Liquefied Fuels from the Fuel Filling Station Storage Tanks into a vehicle's Fuel tank;
- (j) "Cashier": means the individual who performs operations related with the payment of Fuels and Ancillary Activities;
- (k) "Gutter": means a trough or channel used for draining liquids away from a certain point;
- (I) "Liquefied Fuels": means other engine Fuels, processed and blended from Crude Oil and Condensate, including LPG, liquefied for the purpose of supply of vehicles with internal combustion engines, namely automotive, maritime, and aviation vehicles;
- (m) "Liquid Fuels": means the grades of gasoline, kerosene, diesel and other engine Fuels, processed and blended from Crude Oil and Condensate, for vehicles with internal combustion engines, namely automotive, maritime and aviation vehicles, and Biofuels;

- (n) "Air Compressors": means a compressor that takes in air at atmospheric pressure and delivers it at a higher pressure;
- (o) "Ancillary Building": means a building located within the Property Limits of the Fuel Filling Station and used for one or more Ancillary Activity;
- (p) "Support Building": means a building located within the Property Limits of the Fuel Filling Station and used as support to the supply of Liquid and Liquefied Fuels, Ancillary Activities for vehicles, drivers and passengers, respective storage, as well as for management and administrative purposes;
- (q) "Integrated Building": means the building located within the Property Limits of the Fuel Filling Station that integrates the activities of the Support Building and of the Ancillary Building;
- (r) "Public Building": means a building located outside the Property Limits of the Fuel Filling Station used for any activity aimed at the general public or certain groups of people, including hospitals, schools, museums, theatres, cinemas, hotels, shopping malls, supermarkets, public transportation passenger terminals and, in general, places where large crowds usually occur;
- (s) "Residential Building": means a building located outside the Property Limits of the Fuel Filling Station and used as residence on a permanent or temporary basis;
- (t) "Used Building": means a building or facility located outside the Property Limits of the Fuel Filling Station used for the exercise of professional, commercial or industrial purposes, including offices, warehouses, shops, cafes and restaurants with an area less than 100 m2;
- "Ignition Source": means the object or device that may be the seat of flames or sparks, hot spots or sources liable to cause ignition of vapours or mixtures of hydrocarbon gases with air;
- (v) "Sink": means a device or place that accepts something;
- (w) "Ancillary Activity Employee": means the individual who performs a function in any Ancillary Activities;
- (x) "Cylinder": means a metal or composite container, conforming to specifications approved by the ANP, used for storing LPG to be sold to end consumers;
- (y) "Fuel Filling Station Manager": means the person who oversees the operations that take place in a Fuel Filling Station;

- (z) "Bottled LPG": means LPG in Cylinders for domestic or non-domestic use in heating and cooking and as a power source for combined heat and power technologies, and which is deemed a product sold as part of the Ancillary Activities under this Regulation;
- (aa) "LPG": means a group of hydrocarbons processed and derived from Crude Oil refining or Natural Gas fractionation, composed mainly of a mixture of propane and butane, and which is used as combusting Fuel;
- (bb) "Grill": means a plate with openings for placing on top of holes, channels or Gutters;
- (cc) "Visual Identification": means the visual manifestations of a registered name or logo, applied to the decoration of any structure installed in a Fuel Filling Station, as well as to signage and uniforms;
- (dd) "Pump Island": means the set of one or more Fuel Dispensers located in a protected area in the forecourt of the Fuel Filling Station;
- (ee) "Inspector": means the person who performs activities aimed at confirming compliance with the applicable regulations and standards on behalf of the ANP;
- (ff) "Property Limits": means the contours that limit the property where the Fuel Filling Station is or will be implanted;
- (gg) "Location with Simple Canopy": means an area partly or completely covered by a lightweight structure for protection against atmospheric agents;
- (hh) "Manhole": means the top opening to an underground utility vault used to house an access point for making connections or performing maintenance on underground and buried equipment;
- (ii) "Fuel Filling Station": means a site that includes within its limits all the infrastructure required for filling vehicles with internal combustion engines with Liquid or Liquefied Fuels, including Home Base Fuel Filling Stations and Retail Fuel Filling Stations, as well as for offering Ancillary Activities;
- (jj) "Home Base Fuel Filling Station": means a Fuel Filling Station destined for own use by a public or private organisation;
- (kk) "Retail Fuel Filling Station": means a Fuel Filling Station destined for selling Liquid and Liquefied Fuels, and products and services within the scope of Ancillary Activities to consumers;
- (II) "Marine Fuel Filling Station": means a site that includes within its limits all the infrastructure required for filling marine vehicles with Liquid and Liquefied Fuels;
- (mm) "Atypical Automotive Fuel Filling Stations": means automotive Fuel Filling Stations that may be authorized by the ANP for special locations as result of specific market requirements or conditions;

- (nn) "Automotive Fuel Filling Station": means a site that includes within its limits all the infrastructure required for filling road vehicles with Liquid and Liquefied Fuels;
- (oo) "Aviation Fuel Filling Station": means a site that includes within its limits all the infrastructure required for filling aircraft with Liquid and Liquefied Fuels;
- (pp) "First Aid": means the provision of initial care for an illness or injury;
- (qq) "Project": means the detailed plans respecting the installation of structures and equipment in a Fuel Filling Station;
- (rr) "Vapour Recovery": means the process of recovering the vapours for Liquid Fuels, so that they do not escape into the atmosphere, in order to reduce noxious and potentially explosive fumes and pollution;
- (ss) "Applicant": means a legal or physical person that makes a formal request or applies for a License, authorisation or approval from the ANP;
- (tt) "Storage Tank": means a special container to store Fuels at Fuel Filling Stations;
- (uu) "Respirator": means a pipe connecting the top of a Storage Tank with the surface;
- (vv) "Self Service": means a service in which customers or users help themselves to Fuels, upon authorization or independently;
- (ww) "Attended Service": means a service provided by an attendant;
- (xx) "Water Treatment System": means a system or process that modifies wastewater characteristics to meet effluent standards;
- (yy) "Gas Cylinder Valve": means a valve which is fitted to a Cylinder with the purpose of allowing or restricting the flow of LPG from the Cylinder;
- (zz) "Public Pathways": means any type of circulation pathways, such as urban or rural roads, water courses and railways, except those existing within the Property Limits of a Fuel Filling Station;
- (aaa) "Protection Zone": means the area outside the Safety Zone where flammable or explosive mixtures of vapours and hydrocarbon gases with air may form accidentally, but not in normal operation; and
- (bbb) "Safety Zone": means the area where stringent safeguards to obviate the risks associated with possible formation of flammable or explosive mixtures of vapours and hydrocarbon gases with air must be observed.

# (Purpose)

This Regulation sets forth the principles, rules and conditions to be complied with in the installation and operation of Fuel Filling Stations in the Territory of Timor-Leste.

# (Scope)

- 1. This Regulation shall apply to all Fuel Filling Stations for automotive, maritime and aviation vehicles and to the areas therein where Ancillary Activities are carried out.
- 2. This Regulation shall cover all Fuel Filling Stations for public and own consumption installed or to be installed in the Territory of Timor-Leste, irrespective of the nationality and nature of the entities that own or operate them.
- 3. The detailed and technical rules to be applied in Projects for the construction and equipment of Fuel Filling Stations may be the object of independent documentation, called technical specifications for the design, construction, modification, maintenance and decommissioning of Fuel Filling Stations ("Technical Specifications for Fuel Filling Stations"), developed and made available by the ANP, which may also adopt international standards for the same purpose.
- 4. The Technical Specifications for Fuel Filling Stations shall be applicable to new sites and existing sites that are to be modified or renovated, and shall provide construction and equipment information on the storage and dispensing of Liquid and Liquefied Fuels; cover civil, mechanical, hydraulic and electrical installation issues for the planning, design, construction, commissioning, modification, maintenance and decommissioning of Fuel Filling Stations; provide information aimed at minimizing the risks from fire and explosion, to health and to the environment, and describe operational good practices to be implemented by Fuel Filling Station operators.
- 5. The Technical Specifications for Fuel Filling Stations shall include the relevant and specific information for:
  - (a) Automotive Fuel Filling Stations, for Liquid and Liquefied Fuels and Ancillary Activities:
  - (b) Marine Fuel Filling Stations, for Liquid and Liquefied Fuels and Ancillary Activities;
  - (c) Aviation Fuel Filling Stations, for Liquid and Liquefied Fuels; and
  - (d) Atypical Fuel Filling Stations for Liquid and Liquefied Fuels and Ancillary Activities.
- 6. The Technical Specifications for Fuel Filling Stations may, when so justified, include different specifications for each type of Liquid and Liquefied Fuels.
- 7. The Technical Specifications for Fuel Filling Stations may, when so justified, include different specifications for each type of Ancillary Activity, namely for Bottled LPG.
- 8. The Technical Specifications for Fuel Filling Stations will be updated by the ANP when considered necessary and its contents may evolve in detail and in complexity, in line with the requirements of the local business environment and of the legal framework of Timor-Leste.

- 9. The installation of buildings and equipment for handling or supplying Fuels other than Liquid and Liquefied Fuels in the Fuel Filling Stations must comply with their specific regulations.
- 10. Liquid and Liquefied Fuels may only be supplied in the Territory of Timor-Leste in one of the types of Fuel Filling Stations provided for herein or, in case of Ancillary Activities, at other duly licensed sites.
- 11. Upon their approval by the ANP, the Technical Specifications for Fuel Filling Stations shall be attached to this Regulation as an Annex hereto, which may be freely amended by the ANP without the need of amending the text of this Regulation.

# CHAPTER II GENERAL PRINCIPLES FOR INSTALLATION OF FUEL FILLING STATIONS

## **SECTION I**

## LOCATION, PROJECT AND LICENSING

#### Article 4

# (Location approval)

- The approval of the location of a new or an existing Fuel Filling Station must be done independently and prior to the presentation and approval of a Project for the construction of a Fuel Filling Station.
- 2. The request for approval of the location of a new or existing Fuel Filling Station must be made through the completion and submission to the ANP of the form included in Annex I to this Regulation, called the "Application for Approval of Location of a Fuel Filling Station", which contains an explanation of the procedures to be followed and the documentation to be included in the request.
- 3. The operators of existing Fuel Filling Stations have 90 days, after the publication of this Regulation, to present to the ANP an Application for approval of location of a Fuel Filling Station. Should the location of an Existing Fuel Filling Station not be approved by the ANP the operator must file a project with the ANP containing a proposal for bringing the station in compliance with the location rules, within 90 days of being served notice of the ANP's refusal to approve the location.
- 4. Should the operator not present the project mentioned in Article 4.3 above within the referred deadline, or should the ANP not approve the proposal, the Fuel Filling Station shall cease to operate within 2 years.

- 5. If the ANP approves the proposal for bringing the station into compliance with the location rules filed under Article 4.3 above, the operator shall have up to 2 years to implement the proposal. Should the proposal not be implemented in the 2 year deadline, the Fuel Filling Station shall definitely cease operation.
- The Application for Approval of the Location of a Fuel Filling Station can only be submitted by a licensed or de facto operator, in case of existing Fuel Filling Stations, or by Timor-Leste registered companies, in case of new Fuel Filling Stations.
- 7. The entity wishing to install a new Fuel Filling Station shall have a period up to 6 (six) months to complete the requirement for location approval of a new fuel filling station. Should the requirement not be completed within this time frame, the entity is granted an additional 6 months to complete the requirement for location approval.
- 8. Should the requirement for location approval not be completed within the additional time frame provided in paragraph 7, the application for location approval will be rejected and not be considered.
- 9. After reviewing the Application for Approval of the Location of a Fuel Filling Station, the ANP will inform the Applicant of its decision in writing, including of any requirements, procedures and timing for their implementation.
- 10. In case of approval of the location, the ANP shall stamp and sign the Application for Approval of Location of a Fuel Filling Station in the respective approval field, and the said Application shall be deemed thereafter a Certificate of Approval of Location for Fuel Filling Station.
- 11. The Certificate of Approval of Location for Fuel Filling Station and the authorization contained therein shall lapse should the Applicant not submit an Application for the Approval of a Project for a Fuel Filling Station within the deadline set forth in Article 5.2, or should 1 year, or such longer period as may be established by the ANP, elapse from the date of submittal of the same application without the Applicant having completed the implementation of the Project and applied for the respective License under Article 6 below.

## (Project approval)

- Projects for new or existing Fuel Filling Stations can only be submitted after obtaining a Certificate of Approval of Location for Fuel Filling Station.
- 2. Upon the issuance of the Certificate of Approval of Location for Fuel Filling Station, operators of new or existing Fuel Filling Stations shall have 90 days to present to the ANP an "Application for the Approval of a Project for a Fuel Filling Station", in the form included in Annex II to this Regulation, which contains an explanation of the

- procedures to be followed, as well as the documentation to be included, which must be in full compliance with the standards detailed in the Technical Specifications for Fuel Filling Stations.
- The Application for the Approval of a Project for a Fuel Filling Station can only be submitted by the licensed operator, in case of existing Fuel Filling Stations, and by Timor-Leste registered companies, in case of new Fuel Filling Stations.
- 4. No future redevelopments, modifications or decommissioning of existing Fuel Filling Stations may be performed without the submittal of a specific Project, following the procedures described in the previous paragraphs of this article.
- 5. Any variations from the standards detailed in the Technical Specifications for Fuel Filling Stations, must obtain the prior written consent of the ANP and be supported by documentation to prove that an equal or higher standard will be applied and ensured.
- 6. After review of the Application for the Approval of a Project for a Fuel Filling Station the ANP may request that the Interested Person provide it with additional documents which it deems necessary to adequately assess the Application.
- 7. The entity wishing to install a new Fuel Filling Station shall have a period up to 1 (one) year to complete the requirement for project approval of a new fuel filling station. Should the requirement not be completed within this time frame, the application shall be rejected and not be considered.
- 8. The ANP shall issue a decision on an application within 90 days of the date on which it receives the last of the documents required, informing the Applicant in writing of the decision, and of the procedures and timing for its implementation.
- 9. Applications for new Fuel Filling Stations will not be considered if the scheduled implementation of the Project is expected to take more than 6 months.
- 10. Whenever the ANP approves a Project for a new or existing Fuel Filling Station, it shall issue a Certificate of Approval of a Project for a Fuel Filling Station, in the form included in Annex III to this Regulation.
- 11. The Certificate of Approval of a Project for a Fuel Filling Station and the authorization contained therein shall lapse should the Applicant not conclude the implementation of the Project and apply for the respective License under Article 6 below within 1 year of submittal of its application under Article 5.2 or such longer period as may be established by the ANP.

# (Licence approval)

- 1. A License shall be granted to all existing and future entities wishing to perform activities respecting the operation of a Fuel Filling Station and/or Ancillary Activities upon receipt of an Application that complies with all the minimum requirements and procedures set out in the present and ancillary Regulations, and performance of an inspection under ANP Regulations nos. 1/2012 and 2/2012, both of 24 October 2012, and Articles 35 and 36 of this Regulation to confirm that the Fuel Filling Station complies, amongst other aspects, with the Project approved by the ANP under Article 5 above.
- 2. The License Application shall follow the rules set forth in ANP Regulation no. 1/2012, of 24 October 2012, and the License shall be issued in the form set out in Annex I to Decree-Law no. 1/2012, of 1 February 2012, on the Downstream Sector.

#### **SECTION II**

## INSTALLATION AND LOCATION OF FUEL FILLING STATIONS

## Article 7

## (General conditions)

- 1. The Automotive Fuel Filling Stations may not be installed under, in or on buildings, underground car parks or any type of building, or Sensitive Areas.
- Automotive Fuel Filling Stations shall be installed in Locations with a Simple Canopy, provided a height of not less than 5 m above the floor is guaranteed, except the canopy designated for the motorcycle Fuel Dispenser where the height shall be of no less than 3 m.
- 3. Retail Fuel Filling Stations may be installed on owned or leased land, or on any other land over which land rights have been validly granted.
- 4. If a Retail Fuel Filing Station is installed on leased land or on any other land over which land rights have been validly granted that is not owned by the Licensee, the License shall expire whenever the right over the land ceases to exist, whether due to termination of the underlying contract, lapsing of its term, or any other reason.
- 5. Home Base Fuel Filling Stations may be installed on land owned or leased by the public or private organisation wishing to operate the Fuel Filling Station, or on any

- other land over which land rights have been validly granted to the same, and where it exercises the activities for which the Fuel Filling Station is destined.
- 6. New Automotive Retail Fuel Filling Stations shall not be installed:
  - a) within a radius of 1 km of existing Automotive Retail Fuel Filling Stations in the Dili municipality;
  - within a radius of 500 meters of existing Automotive Retail Fuel Filling Stations in roads, in other areas of the Municipality of Dili, and in cities and villages of other Municipalities; and
  - c) Notwithstanding with distance requirement set in paragraphs 6. (b) above, an automotive new fuel filling station shall not be installed less than 20 kms from existing Automotive Retail Fuel Filling Stations on motorways.
- 7. The minimum distances set forth in Article 7.6 shall not apply to Automotive Retail Fuel Filling Stations of any nature that already exist on the effective date of this Regulation, irrespective of their suspension of operations or abandonment, or to the installation of new Automotive Home Base Fuel Filling Stations.

# (Accesses)

- The entry and exit of vehicles into and from new Automotive Retail Fuel Filling Stations shall be made through one-way Accesses, directly from and into Public Pathways, which Accesses shall be used exclusively for the activities installed within the Property Limits of the Automotive Retail Fuel Filling Station.
- 2. The Accesses to existing Automotive Retail Fuel Filling Stations can be maintained as they are, with the exception of situations in which the existing Accesses may constitute disruption or danger to the circulation of pedestrians or vehicles.
- The entry and exit of vehicles into and from Home Base Fuel Filling Stations can be made through the same access.
- 4. Parking of vehicles in Fuel Filling Station pathways is prohibited.
- 5. All Fuel Filling Stations shall allow for the adequate entry of road Fuel tankers to the Area for Unloading Fuel into the Storage Tanks and allow their exit from the Fuel Filling Station into a safe area solely by moving forward and without the need of any additional manoeuvres.
- 6. The layout of the Fuel Filling Station shall be designed so that the vehicles can only move forward.

#### **SECTION III**

# CONDITIONS AND MINIMUM REQUIREMENTS FOR THE INSTALLATION OF EQUIPMENT IN FUEL FILLING STATIONS

#### Article 9

# (General rules)

- The ANP may establish Technical Specifications for Fuel Filling Stations, setting forth
  the technical requirements and conditions for installation of equipment, which must be
  complied with by all Projects for new Fuel Filling Stations, or for changes to existing
  stations.
- 2. The rules for the installation of the storage tanks and piping system for Aviation and Marine Fuel Filling Station shall comply with technical and safety requirement included in the Technical Specifications for Aviation and Marine Fuel Filling Stations.

#### Article 10

# (Storage Tanks)

- 1. Storage Tanks for Automotive Retail Fuel Filling Stations shall comply with the following requirements:
  - a. Underground Storage Tanks for Liquid and Liquefied Fuels in Automotive Retail Fuel Filling Stations must be buried or installed underground outside of buildings.
  - b. Surface Storage Tanks located at Automotive Retail Fuel Filling Stations are strictly forbidden.
  - c. Storage Tanks for Liquid and Liquefied Fuels shall not, under any circumstances, be installed under buildings, power lines, bridges, or in tunnels, basements, excavations, on other Storage Tanks and in areas that pose risks of ground instability.
  - d. Underground Storage Tanks for Liquid and Liquefied Fuels in Automotive Retail Fuel Filling Stations must also be contained within impermeable retention basins and firmly deployed so that they cannot move under the influence of groundwater impulsion, nor of vibrations or impacts provoked by natural or artificial causes.
  - e. The minimum distance between the walls of the underground Storage Tanks for Liquid and Liquefied Fuels and the Limits of the Property of the Automotive Retail

- Fuel Filling Station, or any Residential, Used, Support, Ancillary or Integrated Building must be 2 m.
- f. The minimum distance between the walls of the underground Storage Tanks for Liquid and Liquefied Fuels at Automotive Retail Fuel Filling Stations and a Public Building must be 10 m.
- g. The minimum distance between the Underground Storage Tanks for Liquid and Liquefied Fuels at Automotive Retail Fuel Filling Stations and Sensitive Areas must be 25 m.
- h. When the installation comprises several underground Storage Tanks for Liquid and Liquefied Fuels, its walls should be spaced at least 0.20 m.
- i. The total capacity of the underground Storage Tanks at the Automotive Retail Fuel Filling Stations is limited to 140 m³.
- j. The design of the underground Storage Tanks for Liquid and Liquefied Fuels shall comply with recognized international industry standards or, should same standards not exist or should the design not conform to same standards, be previously and expressly approved by the ANPM.
- k. The minimum distance between any Pump Island and the walls of any Fuel Storage Tanks or their respective Filling Nozzles or Valves shall be:
  - i. To the walls of underground Storage Tanks 3 m; and
  - ii. To the Filling Nozzles or valves of underground Storage Tanks 5 m.
- I. Underground Storage Tanks for Liquid Fuel shall be equipped with respirator or vapor vent line with a minimum height of 4 m, measured from the ground of the area where it is located.
- m. Underground Storage Tanks to be installed in the Automotive Retail Fuel Filling Stations shall have appropriate coating as means to protect storage tank from corrosion.
- n. Coating for underground Storage Tanks shall include primer, epoxy, coal tar epoxy or similar bituminous and other types of applicable coating materials in the industry best practices.
- Underground Storage Tanks for Liquid and Liquefied Fuels shall, additionally, comply with the technical and safety requirements included in the Technical Specifications for Fuel Filling Stations.
- p. Underground Storage Tanks shall be maintained in accordance with manufacturers' requirements and relevant codes of practice.

- 2. Storage Tanks at Automotive Home Base Fuel Filling Stations shall comply with the following requirements:
  - a. Storage Tanks in Automotive Home Base Fuel Filling Stations must be installed outside of buildings and may be installed underground and aboveground.
  - b. Installation of underground Storage Tanks for Liquid and Liquified Fuels at Home Base Fuel Filing Stations shall follow the rules for Automotive Retail Fuel Filling Stations, except for the storage capacity limit which shall be maintained as storage capacity for surface Storage Tank.
  - c. The foundations for surface Storage Tanks should be designed and built so that they cannot move under the influence of vibrations or impacts provoked by natural or artificial causes.
  - d. Surface Storage Tanks for Automotive Home Base Fuel Filling Station shall be contained within retention basins, equal to 100% of the biggest Storage Tank capacity, with impermeable floor and walls that can capture and collect spillage from the surface Storage Tanks contained therein.
  - e. Surface Storage Tank may be surrounded by a metallic fence of 2 m height from the ground.
  - f. Surface Storage Tank for Liquid and Liquified Fuels shall not, under any circumstances, be installed under buildings, power lines, bridges, or in tunnels, basements, excavations, on other Storage Tanks and in areas that pose risks of ground instability.
  - g. The minimum distance between the walls of the surface Storage Tanks for Liquid and Liquified Fuels and the Limits of the Property of the Automotive Home Base Fuel Filling Station, or any Residential, Used, Support, Ancillary or Integrated Building must be 3 m.
  - h. The minimum distance between the walls of the surface Storage Tanks for Liquid and Liquefied Fuels at Home Base Automotive Fuel Filling Stations and a Public Building must be 15 m.
  - The minimum distance between the Surface Storage Tanks for Liquid and Liquefied Fuels at Home Base Automotive Fuel Filling Stations and Sensitive Areas must be 25 m.
  - j. When the installation comprises several surface Storage Tanks for Liquid and Liquefied Fuels, its walls should be spaced at least 2 m.

- k. Surface Storage Tanks in Automotive Home Base Fuel Filling Stations must be equipped with fire protection systems designed in accordance with NFPA 30 or equivalent international best practices or industry standards formally and expressly approved by ANPM.
- I. The total capacity of the surface Storage Tanks at Automotive Home Base Fuel Filling Stations is limited to 120 m<sup>3</sup>. The capacity of Storage Tanks at Home Base Fuel Filling Stations greater than 120m<sup>3</sup> for the national interest shall be assessed and approved on case by case basis by the ANPM.
- m. The design of the surface Storage Tanks shall comply with recognized international industry standards or, should same standards not exist or should the design not conform to same standards, be previously and expressly approved by the ANPM.
- n. Should an Automotive Home Base Fuel Filling Station is equipped with Pump Island, the minimum distance between any Pump Island and the walls of any surface Storage Tanks or their respective Filling Nozzles or Valves shall be:
  - i. To the walls of surface Storage Tanks 6 m;
  - ii. To the Filling Nozzles or valves of surface Storage Tanks 8 m;
- o. Surface Storage Tanks for liquid fuel shall be equipped with respirator or vapor vent line.
- p. Surface Storage Tanks for gasoline shall be fitted with a pressure vacuum vent.
- q. Surface Storage Tanks shall be equipped with stairways or walkways to access to the top of Storage Tanks which shall be made of iron or steel.
- r. Surface Storage Tanks shall be grounded electrically to permanently moist earth to prevent any build-up of static electricity.
- s. Surface Storage Tanks for the storage of Liquid and Liquefied Fuels shall, additionally, comply with the technical and safety requirements included in the Technical Specifications for Fuel Filling Stations.
- t. Surface storage tanks shall be maintained in accordance with manufacturers' requirements and relevant codes of practice.

# (Filling Nozzles or Valves)

Filling Nozzles or Valves can be located in the open air or in a Location with Simple Canopy and must maintain a Safety Zone as defined in Article 22.3 of this regulation.

#### Article 12

## (Vapour Recovery)

- Fuel Filling Stations must be equipped with a Vapour Recovery system for recovering the vapours of Liquid Fuels during unloading of Fuels from Fuel tankers into the Storage Tanks.
- 2. The Vapour Recovery piping must have a floating valve which cuts the possibility of entry of liquid.
- A floating valve shall not be required if the interconnection of the Vapour Recovery piping is made at aerial level and at a height above the upper generatix of the tank of the Fuel tanker.
- 4. The application of the rules foreseen in this article shall be subject to approval of the relevant Technical Specifications or any legislation implementing same.

## Article 13

# (Pump Islands)

- Liquid Fuel Dispensers at Automotive Fuel Filling Station shall be protected against vehicle collision through their installation in a duly protected Pump Island, with the following characteristics:
  - (a) the Pump Island shall have a minimum height of 0.15 m and a minimum width of 1.20 m; or
  - (b) be surrounded by metal rails or protective pillars with a minimum height of 0.20 m, installed so as to ensure a minimum distance of 0.50 m between the equipment and the vehicles being filled.
  - (c) Pump Island dedicated for motorbike shall be installed with protective pillars with a minimum height of 1 m and shall be located in the fuel dispensing area at a distance of 1.20 m from the Pump Island
- 2. So as to ensure the safety of persons and property during use, Pump Islands at Automotive Fuel Filling Station must be surrounded by Safety and Protection Zones.

- 3. Pump Islands shall not be installed beneath buildings.
- 4. The minimum distance between Pump Islands at Automotive Fuel Filling Station shall be of 6 meters to allow sufficient space for filling the vehicle as well as for vehicle movement.
- 5. The minimum distance between any Pump Island and the Property Limits of the Automotive Fuel Filling Station, or a Residential, Support, Ancillary, Integrated or Used Building shall be 4 m.
- 6. The minimum distance between any Pump Island at Automotive Fuel Filling Station and a Public Building shall be 10 m.
- 7. The minimum distance between any Pump Island at Automotive Fuel Filling Station and a Sensitive Area shall be 25 m.
- 8. Pump Islands for Autogas at Automotive Fuel Filling Station shall be separated from Pump Islands for the supply of other Liquid Fuels.
- 9. All pipes and tubes installed in the base of Fuel Dispensers and Pump Islands for Autogas which are connected to the Storage Tanks for Autogas shall include devices aimed at impeding the continuous flow of gas should the equipment be pulled out of the ground due to vehicle collision.

# (Fuel Dispensers)

- The Fuel Dispensers to be installed in each Pump Island at Automotive Fuel Filling Stations shall comply with recognized international industry standards mentioned in the Technical Specifications for Fuel Filling Stations or, should same standards not exist or should the equipment not conform to same standards, be prior, formally and expressly approved by the ANPM.
- 2. The Fuel Dispensers to be installed in each Pump Island at Automotive Fuel Filling Stations shall have a volumetric consumption meter, with the exception of Fuel Dispensers for Home Base Fuel Filling Stations which may have them coupled to Storage Tanks, but only when they are surface Storage Tanks. Fuel Dispensers shall be duly calibrated by the ANPM on an annual basis and subsequently sealed to prevent tampering. Whenever the ANPM perform calibration, it shall issue a certificate of calibration for liquid Fuel Dispensers, in the form included in Annex VI to this Regulation.
- 3. The nozzle through which fuel is dispensed to a vehicle shall be such that it automatically closes when the fuel tanks of the vehicles are full.

- 4. The Fuel Dispensers to be installed in Pump Islands at Automotive Fuel Filling Stations may have pumping systems built in or at distance, and the respective hydraulic system may be centralised.
- 5. A clearly identified and easily accessible switch or circuit breaker (a centralized Emergency Shut-Off Device) shall be provided at a location remote from the dispensing devices, including remote pumping systems, to shut off the power to all dispensing devices in the event of an emergency. A sign incorporating the wording "EMERGENCY CUT-OFF" shall be provided in the vicinity of the cut-off switch.
- 6. Fuel Dispensers for Autogas at Automotive Fuel Filling Stations must be located in separate Pump Islands from Fuel Dispensers for supply of other Liquid Fuels.

# (Air Compressors and Electrical System)

- The container where the Air Compressors are installed shall be built in such a way as
  to minimise the risk of occurrence of surges resulting from inadmissible free
  movement or excessive force production, e.g. on flanges, fittings, compensators, or
  hoses, through adequately controlled means such as support, constraint, anchoring,
  alignment and pre exertion mechanisms.
- The equipment must be installed in an isolated location, sufficiently broad, with ventilation and adequate lighting, and its command and control mechanisms shall be installed so as to allow quick and easy access. Such control mechanisms shall be protected against accidental triggering.
- 3. The electrical utilization equipment and wiring shall not constitute a source of ignition for any ignitable vapor that might be present under normal operation or because of a spill.
- 4. All electrical utilization equipment and wiring shall be of a type specified by and installed in accordance with NFPA 70 or international best practices or industry standard formally and expressly approved by the ANPM and or applicable National laws and regulations, whenever the latter are approved and come into force. Upon coming into force of national laws and regulations, the most rigorous rules and standards shall apply.
- 5. Notwithstanding paragraph 4 above, certification of electrical equipment and installations shall be mandatory upon creation of a Timor-Leste certification entity.

# (Water Treatment Systems)

- 1. Fuel Filling Stations must be equipped with a system for treating wastewater contaminated with liquid fuel.
- 2. The oil separators must be installed in locations easily accessible for inspection and cleaning.
- The oil separators must be siphoned at entrance and at exit, so as to prevent passage of gases.
- 4. The floor of areas where there is the possibility of spills, especially the area dedicated to unloading Liquid Fuels from the fuel tankers into the Storage Tanks shall be impermeable and allow for drainage into the Water Treatment System.
- 5. Besides the requirements set forth in this Article 16, Fuel Filling Station Water Treatment Systems shall also comply with all environmental legislation and regulations in force.

#### Article 17

# (Gutters, Grills and Sinks)

Gutters, Grills and Sinks shall be suitably located, of adequate size, in sufficient quantity and shall have the appropriate resistance for their respective purposes.

#### Article 18

## (Manholes and Piping System)

- 1. The Manholes for access to Storage Tanks shall be prefabricated and watertight or with adequate drainage.
- 2. The covers of the Manholes shall have the required resistance to endure the loads it is expected they will be subject to.
- 3. Piping systems at Automotive Fuel Filling Stations shall be supported and protected against physical damage, including damage from stresses arising from settlement, vibration, expansion, or contraction. The installation of non-metallic piping shall be in accordance with the manufacturer's instructions.
- 4. The design of pipes for Liquid and Liquefied Fuels at Automotive Fuel Filling Stations shall comply with recognized international industry standards or, should the same

- standards not exist or should the design not conform to same standards, be formally and expressly approved by the ANPM.
- 5. The installation of piping system at Automotive Fuel Filling Stations shall follow manufacture requirement and best industry practices.
- 6. The piping system at Automotive Fuel Filling Stations shall be maintained in accordance with manufacturers' requirements and relevant codes of practice.
- 7. All piping, before being covered, enclosed or placed in use, shall be tested according to recognized international industry standards including but not limited to NFPA 30 or equivalent international best practices or industry standards formally and expressly approved by ANPM.

#### **SECTION IV**

# CONDITIONS AND MINIMUM REQUIREMENTS FOR THE PERFORMANCE OF ANCILLARY ACTIVITIES IN FUEL FILLING STATIONS

#### Article 19

## (General rules)

- The performance of Ancillary Activities in Fuel Filling Stations shall be subject to the rules contained in this Regulation, including this Section IV, and to general law applicable to the specific activity.
- When requesting the issuance of a License for Fuel Filling Stations the Interested Person shall expressly include reference to its intention to provide Ancillary Activities, submitting any documentation it deems necessary to allow the ANP to adequately review the request.

#### Article 20

# (Supply of Bottled LPG at Fuel Filling Stations)

- Cylinders of Bottled LPG shall be stored in a dedicated Bottled LPG Storage Area, built according to the rules included in the Technical Specifications for Fuel Filling Stations, or with plans previously approved by the ANP.
- 2. Bottled LPG Storage Areas must comply with the following requirements:
  - (a) be elevated at least 0.20 m from the ground;

- (b) be built of non-combustible materials;
- (c) be ventilated by permanent openings; and
- (d) be duly identified with the word «GAS» in large, easily readable font and with no smoking and naked flame signs.
- 3. The Cylinders of Bottled LPG when displayed outdoors at a Fuel Filling Station must comply with the following requirements:
  - (a) be stored in a purpose built and portable cage located on the forecourt;
  - (b) the cage should, typically, be constructed from strongly welded 40mm and 25mm square box sections and 40mm and 25mm angle iron supported on either 150mm square plate feet or 250mm diameter nylon casters;
  - (c) steel shelving should be constructed and fitted so as not to retain any rain water;
  - (d) to secure the cage from unauthorised access and vandalism, the frame should be enclosed with a steel mesh. The access door(s) must be lockable, preferably with a padlock;
  - (e) the cage must be positioned in the open air on level concrete or compacted ground and should comply with the following separation distances, applying generally to the keeping of LPG cylinders (up to 400kg total capacity) within the confines of the Fuel Filling Station:
    - (i) 7.5m from Storage Tanks, Respirators, Filling Nozzles or Valves;
    - (ii) 3m from Fuel and Autogas dispensers and Manholes;
    - (iii) 2m from openings to buildings (doors, windows etc), drains and gullies;
    - (iv) 1m from boundaries, buildings, fixed ignition sources and motor vehicles;
  - (f) the cage should be located in a well-ventilated position, which shall not prejudice the means of escape from any building or adjacent premises; and
  - (g) where necessary the cage should be protected from vehicle impact by a curb or other suitable fixed barrier.
- 4. Detailed technical rules pertaining to, amongst other issues, the calibration of Cylinders of Bottled LPG may be the subject of independent Regulations to be developed and made available by the ANP, which may also adopt international standards for the same purpose.

#### **CHAPTER III**

## SAFETY AND PROTECTION ZONES

#### Article 21

## (General)

The Safety and Protection Zones are defined to act as references for the safety procedures for operation of the Fuel Filling Station.

#### Article 22

# (Safety Zones)

- 1. The Safety Zone of a Fuel Dispenser at Automotive Fuel Filling Stations for Liquid Fuels corresponds to the space surrounding the equipment up to 0.50 m in all directions and is limited at its highest point by a horizontal plane at the minimum height of 1.20 m from the base of the Fuel Dispenser and at its lowest point by the ground level.
- 2. The Safety Zone of a Fuel Dispenser at Automotive Fuel Filling Stations for Liquefied Fuels, namely Autogas, corresponds to the space surrounding the equipment up to 1.50 m in all directions and is limited at its highest point by a horizontal plane at the minimum height of 3 m from the base of the Fuel Dispenser and at its lowest point by the ground level.
- 3. The Safety Zone of the Filling Nozzle or Valve at Automotive Fuel Filling Stations for Liquid and Liquefied Fuels corresponds to the space surrounding the equipment up to 1.50 m in all directions.
- 4. The Safety Zone of the Filling Nozzle or Valve at Automotive Fuel Filling Stations shall only apply during the operation of unloading Liquid and Liquefied Fuels from the Fuel tanker into the Storage Tanks.
- The Respirator Safety Zone at Automotive Fuel Filling Stations for Liquid Fuels corresponds to an area surrounding it, measured from its top, up to 1.50 m in all directions.
- 6. The outer limits of the Safety Zone at Automotive Fuel Filling Stations shall be marked on the pavement by means of a solid yellow line with a minimum width of 10 cm, with its outer limits coinciding with the outer limits of the Safety Zone.

# (Protection Zones)

- 1. The Protection Zone of Fuel Dispenser at Automotive Fuel Filling Stations for Liquid Fuel corresponds to the space surrounding the equipment up to 2 m in all directions and is limited at its highest point by a horizontal plane at a minimum height of 0.50 m from the base of the Fuel Dispenser and its lowest point by the ground level.
- 2. The Protection Zone of Fuel Dispenser at Automotive Fuel Filling Stations for Liquified Fuel corresponds to the space surrounding the equipment up to 2 m in all directions and is limited at its highest point by a horizontal plane at a minimum height of 2 m from the base of the Fuel Dispenser and its lowest point by the ground level.
- 3. The Protection Zone of the Respirator at Automotive Fuel Filling Stations for Liquid Fuels corresponds to the cylinder formed by the vertical projection of its Safety Zone, defined from its top, down to the ground level.
- 4. If the Respirator at Automotive Fuel Filling Stations is supported by a wall, the Protection Zone shall be the equivalent to half the cylinder formed by the vertical projection of its Safety Zone, defined from its top, down to the ground level.
- 5. The outer limits of the Protection Zones mentioned above do not need to be marked on the pavement.

#### **CHAPTER IV**

# **GENERAL PRINCIPLES FOR THE OPERATION OF FUEL FILLING STATIONS**

# Article 24

# (General)

- 1. Fuel Filling Stations shall be authorized to operate, provided they:
  - (a) Have a valid Certificate of Approval of Location for Fuel Filling Station, issued in accordance with Article 4;
  - (b) Have a valid Certificate of Approval of a Project for a Fuel Filling Station, issued in accordance with Article 5; and
  - (c) Have filed a commissioning report from qualified third party for Storage Tanks, pumps, pipes, and electrical system. The commissioning report shall be in one of the official languages of Democratic Republic of Timor-Leste.
  - (d)Have been approved following an inspection conducted in accordance with the rules and procedures set forth in ANP Regulations nos. 1/2012 and 2/2012, both of

- 24 October 2012, with the subsequent issuance of the respective License under Article 6.
- 2. The operator must also have a valid Marketing Activity License issued by the ANP pursuant to the rules and procedures set forth in Decree-Law no. 1/2012, of 1 February 2012, and ANP Regulation no. 1/2012, of 24 October 2012.

# (Visual Identification)

- Retail Fuel Filling Stations must display a Visual Identification, from an international, regional or local oil marketing company, or an independent marketing company incorporated with the sole purpose of operating one or more Retail Fuel Filling Stations.
- Home Base Fuel Filling Stations are not required to display a Visual Identification, but those wishing to do so may display a Visual Identification from an international, regional or local oil marketing company, or the Visual Identification of the company that installed it for its own use.
- 3. The Applicant, as part of the process of submittal of the Application for the Approval of a Project for a Fuel Filling Station, must provide the ANP with proof of authorisation to use the Visual Identification of the international, regional or local oil marketing company, or proof of registration of the trademark corresponding to the name and image of the independent or own Visual Identification it intends to use.

## Article 26

# (Service)

- 1. The activities of filling vehicles with Fuels and / or supply of any Ancillary Activity shall be exclusively performed by Attended Service. Until otherwise determined by the ANP by means of amendment to this Regulation, Self Service shall not be allowed.
- 2. Fuel Filling Station operators shall ensure a reasonable number of Pump Attendants to guarantee safe operation and optimum customer services.
- 3. The services related with payment of the Fuels in Retail Fuel Filling Stations shall be performed by a Cashier, who may also act as Pump Attendant. The Cashier may also be an employee with that sole specific function.

- 4. A Cashier is not required in Home Base Fuel Filling Stations and Aviation Fuel Filling Station.
- 5. The procedures for provision and payment of Ancillary Activities may be freely defined and implemented by the operator.

# (Staffing and training)

- 1. All Fuel Filling Stations shall have a manager, who must attend training courses from accredited training providers, covering at least the following matters:
  - (a) Fuel Filling Station management;
  - (b) First Aid; and
  - (c) Health, safety, environment and quality standards for Fuel Filling Stations.
- 2. The Fuel Filling Station Manager shall be responsible, amongst others, for:
  - (a) Coordinating, leading, supervising and accounting for daily activities;
  - (b) Managing daily accountancy of the Fuels and other products supplied and received, as well as of daily revenue generated;
  - (c) Recording monthly measurement of the Storage Tanks;
  - (d) Supervising and assisting other employees;
  - (e) Managing all documentation related to accounting, technical activities and human resources;
  - (f) Closing and opening the Fuel Filling Station; and
  - (g) Maintaining health, safety, environment and quality standards.
- 3. All Pump Attendants and Cashiers must attend training courses from accredited training providers, covering at least the following matters:
  - (a) First Aid course;
  - (b) Safety course; and
  - (c) Customer service course.
- 4. The training courses mentioned in Articles 27.1 and 27.3 shall be provided to the respective employees in the 6 months preceding the commencement of performance of their functions.
- 5. All existing Fuel Filling Stations shall have the period established in Article 40 to comply with the staff training requirements set forth in this Article 27.
- 6. Subject to the opening hours, the operator shall ensure the presence of all line functions at the Retail Fuel Filling Station at all times.

- 7. Fuel Filling Station Managers may only be absent from their post due to reasonable and unpredictable reasons and for the shortest period of time possible.
- 8. Ancillary Activities employees are integrated in the organisation of their respective service and must comply with the training requirements determined by the applicable regulatory entities.
- 9. All staff shall be provided with adequate uniform and personal protection equipment in line with international best industry practices.

## (Opening hours)

- The licensed operator, as part of the submittal process of an Application for the Approval of a Project for an Automotive Retail Fuel Filling Station, must propose to the ANPM a schedule with the proposed opening days and hours of service for the first calendar year of operation.
- 2. The ANPM, as part of the approval process of a Project for an Automotive Retail Fuel Filling Station, will advise the Applicant of the approved schedule of opening days and hours for the complete calendar year, which shall be included in the respective License and mandatorily implemented and complied with by the operator.
- 3. The ANPM may, at its own discretion, and at any time and for any period, impose that the Automotive Retail Fuel Filling Station increase its days and hours of operation as a response to market needs or specific circumstances.
- 4. With the exception of temporary and short time closure due to fuel supply shortages, public disturbance and/or routine maintenance, all changes to the Automotive Retail Fuel Filling Station's opening hours of operation shall require prior ANPM approval, and be included in the respective License as an amendment thereto.
- During the month of December of each year the operator of Automotive Retail Fuel Filling Station shall submit to the ANPM, for review and approval, its schedule of opening days and hours for the following calendar year.
- 6. Home Base Fuel Filling Stations are not required to have a schedule with the opening days and hours of service.

# (Safety measures)

- 1. Pump Attendants can only commence filling the vehicle's fuel tank after the engines and ignition sources have been fully cut off.
- 2. Ignition Sources, irrespective of their type, and all electronic components that remain charged even when the ignition is cut, are prohibited within the Fuel Filling Station's Safety Zones, with the exception of the vehicles to be supplied while they are approaching and departing from the filling position.
- 3. During the operation of unloading Liquid and Liquefied Fuels from the fuel tanker into the Storage Tanks at Automotive Fuel Filling Station, the area where the fuel tanker is parked must be properly marked and all circulation of people and other vehicles within said area is strictly prohibited and must be prevented.
- 4. The performance of Ancillary Services at Automotive Fuel Filling Stations must comply with any security measures defined in the legislation applicable to each specific activity.
- 5. Bottled LPG Cylinders shall be transported and stored in upright position, and be kept in a cool, dry and well-ventilated place, and at a safe distance from sources of sparks, open flames, and excessive heat.

## Article 30

# (Fire fighting equipment and contingency plan)

- Each Fuel Dispenser at Automotive Fuel Filling Stations shall be equipped with one 6
  kg dry chemical type ABC fire extinguisher. The same requirement shall apply to any
  existing Bottled LPG Storage Area.
- 2. The Automotive Fuel Filling Stations shall also be equipped with removable containers with dry sand in an amount sufficient to cover accidental leakage of Liquid and Liquefied Fuels, with a minimum of one bucket for each Fuel Dispenser.
- 3. Each building existing within the Property Limits of the Automotive Fuel Filling Station shall also be equipped with the firefighting equipment required by the relevant regulatory entity.
- 4. As part of its Project for an Automotive Fuel Filling Station, the Applicant shall file a fire contingency plan to be reviewed and approved by the ANPM, outlining the proposed actions to be undertaken in case of fire or suspicion of fire at the Fuel Filling Station or surrounding areas, as well as additional firefighting equipment to be installed at the

- Fuel Filling Station considering its specific characteristics. All employees shall be made aware of the fire contingency plan, which must be affixed in a well visible location within the Fuel Filling Station.
- All fire fighting equipment shall be regularly maintained in accordance with manufacturer specifications and any regulation issued by the relevant regulatory entity.

## (First Aid)

- 1. The Fuel Filling Station and each of the areas where the provision of Ancillary Activities takes place shall have a First Aid kit, including, at least, adhesive bandages, regular strength pain medication, gauze and low grade disinfectant. The First Aid kit may also include any other supplies and medication deemed necessary of recommendable by the operator, including emergency supplies and medication for unexpected minor illnesses or accidents.
- 2. At least one employee with First Aid knowledge shall be present at all times within the area of the Fuel Filling Station.

## Article 32

## (Notices and Signs)

- 1. Signs with the following instructions must be posted at the Automotive Fuel Filling Station, in such a way as to be easily seen by staff and users:
  - (a) Prohibition of Ignition Sources in Safety Zones;
  - (b) Prohibition of smoking and igniting flames within the Property Limits of the Fuel Filling Station;
  - (c) Prohibition of use of mobile phones in the Safety and Protection Zones;
  - (d) Obligation to stop the engine and cut the ignition while filling the vehicle's Fuel tank; and
  - (e) Prohibition of storing inflammable material in Safety Zones and in Bottled LPG Storage Areas.
- 2. The following instructions shall be posted on the premises of the Automotive Fuel Filling Station, so that they may be viewed by all staff:
  - (a) Measures to be taken in case of accident or incident;
  - (b) Accident prevention plan;

- (c) Evacuation plan for all buildings within the limits of the Fuel Filling Station;
- (d) Fuel Filling Station evacuation plan; and
- (e) Fire contingency plan.
- 3. Automotive Retail Fuel Filling Stations shall also post the following information at their entrance:
  - (a) Daily operating hours; and
  - (b) Price of Liquid and Liquefied Fuels supplied, by product.
- 4. Automotive Retail Fuel Filling Stations shall post on dispensers the grade of fuel provided.
- 5. The Price of Bottled LPG shall be affixed in a readily accessible place, using easily readable font.
- 6. The price of Ancillary Activities shall be affixed in a readily accessible place, using easily readable font.
- 7. All notices shall be posted in a clearly visible place, close to the equipment or at the area defined in the preceding paragraphs, and may consist of pictograms and / or text in legible and indelible characters in at least one of the official languages of Timor-Leste.
- 8. All notices and signs shall be placed within the Property Limits of the Automotive Fuel Filling Station, with the exception of those cases in which the operator proves that it has reached an agreement with the relevant government institution for the use of public property, or with the holder of land rights over surrounding properties for the use of the same.

## (User obligations)

- All Fuel Filling Station users shall:
  - (a) Comply with all the notices posted within the Property Limits of the Fuel Filling Station:
  - (b) Not misuse any equipment;
  - (c) Not damage any structure or equipment installed within the Property Limits of the Fuel Filling Station; and
  - (d) Refrain from taking or performing any actions which may result in situations of imminent danger.

- 2. Breach of the duties set forth in Article 33.1 above shall be deemed an administrative Offence punishable under Articles 57 of Decree-Law no. 1/2012, of 1 February 2012, and 39 of this Regulation.
- The operator may also be punishable for the infractions referred in Article 33.2 above if its conduct and management of the Fuel Filling Station is deemed negligent.
- 4. The ANP Inspectors may initiate, by themselves or with the assistance of police or administrative authorities, the process to identify the person or persons responsible for the Offence.

## "Article 33.°-A

# **Suspension of Operations**

- 1. In case of suspension of operations and/or abandonment of Fuel Filling Stations, either due to non-renewal of the underlying lease or other land use agreement, or due to lack of interest to carry on operations the License shall be suspended.
- 2. The Licensee, or, alternatively, the land owner, shall have maximum 2 years as of the suspension of operations to ensure the tanks are properly cleaned, flushed and emptied of all petroleum products, and sealed, and that the equipment is adequately deactivated and all electrical installations safely disconnected, and that the land on which the facilities are located and any other potentially dangerous areas are adequately fenced to avoid access by third parties.
- 3. Within the period referred in paragraph 2 above, the suspended Fuel Filling Station will continue to be considered as an existing facility for the purposes of Article 7.6. Once the period has elapsed, the Fuel Filling Station is deemed as a non-existing facility for such purposes.
- 4. Notwithstanding Article 33.° -A, the operator shall remain responsible for the installations, including for any incident occurring therein, during the period of suspension.
- 5. Fuel Filing Stations which operations have been suspended may be reactivated by another operator by requesting a new License from the ANPM.
- 6. In the event that the land issue is unsettled within the period mentioned in paragraph 2 above or lack of interest to carry on operations, the License shall be terminated in accordance with Article 22 of the Regulation No. 2/2014, First Ammendment to Regulation No. 1/2012 of 24 October on Administrative Procedures, Requirements and Fees for the Granting, Renewal and Modification of Downstream Activities' Licenses.

#### **CHAPTER V**

## **INSPECTION**

#### Article 34

# (General obligations in case of inspection)

The Fuel Filling Station Manager, or the responsible person in his/her absence, shall fully cooperate with the ANP Inspectors or any entity accredited by the ANP that participates in the inspection, including but not limited to, by truthfully answering all questions posed, and presenting and / or delivering all documentation requested.

#### Article 35

# (Inspection of existing Fuel Filling Stations)

- 1. All existing Fuel Filling Stations shall be subject to a mandatory preliminary inspection upon submission of an Application for the Approval of a Project for a Fuel Filling Station and prior to the issuance of the respective License.
- 2. The preliminary inspection shall be conducted under the terms set forth in Article 11 of ANP Regulations no. 2/2012, of 24 October 2012, and is aimed at verifying the compliance of the existing installations, facilities, equipment and documentation with the rules and requirements contained in this Regulation, in Decree-Law no. 1/2012, of 1 February 2012, and its ancillary regulations, as well as with the Technical Specifications for Fuel Filling Stations.
- 3. When under the terms of Article 11.9 of ANP Regulation no. 2/2012, of 24 October 2012, the final inspection report contains corrective measures to be undertaken by the Applicant, the preliminary inspection shall be followed by a subsequent inspection to confirm that the said correction measures have been implemented.

## Article 36

# (Inspection of construction, operation, modification, maintenance

# and decommissioning of Fuel Filling Stations)

 A mandatory preliminary inspection must take place prior to the granting, transfer or renewal of a License for the construction, operation, modification, maintenance and decommissioning of Fuel Filling Stations.

- 2. The preliminary inspection shall be conducted under the terms set forth in Article 11 of ANP Regulation no. 2/2012, of 24 October 2012, and is aimed at verifying the compliance of the installations, facilities, equipment and documentation with the rules and requirements contained herein, in Decree-Law no. 1/2012, of 1 February 2012, and ancillary regulations, as well as with the Technical Specifications for Fuel Filling Stations and any other specifications, rules and requirements contained in the respective Project.
- 3. When under the terms of Article 11.9 of ANP Regulation no. 2/2012, of 24 October 2012, the final inspection report contains corrective measures to be undertaken by the Applicant, the preliminary inspection shall be followed by a subsequent inspection to confirm that the said correction measures have been implemented within the maximum deadline set by the ANP for such purpose.

#### Article 37

#### (Random inspections)

- 1. Random inspections to licensed Fuel Filling Stations may take place at any time, pursuant to the ANP's exercise of its inspection and supervisory powers, under the terms of Article 12 of ANP Regulation no. 2/2012, of 24 October 2012.
- Following the preparation of a Notice of Offence or an Offence Report, the ANP shall conduct an Offence investigation to the Fuel Filling Station where the Offence occurred in order to verify the facts described in the Notice of Offence or Offence Report.

#### Article 38

#### (Performance of inspections)

- 1. Inspections shall be conducted under the terms set forth in ANP Regulations nos. 1/2012 and 2/2012, of 24 October 2012.
- 2. The Inspectors may be aided in their inspection activities by internal checklists to be approved by the ANP.

#### **CHAPTER VI**

#### **OFFENCES**

#### Article 39

#### (Classification of Offences)

- Offences to this Regulation are classified as very serious, serious and light and are punishable under the terms of Article 57 of Decree-Law no. 1/2012, of 1 February 2012.
- 2. The following acts are deemed light Offences, subject to a penalty ranging from USD 250 to USD 15,000, in case of physical persons, and USD 1,250 to USD 75,000, in case of legal persons:
  - (a) The installation of Manholes for access to Storage Tanks and Piping System in breach of the rules set forth in Article 18;
  - (b) Breach of the mandatory Visual Identification information required under Article 25;
  - (c) Breach of the minimum staffing and training requirements set forth in Articles 26.2 and 27;
  - (d) Breach of the operating schedule approved under Article 28;
  - (e) Changes to the approved operation schedule without prior approval from the ANP under Article 28.4;
  - (f) Breach of the information duty set forth in Article 28.5;
  - (g) Breach of the First Aid equipment obligations set forth in Article 31;
  - (h) Breach of the mandatory information, signaling and inscription obligations set forth in Article 32; and
  - (i) Breach of required pricing, grading and product information.
- 3. The following acts are deemed a serious Offence and subject to a penalty ranging from USD 750 to USD 50,000, in case of physical persons, and USD 15,000 to USD 300,000, in case of legal persons:
  - (a) The failure by existing operators to file an Application for Approval of Location of a Fuel Filling Station within the deadline set forth in Article 4.3, or an Application for the approval of a Project for a Fuel Filling Station within the deadline set forth in Article 5.2:
  - (b) The redevelopment, modification or decommissioning of existing Fuel Filling Stations without the submittal and approval of a specific project under Article 5.4;
  - (c) Breach of the rules and requirements on Accesses and circulation set forth in Article 8:
  - (d) Breach of the rules on installation of Storage Tanks set forth in Article 10;

- (e) Breach of the rules on Pump Islands set forth in Article 13, which are not classified as very serious offences;
- (f) Breach of the rules on Fuel Dispensers set forth in Article 14, including lack of calibration of the equipment by the ANP;
- (g) Failure to comply with the Air Compressor and Electrical System installation rules set forth in Article 15;
- (h) The inexistence or malfunctioning of Water Treatment Systems for treatment of wastewater contaminated with hydrocarbons, as provided in Article 16.1;
- (i) Failure to comply with the Water Treatment Systems installation rules and operation procedures set forth in Articles 16.3 and 16.4;
- (j) The installation of oil separators in locations which are not easily accessible for inspection and cleaning, in breach of Article 16.2;
- (k) The installation of Gutters, Grills and Sinks in breach of the rules set forth in Article 17:
- (I) Breach of the Technical Specifications for Fuel Filling Stations approved by the ANP;
- (m) The installation of Fuel Filling Stations in disrespect of the minimum geographical distances set forth in this Regulation, save for those exceptions specifically set forth herein in respect of, namely but not limited to, Fuel Filling Stations existing on the effective date hereof and Home Base Fuel Filling Stations;
- (n) The supply of Bottled LPG in Cylinders with a capacity and/or characteristics not approved by the ANP;
- (o) Failure to comply with the rules of Protection Zones obligation set forth in Article 23:
- (p) Installing or operating Fuel Filling Stations in breach of the authorizations set forth under Article 24, provided the situation is not deemed a light or very serious Offence hereunder;
- (q) Breach of any of the user's obligations set forth in Article 33, which are not classified as a light or a very serious offence under this Article;
- (r) Failure to comply with the general obligations in case of inspection set forth in Article 34, in Decree-Law no. 1/2012, of 1 February 2012, and ancillary regulations; and
- (s) Failure to comply with any other technical rules or rules of any other nature set forth in this Regulation which are not classified as light or very serious Offences.
- 4. The following acts are deemed Very Serious Offences subject to a penalty ranging from USD 1,500 to USD 150,000, in case of physical persons, and USD 75,000 to USD 1,000,000, in case of legal persons:

- (a) Operating of Fuel Filling Stations without the necessary location approval under Article 4.3, or after the deadline for operation in a non-compliant location has elapsed;
- (b) Operation of a Fuel Filling Station without the respective License or in breach of the terms and conditions set forth in the same;
- (c) Supply of Autogas or Bottled LPG without the respective License;
- (d) The installation of Fuel Filling Stations under, in or on buildings, underground car parks or any type of building, or Sensitive Areas, as set forth in Article 7.1;
- (e) Failure to comply with the rules on Filling Nozzles and Valves set forth in Article 11;
- (f) Failure to comply with the Vapour Recovery rules set forth in Article 12
- (g) Breach of the mandatory Pump Island installation rules set forth in Article 13;
- (h) The transportation and storage of LPG Cylinders in breach of the rules set forth in Articles 20 and 29.6;
- (i) Failure to comply with the Safety Zone rules set forth in Article 22;
- (j) Failure to comply with the LPG Safety and Protection Zone rules foreseen in Article 23;
- (k) Failure by the operator, its staff, or the clients to comply with the security measures set forth in Article 29; and
- (I) Breach of the rules on firefighting equipment set forth in Article 30.
- The offender who commits an Offence under this Regulation may also be subject to additional sanctions as provided for in Article 58 of Decree-Law no. 1/2012, of 1 February 2012.

#### **CHAPTER VII**

#### **FINAL PROVISIONS**

#### Article 40

#### (Existing Fuel Filling Stations and Street Vendors)

Without prejudice to Article 7.6, all Fuel Filling Stations existing on the effective date of this Regulation shall have a period of up to 5 years to bring their facilities and operations into compliance with the technical rules and specifications set forth herein, otherwise they will be deemed to be unlicensed and subject to the penalty provided for in Article 39.4 (b). The ANP will take into consideration the social and economic conditions existing in Timor-

Leste for considering the authorisation of operation of Atypical Automotive Fuel Stations, as well as other options for the supply of Fuels, including street vendors.

#### **Article 41**

#### (Atypical Automotive Fuel Filling Stations)

Until the approval of the Technical Specifications referred in Article 3.5 (e) of this regulation, the ANP may, on a case-by-case basis, authorize the operation, outside the cities that are District Capitals, of Atypical Automotive Fuel Filling Stations that do not comply with the requirements set forth in this Regulation, provided certain risk mitigating actions and procedures are implemented.

#### Article 42

#### (Preparation of Projects and Documents)

- 1. All documents, Projects, designs and plans of a technical nature to be submitted by Applicants under this Regulation, including but not limited those required under Articles 4 and 5, and any other documentation respecting to the equipment, installations, buildings and facilities to be used in the Fuel Filling Station shall be prepared by duly qualified consultants, to be approved on a case-by-case basis by the ANP.
- 2. At its full discretion, the ANP may exempt companies with proven experience and technical knowledge in constructing and operating Fuel Filling Stations from the requirement set forth in Article 42.1, provided they demonstrate that they have, as part of their staff, duly qualified persons to prepare the referred documentation.
- 3. Notwithstanding Article 42.2, all documents, Projects, designs, plans and other documentation mentioned in Article 42.1 to be submitted to or filed with the ANP under this Regulation must be signed by a duly qualified professional. In the documentation submitted to the ANP, the said professional shall include an undertaking pursuant to which he or she assumes full responsibility for the correctness and adequacy of the designs and technical solutions contained in the documents.

# Article 43 (Fees)

- As foreseen in Article 23.1 of ANP Regulation no. 1/2012, of 24 October 2012, the fees applicable for the Licensing of Fuel Filling Stations are set forth in Annex IV hereto which is deemed a part hereof.
- 2. The fees set forth in Annex IV may be amended at any time by the ANP without the need of amending the text of this Regulation, such amendments being effective after the respective publication in the *Jornal da República*.

#### Article 44

#### (Repeal)

All prior statutes or regulations contradicting the provisions of this Regulation are hereby repealed.

# Article 45 (Effective date)

This Regulation is effective on the day following its publication in the Jornal da República.

Approved by the ANP Board of Directors, on 19 May, 2013

#### Members:

1) Gualdino do Carmo da Silva – Chair .	
2) Jorge Martins, Non – Executive	
3) Mateus da Costa – Executive Board N	1ember
4) Nelson de Jesus – Executive Board Mo	ember



#### **ANNEX I**

# APPLICATION FORM FOR THE APPROVAL OF LOCATION OF A FUEL FILLING STATION

Identification Document No.:

1. APPLICANT'S IDENTIFICATION

Name or Company Designation:

Type of Identification Document:

Taxpayer Identification No.:				
Certificate of registration No.:		Share Capital:		
License to do Business No.:				
Representative:				
Address:				
Municipality:	Administrat	ive Post	Suco:	
Municipality.			Aldeia:	
Telephone:	E-mail addr	ress:		
Fax No.:				
2. LICENSE TYPE				
Please check where applicable				
		For AN	PM's exc	lusive use
		Please tick "√"	against th	e appropriate box:
□ Existing Fuel Filling Station		Has the applicant submitted this Application within 90 days after the publication of Regulation No.1/2013		
☐ Amendment to existing Fuel Filling Station		Includes new constructions in existing facilities, major modifications, relocation of structures, demolitions, etc.  Please include details of the changes you wish to make to the location of the existing Fuel Filling Station, and provide all relevant documents required under applicable Regulations.		tures, demolitions, etc. Inges you wish to make to Filling Station, and provide

☐ New Fuel Filling Station	
·	
3. TYPE OF FUEL FILLING STATION	
Please tick " $$ " against the appropriate box:	
Automotive Fuel Filling Station	
☐ Marine Fuel Filling Station	
☐ Aviation Fuel Filling Station	Proposed utilisation:
Atypical Fuel Filling Station	Retail Fuel Filling Station
Please provide details	☐ Home Base Fuel Filling Station
4. TITLE OVER LAND WHERE THE STATION IS IMPLA	ANTED
Please tick " $$ " against the appropriate box:	····
	For ANPM's exclusive use
□ Owned	Please tick "√" against the appropriate box:
□ Leased	Has the applicant
□ Other	submitted land registration documents, copy of executed agreement or
Please provide details	Power of Attorney (if the grantor of land rights is acting on the owner's behalf as his/her legal representative)?

Current use of the site: (Please provide details)				
5. GENERAL LOCATION CONDITIONS				
Please tick "√" against the appropriate box:				
Note The minimum radius distance is only applicable to new Autor to Fuel Filling Stations of any nature that already exist or to the insta				
	Distance:			
Nearest filling station	Km			
☐ Automotive Filling Station				
Atypical Filling Station – Description:				
	Km			
LOCATION:				
Located in urban area or village?	☐ Yes ☐ No			
Located under, in or on a building?	☐ Yes ☐ No			
Located in or on underground car parks?	☐ Yes ☐ No			
Located in sensitive areas?	☐ Yes ☐ No			
Located on a road?	☐ Yes ☐ No			
Located on a motorway?	☐ Yes ☐ No			

6. MAP		
<b></b>		
Note Please show location of s No.1/2013.	site and of other relevant facilities and buildings under Articles 7, 10 and 13 of Regulation	n
140.1/2015.		
Geographic reference:		
☐ Please mark if additional info	ormation is provided in Annexes	

#### 7. ADDITIONAL ELEMENTS

☐ Please mark and i	provide details	if additional documents	have been submitted and	attached to the	oresent form
I I Icase IIIaik aliu I	provide details	ii addilionai documento	Have been submitted and	allacified to tife i	

Annex No.	Name	Details
□ 1		
□ 2		
□ 3		
□ 4		
□ 5		
□ 6		

8. STATEMENT OF APPLICANT					
NOTE: This form and any relevant additional information is of public record and will remain on file. By filing this form you are declaring that you will not use the information you receive now or afterwards for any illegal or unlawful purposes					
	To be completed by ANPM				
I certify that all of the information contained in this form is	Fees paid:				
complete and accurate. I understand the information provided to the ANPM is subject to review and audit. The detailed records					
which substantiate the information contained herein are available	Receipt No.				
upon request.					
Signature:	Signature of the individual in charge				

9. To be completed by ANPM			
For official use only			
Has the applicant completed all the location requirements within 6 months time frame foreseen under Article 4.7 of this Regulation?	□Yes	□No	
If, No, the applicant is granted an additional 6 months time frame to complete the location requirements.			
Has the applicant completed all the location requirements within an additional 6 months time frame foreseen under Article 4.7 of this Regulation?	☐Yes	□No	
10. ANPM's DECISION			
For official use only			
Final Site approval			
☐ Site Approved			
☐ Site Not Approved			
☐ Deferred / Returned (additional elements required)			
Remarks/Requirements/Procedures and respective timir	ıg:		
Contificate of Approval of Location for Eucl Filling Station	n Number		
Certificate of Approval of Location for Fuel Filling Statio	n Number		
Certificate of Approval of Location for Fuel Filling Statio  Approving Official	n Number		ANPM's Stamp
	n Number		ANPM's Stamp
Approving Official	n Number		ANPM's Stamp
Approving Official Name:	n Number		ANPM's Stamp
Approving Official Name:	n Number		ANPM's Stamp
Approving Official Name:	n Number		ANPM's Stamp
Approving Official  Name:  Position:	n Number		ANPM's Stamp
Approving Official  Name:  Position:	n Number		ANPM's Stamp
Approving Official  Name:  Position:	n Number	Date:	

#### Notes:

- (a) The Applicant is required to file all documentation required by Decree-Law No. 1/2012, of 1 February 2012 and ANPM Regulation No. 1/2012, of 24 October 2012, together with this Application Form;
- (b) Should the location of an existing fuel station be rejected, the Applicant must submit a proposal for bringing the station in compliance with location rules within 90 days of refusal. Should the proposal be approved, the measures shall be implemented within 2 years of the respective approval, under pain of closure of the station;
- (c) Should the Applicant elect not to submit the proposal referred in (b) above, the station must cease to operate within 2 years of the non-approval of this Application;
- (d) The entity wishing to install a new Fuel Filling Station shall have a period up to 6 months to complete the requirement for location approval of a new fuel filling station. Should the requirement not be completed within this time frame, the entity is granted another 6 months to complete the requirement for location approval.
- (e) Should the requirement for location approval not be completed within the additional time frame provided in (d) above, the application for location approval will be rejected and not be considered.
- (f) The Applicant shall have 90 days to submit to the ANPM an Application for the Approval of a Project for a Fuel Filling Station, as of the date of issuance of the Certificate of Approval of Location for Fuel Filling Station
- (g) The location approval shall lapse if the Fuel Filling Station is not effectively implemented within 1 year (or such longer period established by the ANPM) of the date of submittal of the Application for the Approval of a Project for a Fuel Filling Station, or if such Application is not submitted within the deadline referred in (f) above.

# "ANNEX II" APPLICATION FORM FOR THE APPROVAL OF A PROJECT FOR A FUEL FILLING STATION



1. APPLICANT'S IDENTIFICATION

Type of Identification Document:		Identification Document No.:		
Taxpayer Identification No.:	I			
Certificate of registration No.:		Share Capital:		
License to do Business No.:				
Representative:				
Address:				
Municipality:	Administrative Post:		Suco:	
	7 diffillionative 1 dot.		Aldeia:	
Telephone:	Fax No.:			
E-mail address:	I			
2. TYPE OF FUEL FILLING STATION Please tick "√" against the appropriate box:	l			
☐ Automotive Fuel Filling Station	☐ New Fuel Filling S	tation		
	☐ Existing Fuel Fillin	g Station		
☐ Marine Fuel Filling Station	☐ New Fuel Filling Station			
		tation		
	☐ Existing Fuel Fillin		Proposed utilisation:	
Aviation Fuel Filling Station	☐ Existing Fuel Fillin☐ New Fuel Filling S	g Station		
Aviation Fuel Filling Station		g Station tation	Proposed utilisation:  ☐ Retail Fuel Filling Station	
Aviation Fuel Filling Station  Atypical Fuel Filling Station	☐ New Fuel Filling S	g Station tation g Station		
	□ New Fuel Filling S □ Existing Fuel Fillin	g Station tation g Station	Retail Fuel Filling Station	
Atypical Fuel Filling Station	□ New Fuel Filling S □ Existing Fuel Fillin	g Station tation g Station tation	Retail Fuel Filling Station	

3. PROJECTS AND DOCUMENTS  Please tick "\" against the appropriate box to confirm that Applicant has submitte	ed required documents	
	Applicant Use	Office Use
General written description of the proposed/existing facilities	☐ Yes ☐ No	☐ Yes ☐ No
3 sets of plans (preferably in A4 or A3 size) drawn to metric scale and signed by Professional/s	☐Yes ☐No	☐Yes ☐No
Location plan showing distances from specific and prominent landmarks (preferably to 1:2500 scale), as well as width and conditions of access roads	☐ Yes ☐ No	☐ Yes ☐ No
Certificate of Approval of Location for Fuel Filling Station	☐ Yes ☐ No	☐ Yes ☐ No
Site plan evidencing plot dimensions, layout of buildings with setbacks from all boundaries, access roads, high water marks, parking layout, septic tank/other waste disposal system and any other existing structures (preferably to the scale of 1:200)	☐ Yes ☐ No	☐ Yes ☐ No
Layout plans of each floor of any buildings (preferably to the scale of 1:100 or 1:200) showing clearly the proposed use of all divisions	☐ Yes ☐ No	☐ Yes ☐ No
Main elevations (preferably to the scale of 1:100 or 1:200), showing height of building	☐ Yes ☐ No	☐ Yes ☐ No
Area of the site, area of each floor and detailed calculations for plot coverage and parking shown on site plan	☐ Yes ☐ No	☐ Yes ☐ No
Any basement proposed and contour plan submitted to justify the basement level	☐ Yes ☐ No	☐ Yes ☐ No
Details of all walls & fences shown on plans	☐ Yes ☐ No	☐ Yes ☐ No
Structural details including:  • Foundation layout  • Columns/Foundation details (bases, strip footing, etc.)  • Beam details for each level  • Slab/s details for each level  • Stairs  • Basement (if any)  • Septic Tank/other waste water disposal system  • Copy of all structural details of existing structure (if applicable)		
Property Certificate/Lease Agreement or any other documents demonstrating the ability to use the site	☐ Yes ☐ No	☐ Yes ☐ No
Layout and detailed architectural plans depicting the location, type and characteristics of the proposed canopies, pump islands and fuel dispensers	☐ Yes ☐ No	☐ Yes ☐ No
Are there any ancillary activities to be performed in the Fuel Filling Station?	☐ Yes ☐ No	☐Yes ☐ No

If yes, has the applicant filled a layout and detailed architectural plans depicting the location, type and characteristics of such ancillary services, namely:				
• Shop	Yes	□No	☐Yes	□No
Convenience Store	Yes	□No	☐Yes	□No
Restaurant	☐Yes	□No	☐Yes	□No
Carwash	☐Yes	□No	☐Yes	□No
Oil change workshop	☐Yes	□No	☐Yes	□No
Repair shop	☐Yes	□No	☐Yes	□No
Other (please specify)	☐Yes	□No	Yes	□No
Are any plans, layouts or descriptions signed by or have been prepared by duly qualified consultants i.e. Architect/ Engineer?	☐Yes	□No	☐Yes	□No
Are the projects, designs, plans and other technical documentation signed by a duly qualified professional and accompanied by an undertaking by the latter assuming full responsibility for the adequacy of the technical solution contained in the documents?	□Yes	□No	□Yes	□No
Do the proposed plans, layouts and descriptions comply with the general standards set forth in the Technical Specifications for Fuel Filling Stations, or other standards approved by the ANPM?	☐Yes	□No	□Yes	□No
If not, has the applicant obtained the prior written consent of the ANPM and has the applicant filed the support documentation to prove that equal or higher standards will be applied and ensured?	☐Yes	□No	□Yes	□No
□ Additional Documents Please provide details				

4. INSTALLATION OF EQUIPMENT IN FILLING STATIONS Please tick "√" against the appropriate box:					
	Applicant Use	Office Use			
A. Accesses					
Has the applicant filed general entrance and exit layouts and schematics?					
The layout of the filling station is defined so that the vehicles can only move forward?					
☐ Additional Documents					
Please provide details					
B. Storage Tanks					
Has the applicant filed Storage Tank layouts?	☐ Yes ☐ No	☐ Yes ☐ No			
Does the layout indicate if the Storage tank installed outside the building?	☐Yes ☐ No	☐Yes ☐ No			
Does the layout indicate if the storage tanks installed underground?	☐ Yes ☐ No	☐ Yes ☐ No			
Does the layout indicate if the storage tanks installed aboveground?	☐ Yes ☐ No	☐ Yes ☐ No			
Do the same detail the number of tanks?	☐ Yes ☐ No	☐ Yes ☐ No			
Do the same detail the Fuel Type to be used in each of the Storage Tanks?	☐ Yes ☐ No	☐ Yes ☐ No			
Do the same detail the Tank Capacity of each of the Storage Tanks?	☐ Yes ☐ No	☐ Yes ☐ No			
Does the layout indicate if the Storage Tanks are installed/to be installed under buildings, power lines, bridges, or in tunnels, basements, excavations, on other Storage Tanks and in areas that pose risks of ground instability?	☐ Yes ☐ No	☐ Yes ☐ No			
Are the minimum distances applicable to Storage Tanks indicated?	☐ Yes ☐ No	☐ Yes ☐ No			
Are the limits of the Fuel Filling Station property and the distance of same to any Residential, Used, Support, Ancillary or Integrated Building depicted?	☐ Yes ☐ No	☐ Yes ☐ No			

□ Additional Documents							
Please provide details							
				· · · · · · · · · · · · · · · · · · ·			
				·			
C. Pump Islands							
Has the applicant filed Pump Island layouts?	☐Yes	□No	□Yes	□No			
Do the same detail the number of Pump Islands?	☐Yes	□No	□Yes	□No			
Do the same detail the fuel type to be used in each of the Pump islands?	☐Yes	□No	☐Yes	□No			
Does the layout indicate if the Pump Islands are installed/to be installed beneath buildings?	☐Yes	□No	☐Yes	□No			
Are the minimum distances between Pump Islands and Storage Tanks indicated?	☐Yes	□No	☐Yes	□No			
Are the distances of the Pump Islands to the limits of the property of the Fuel Filling Station depicted?	☐ Yes	□No	☐Yes	□No			
Are the distances of the Pump Islands from any Residential, Support, Ancillary, Integrated or Used Buildings Public or Private depicted?	Yes	□No	Yes	□No			
□ Additional Documents							
Please provide details							
D. Air Compressor and Electrical System							
Do the layout plans include references to the installation of air compressor?	☐Yes	□No	Yes	□No			
Is the energy required for the operation of the fuel filling station	☐Yes	∏No	☐Yes	∏No			
provided by the public electricity network?							
Do electrical equipment, installations, appliances and wiring comply with the requirements of Article 15 of the installation and operation							
of fuel filling station' Regulations?	☐Yes	□No	☐Yes	□No			
E. Manhole and Piping System							
Do the layout plans include references to the installation of manhole?	□ Ye	es	☐Yes	□No			

Has the Applicant filed any plans indicating the type and characteristics of piping, valves, joints and fittings for Flammable and Combustible Liquids?	☐ Yes ☐ No	☐ Yes ☐ No
Has the Applicant filed any dedicated plans for underground piping?	☐ Yes ☐ No	☐ Yes ☐ No
Do the piping plans and layouts comply with the requirements of Article 18 of the installation and operation of fuel filling station Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
F. Water Treatment Systems		
Do the layout plans include references to the installation of a system for treating wastewater contaminated with hydrocarbons?	☐ Yes ☐ No	☐ Yes ☐ No
G. Gutters, Grills and Sinks		
Do the layout plans include reference to the installation and location of Gutters, Grills and Sinks?	☐ Yes ☐ No	☐ Yes ☐ No
H. Safety and Protection Zones		
Does the proposed layout clearly indicate the existence of Safety Zones?	☐ Yes ☐ No	☐ Yes ☐ No
Does the proposed layout clearly indicate the existence of Protection Zones?	☐Yes ☐ No	☐ Yes ☐ No
Are the Safety and Protection Zones of the Pump Islands and Fuel Dispensers depicted?	□Yes □No	☐ Yes ☐ No
□ Additional Documents  Please provide details  ———————————————————————————————————		
I. LPG		
Does the applicant intend to provide LPG?	☐ Yes ☐ No	☐ Yes ☐ No
Has the applicant filed any plans for a dedicated Storage Area for the storage of Cylinders of Bottled LPG?	☐Yes ☐ No	□Yes □No
Do the layout plans detail the demarcated and protected space within the Fuel Filling Station for storage of Bottled LPG?	☐ Yes ☐ No	☐ Yes ☐ No
Has the applicant filled any dedicated plans for Pump Islands for	│	□Yes □No

Autogas?					
☐ Additional elements (if a Please provide details	any)				
-					
5. ADDITIONAL ELEN	MENTS				
☐ Please mark and provid	de details if additional docu	ments have	been presente	d and attached to the լ	present form
Annex No.	Name			Details	
□ 2					
□ 3					
□ <b>4</b>					
□ <u>5</u>					
□ 6					
NOTE: This form and any relevant additional information is of public record and will remain on file. By filing this form you are declaring that you will not use the information you receive now or afterwards for any illegal or unlawful purposes  To be completed by ANPM  I certify that all of the information contained in this form is complete and accurate. I understand the information provided to the ANPM is subject to review and audit. The detailed records which substantiate the information contained herein					
are available upon request.  Signature:				Signature of the indiv	vidual in charge
Place: Date:/_ /					
7. ANPM's DECISION For official use only	ı				
Project Approved Project Not Approved Project Deferred / Ret	urned (additional elements	required			
Remarks/ Requirements/Implementation Procedures and respective timing:					

#### Notes:

- (a) All Projects submitted shall comply with the Technical Specifications for Fuel Filling Stations or other standards adopted by the ANPM;
- (b) Any variation of the standards set forth in the Technical Specifications shall require the prior written consent of the ANPM;
- (c) The entity wishing to install a new Fuel Filling Station shall have a period up to 1 (one) year to complete the requirement for project approval of a new fuel filling station. Should the requirement not be completed within this time frame, the application shall be rejected and not be considered.
- (d) The ANPM may request additional documentation from the Applicant in order to adequately assess the Application;
- (e) ANPM shall decide on the Application within 90 days of the date on which the last requested document is submitted by the Applicant;
- (f) The ANPM's decision shall include the procedures and timing for the implementation of the project, which must be strictly complied with;
- (g) The Applicant shall have 1 year (or such longer period as established by the ANPM) as of the date of submittal of this form to effectively implement the Project and to request the respective License;
- (h) The issuance of the License shall be preceded by an inspection carried out under ANPM Regulations nos. 1/2012 and 2/2012, both of 24 October 2012.

# ANNEX IV CERTIFICATE OF CALIBRATION

#### **Certificate Number:**

This is to certify that the calibration is completed by the ANPM and the accuracy of calibration is in accordance with Ministerial Diploma No 21/2016 on inspection and calibration to dispenser/pump of diesel and gasoline

Description of standard of measurement :

Permanent distinguishing mark :

Date of Calibration :

This Certificate is given for a period until

		Indication of Error (± 0.5%)				
1	Current Speed	nt Speed Disp. 1		Disp. 2		
The		Nozzle No. 1	Nozzle No. 2	Nozzle No. 9	Nozzle No. 10	
-	Q Minimum				/	
1	Q Maximum					

Signature :

Name :

Telephone No :

Date of issue

This dispenser is calibrated and sealed. Breaking of or tampering with the seal is a crime and will be prosecuted pursuant to Penal Code.

## ANNEX V FEES

# 1. Retail Fuel Filling Station Licensing Fees

Criteria	Annual Fee	Renewal	Late renewal	Amendment	Transfer		
Minimum Fees for a Fuel Filling Station							
Per Fuel Filling Station	USD 500	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee		
Two Fuel Dispensers	USD 200	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee		
Liquid Fuel Storage Capacity ≤ 20m3	USD 500	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee		
Automotive LPG Storage Capacity ≤ 20m3	USD 500	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee		
Additional							
Per Fuel Dispenser	USD 150	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee		
> 20m3 Liquid Fuel Storage Capacity < 140m3	USD 100/ m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee		
>20m3 Automotive LPG Storage Capacity <140m3	USD 100/ m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee		

# 2. Home Base Fuel Filling Station Licensing Fees

Criterion	Annual Fee	Renewal	Late renewal	Amendment	Transfer
Per Fuel Filling Station	USD 500	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Two Fuel Dispenser	USD 200	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Liquid Fuel Storage Capacity ≤ 20m3	USD 500	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
> 20m3 Liquid Fuel Storage Capacity ≤ 120m3	USD 100/ m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Liquid Fuel Storage Capacity >120m3	USD 100/ m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Automotive LPG Storage Capacity ≤ 20m3	USD 500	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
>20m3 Automotive LPG Storage Capacity < 120m3	USD 100/ m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Liquefied Fuel Storage Capacity >120m3	USD 100/ m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee