

LEGAL NOTICE NO. 98

THE PETROLEUM ACT

(Cap. 308)

THE PETROLEUM (INFORMATION AND STATISTICS)
REGULATIONS, 2025

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THE PETROLEUM ACT

(Cap. 308)

IN EXERCISE of the powers conferred by section 101 of the Petroleum Act, the Cabinet Secretary for Energy and Petroleum on the recommendation on the Energy and Petroleum Regulations Authority makes the following Regulations—

THE PETROLEUM (INFORMATION AND STATISTICS)
REGULATIONS, 2025

PART I—PRELIMINARY PROVISIONS

1. These Regulations may be cited as the Petroleum (Information and Statistics) Regulations, 2025. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretation.

“Authority” means the Energy and Petroleum Regulatory Authority established under section 9 of the Energy Act; Cap. 314.

“dead stocks” refers to petroleum products that cannot be extracted from a storage tank below the discharge point of a tank in the normal course of operations;

“incident” means an occurrence which has the potential to cause harm to a person or damage to equipment, property or the environment and includes an accident;

“line fill” means the volume of petroleum products maintained in a pipeline as restricted stock for purposes of displacement of other products during pumping operations;

“operational stock” means stock in storage facilities that is accessible in normal operations;

“petroleum products” means all imported refined petroleum products;

“pipeline” means a pipe or system of pipes used for the transportation of petroleum and any apparatus and works associated therewith, including —

- (a) apparatus for inducing or facilitating the flow of petroleum through the pipe or system of pipes;
- (b) valves, valve chambers, manholes, inspection points and similar works, being works annexed to, or incorporated in the course of the pipe or system of pipes;
- (c) apparatus for supplying energy for the operation of any such a system as mentioned in paragraph (a) or of such works as mentioned in paragraph (b);
- (d) apparatus for the transmission of information for the operation of the pipe or system of pipes;
- (e) apparatus for providing cathodic protection to the pipe or system of pipes; or
- (f) a structure for the exclusive support of a part of the pipe or system of pipes;

“storage tank” means a tank used or designed to be used for the storage of petroleum products;

“transit” means the movement of petroleum products imported from a foreign country through Kenya to a foreign destination; and

“undertaking” means the carrying out of the business specified in a licence or a permit.

PART II— INFORMATION ON PETROLEUM IMPORTATION, STORAGE AND TRANSPORTATION

3. A person licensed under the Act shall submit information required under these Regulations in the form and manner and within the period prescribed by the Authority under these Regulations.

Requirement to submit information.

4. (1) A person licensed to store petroleum products shall submit to the Authority by the tenth day following the end of each calendar month in the form and manner prescribed under these Regulations, information on—

Information on storage.

- (a) the operational capacity for each petroleum storage tank according to the type of petroleum product;
- (b) the closing stock volumes of petroleum products for the period specified by the Authority;
- (c) in case of a common user petroleum facility, the ownership of the products;
- (d) the total throughput volume per petroleum product for the period specified by the Authority; and
- (e) the operational stock losses for each petroleum product in the form and manner specified by the Authority under these Regulations.

(2) The information provided in subregulation (1) shall be geo-referenced according to the Global Positioning System location of each storage facility as indicated in the licence.

(3) The information in subregulation (1) shall be in the form set out in the First Schedule.

5. (1) A person licensed to import petroleum products shall submit to the Authority by the tenth day following the end of each calendar month information on—

Information on importation.

- (a) the quantity of petroleum products imported into Kenya by the—
 - (i) type of petroleum product;
 - (ii) country of origin;
 - (iii) open tendering system reference number;
 - (iv) name of the delivery vessel;
 - (v) port of entry; and

(vi) receiving bulk storage facility; and

(b) the final destination of the imported products.

(2) The information in subregulation (1) shall be in the form set out in the Second Schedule.

6. (1) A person licensed to transport petroleum products by pipeline shall submit to the Authority by the tenth day following the end of each calendar month information on the—

Information on pipeline transportation.

(a) quantity of operational stocks, line fill and dead stocks in the pipeline system by product;

(b) throughput and closing stocks by product; and

(c) operational stock losses.

(2) The information in subregulation (1) shall be in the form specified in the Third Schedule.

PART III— INFORMATION ON WHOLESALE AND RETAIL OF PETROLEUM PRODUCTS

7. (1) A person licensed to wholesale petroleum products shall submit to the Authority by the tenth day following the end of each calendar month information on the—

Information on wholesale.

(a) total volume of petroleum sold by product and destination; and

(b) source storage facility for each product sold.

(2) The information in subregulation (1) shall be in the form specified in the Fourth Schedule.

8. (1) A person licensed to retail petroleum products shall submit to the Authority by the tenth day following the end of each calendar month information on the—

Information on retail.

(a) total volume sold by product;

(b) total volume purchased and the source; and

(c) storage tank capacities per product per retail station.

(2) The information in subregulation (1) shall be in the form specified in the Fifth Schedule.

9. (1) A person licensed to undertake liquid petroleum gas business, shall in addition to any other reporting requirements prescribed in these Regulations, submit to the Authority, by the tenth day following the end of each calendar month, information on the—

Information on liquefied petroleum gas.

(a) quantity of liquid petroleum gas imported, by source country and by entry point into Kenya;

(b) quantity of local purchases of liquid petroleum gas in bulk and the source;

(c) quantity of local sales of liquid petroleum gas in bulk;

- (d) quantity and unit cost of liquid petroleum gas cylinders imported or procured locally in a calendar quarter; and
- (e) quantity of liquid petroleum gas sales in cylinders for each calendar month.

(2) The information in subregulation (1) shall be in the form specified in the Sixth Schedule.

PART IV — MISCELLANEOUS

10. Notwithstanding these Regulations, the Authority shall comply with the Access to Information Act.

Compliance.
Cap. 7M.

11. (1) A licensee who undertakes petroleum business shall within forty-eight hours of occurrence of an accident or incident notify the Authority, in the form and manner specified in the Seventh Schedule.

Reporting of
Accidents and
Incidents.

(2) The threshold of reportable incidences includes incidences causing—

- (a) loss of life or permanent total disability;
- (b) damage to property or to the environment of value exceeding one million shillings;
- (c) oil spill of one hundred litres or more or accidental gas release of one hundred kilograms or more; or
- (d) fire or explosion causing the damage set out in paragraph (a) or (b).

(3) A licensee who contravenes this regulation commits an offence and shall be liable upon conviction to a fine not exceeding twenty thousand Kenya shillings per incident.

12. (1) A person who —

Offences and
penalties.


- (a) deliberately fails, refuses or neglects to submit data and information required by the Authority under these Regulations, commits an offence and shall be liable upon conviction to a fine not exceeding one million shillings; or
- (b) deliberately gives false or misleading information, commits an offence and shall be liable upon conviction to a fine not exceeding one million shillings.

(2) The Authority may suspend or revoke the licence, permit or certificate where a person is found liable to have committed the offences in subregulation (1).

FIRST SCHEDULE

PETROLEUM STORAGE FACILITIES REPORTING REQUIREMENTS


r.4(3)

FORM 1			
PETROLEUM STORAGE FACILITIES REPORTING REQUIREMENTS			
PART A			
Name of storage facility:			
EPRA Licence No.:		Type of Storage (Private, Common User, Strategic Stocks):	
Reporting Period	_____ (Month) _____ (Year)		
Date of Submission:			
GPS:	Longitude: _____	Latitude: _____	
Location:	County:	Sub-County:	
Storage Capacity:	Total Storage Capacity (m ³):		
	i.	Aviation Gasoline	Volume (m ³):
	ii.	Premium Motor Spirit	Volume (m ³):
	iii.	Illuminating Kerosene	Volume(m ³):
	iv.	Jet A1	Volume(m ³):
	v.	Automotive Gasoil	Volume (m ³):
	vi.	Industrial Diesel Oil	Volume (m ³):
	vii.	Fuel Oil (CST 125)	Volume (m ³):
	viii.	Fuel Oil (CST 180)	Volume (m ³):
PART B			
1 – 6 to be completed for each petroleum product held at the storage facility*			
Product:			
1.	Opening Stock: Total _____ m ³ = Operational Stock _____ m ³ + Deadstock _____ m ³ <i>* At the beginning of the reporting period as prescribed by the Authority</i>		
2.	Total Receipts: _____ m ³ : (i) Ship: _____ m ³ (ii) Pipeline: _____ m ³		

	(iii) Trucks: _____ m ³
3.	Total Loadings/offtakes: _____ m ³ (i) Pipeline: _____ m ³ (ii) Trucks: _____ m ³ (iii) Ship (back loading): _____ m ³
4.	Loading/offtake Destination: _____ m ³ (i) Local Market: _____ m ³ (ii) Export Market: _____ m ³
5.	Operational Stock Losses Total: _____ m ³ _____ % (i) Product 1 _____ m ³ _____ % (ii) Product 2 _____ m ³ _____ % (iii) Product 3 _____ m ³ _____ %
6.	Closing Stock: Total _____ m ³ = Operational Stock _____ m ³ + Deadstock _____ m ³ <i>* At the end of the reporting period as prescribed by the Authority</i>
Incidences:	<i>* Comment on any incidences including any non-operational losses</i>

SECOND SCHEDULE

PETROLEUM IMPORTATION REPORTING REQUIREMENTS *r.5(2)*


FORM 2			
PETROLEUM IMPORTATION REPORTING REQUIREMENTS			
PART A			
Name of Importer:			
EPRA Licence No.:			
Reporting Period:	_____ (Month) _____ (Year)		
Date of Submission:	_____		
Import Volumes:	i.	Aviation Gasoline	Volume (m ³):
	ii.	Premium Motor Spirit	Volume (m ³):
	iii.	Illuminating Kerosene	Volume(m ³):
	iv.	Jet A1	Volume(m ³):
	v.	Automotive Gasoil	Volume (m ³):
	vi.	Industrial Diesel Oil	Volume (m ³):
	vii.	Fuel Oil (CST 125)	Volume (m ³):
	viii.	Fuel Oil (CST 180)	Volume (m ³):
PART B			
<i>1 – 7 to be completed for each petroleum product import during the reporting period*</i>			
Product:			
1.	Port of entry:		
2.	Country of Origin:		
3.	Vessel/Vehicle Registration No.:		
4.	Date of Import:		
5.	Receiving Storage Facility:	* storage facility used to discharge the product after importation	
6.	Total Volume Imported:	_____ m ³	
	i.	Volume designated for Local Market:	_____ m ³
	ii.	Volume designated for the Export Market:	_____ m ³

7.	For products Imported through Open Tendering System:	Open Tendering System Reference Number:	
		FOB Price:	
		Freight and Premium:	
		Letter of Credit charges:	
		Insurance and War Risk:	
		Port handling charges:	
		Stevedoring charges:	
		Ocean Losses:	
		Administration Fees:	
		Inspection charges:	
		Analysis and Recertification charges:	
		Demurrage costs:	

THIRD SCHEDULE

PETROLEUM PIPELINE TRANSPORT REPORTING REQUIREMENTS r.6(2)

THIS SHOULD BE COMPLETED TOGETHER WITH THE STORAGE INFORMATION REQUIREMENTS AS PRESCRIBED IN REGULATION 4.


FORM 3 PIPELINE TRANSPORTATION REPORTING REQUIREMENTS					
PART A					
Name of Pipeline Operator:					
EPRA Licence No.:					
Reporting Period:	_____ (Month) _____ (Year)				
Date of Submission:					
Pipeline Capacity (excluding storage facilities):	a. Line Name:		a. Capacity(m ³): _____		
	b. Points of Service:		b. Length(km): _____		
	c. Products: Premium Motor Spirit Jet A1 Illuminating Kerosene Automotive Gasoil (Any other)		c. Physical Stock (m ³) _____		
	a. Line Name:		a. Capacity(m ³): _____		
	b. Points of Service:		b. Length(km): _____		
	c. Products: Premium Motor Spirit Jet A1 Illuminating Kerosene Dual Purpose Kerosene Automotive Gasoil (Any other)		c. Physical Stock (m ³) _____		
PART B					
<i>Part B 1 – 4 to be completed for each petroleum storage facility within the pipeline system*</i>					
1. Line Name:					
2. Facility Name:					
3. GPS Location:	Longitude:	Latitude:			
4. Capacity:	Total Storage Capacity _____ m ³				
	*Provide storage capacity				
	Premium Motor Spirit		Volume (m ³) :		
	Jet A1		Volume (m ³):		

	Illuminating Kerosene	Volume (m ³) :
	Dual Purpose Kerosene	Volume (m ³)
	Automotive Gasoil	Volume (m ³):
	(Any other)	Volume (m ³):
<i>Part B 5 – 11 to be completed for each petroleum product held at the storage facility*</i>		
Product:		
5. Opening Stock:	Total _____ m ³ = Operational Stock _____ m ³ + Deadstock _____ m ³ <i>* At the beginning of the reporting period as prescribed by the Authority</i>	
6. Receipts:	Total: _____ m ³ (i) Ship _____ m ³ (ii) Pipeline _____ m ³	
7. Loadings/offtakes:	Total: _____ m ³ (i) Pipeline _____ m ³ (ii) Trucks _____ m ³ (iii) Ship _____ m ³	
8. Destinations:	Total Loadings/Offtakes: _____ m ³ Local Market _____ m ³ Export Market _____ m ³	
9. Stock Losses:	Total: _____ m ³ ____ % (i) Product _____ m ³ ____ % (ii) Product _____ m ³ ____ % (iii) Product _____ m ³ ____ %	
10. Closing Stock:	Closing Stock: Total _____ m ³ = Operational Stock _____ m ³ + Deadstock _____ m ³ <i>* At the end of the reporting period as prescribed by the Authority</i>	
11. Incidences	<i>* Comment on any incidences including any non-operational losses</i>	

FOURTH SCHEDULE

PETROLEUM WHOLESALE REPORTING REQUIREMENTS


r.7(2)

FORM 4 PETROLEUM WHOLESALE REPORTING REQUIREMENTS					
Name of Wholesaler:					
EPRA Licence No.:					
Reporting Period:		_____ (Month) _____ (Year)			
Date of Submission:		_____			
Purchases:		Product:			
		Total Volume(m ³):			
		Storage depot 1:		Volume (m ³) :	
		Storage depot 2:		Volume (m ³) :	
Sales	i.	Local Market	Total Volume (m ³): _____ a. Retail dispensing site _____ County _____ Volume (m ³) _____ b. Consumer Facility: _____ County _____ Volume (m ³) _____		
	ii.	Export Market	Total Volume (m ³) : _____ a. Country 1: _____ Volume (m ³) _____ b. Country 2: _____ Volume (m ³) _____		

FIFTH SCHEDULE


PETROLEUM RETAIL REPORTING REQUIREMENTS

r.8(2)

FORM 5 PETROLEUM RETAIL REPORTING REQUIREMENTS					
Name of Retailer:					
EPRA Licence No.:					
Reporting Period:	_____ (Month) _____ (Year)				
Date of Submission:	_____				
GPS:	Longitude: _____		Latitude: _____		
Location:	County:		Sub-County:		
Storage Tank Capacities	a. Premium Motor Spirit		a. Capacity: _____ m ³		
	b. Illuminating Kerosene		b. Capacity: _____ m ³		
	c. Automotive Gasoil		c. Capacity: _____ m ³		
Purchases:	Product:				
	Total Volume (m ³):				
	Source Storage depot:		County:	Volume (m ³) :	
	Source Storage depot:		County:	Volume (m ³) :	
Sales:	Total Volume (m ³): _____				

SIXTH SCHEDULE

LIQUIFIED PETROLEUM GAS (LPG) STATISTICS REPORTING FORM *r.9(2)*


FORM 6			
LIQUIFIED PETROLEUM GAS (LPG) STATISTICS REPORTING FORM			
PART A			
Name of Importer:			
EPRA Licence No.:			
Reporting Period:	_____ (Month) _____ (Year)		
Date of Submission:	_____		
Import quantity:	(i)	LPG	Quantity (Mt):
PART B (1-7 to be completed for each LPG import during the reporting period)			
Product:			
1.	Port of entry:		
2.	Country of origin:		
3.	Vessel/ Vehicle Registration No:		
4.	Date of import:		
5.	Receiving storage facility:	<i>Storage facility used to discharge the product after importation</i>	
6.	Total volume import:	----- Mt	
	(i)	Quantity designated for Local Market	----- Mt
	(ii)	Quantity designated for the Local Market	----- Mt
Sales:	(i)	Local	Total quantity sold in bulk (Mt)..... Total quantity sold in cylinders (Mt).....
	(ii)	Export	Total quantity sold in bulk

			(Mt)..... Total quantity sold in cylinders (Mt).....
PART C (1-7 to be completed for each LPG import during the reporting period)			
1.	Cylinder brand		
2.	Total No. of new cylinders introduced into the market	Size..... No.....	
3.	(i)	Local manufactured	Size.....No..... Size..... Unit cost (Kshs).....
4.	(ii)	Imported	Size.....No..... Size..... Unit cost (Kshs).....
5.	Total LPG sales in cylinders	Quantity (Mt).....	

SEVENTH SCHEDULE

ACCIDENT OR INCIDENT REPORT

r.11(1)

FORM 7 ACCIDENT OR INCIDENT REPORT					
Name of Petroleum Business Licensee:					
EPRA Licence No. :				Expiry Date:	
Type of Accident or Incident (Fire, Spill):					
PREMISE INFORMATION (INCASE OF A STORAGE FACILITY, CONSUMER SITE OR RETAIL STATION):					
Name of Premise:					
GPS:		Longitude:		Latitude:	
Location:		County:		Sub-County:	
Product Involved:					
VEHICLE INFORMATION (INCASE OF ROAD TANKER):					

Vehicle Registration No.:			
Tanker Permit No. :		Expiry Date:	
Cargo on Board:			
Origin:			
Destination:			
DRIVER'S DETAILS (INCASE OF A ROAD TANKER):			
Name:			
National I.D. No.:			
Driver Certificate No. :		Expiry Date:	
DETAILS OF INCIDENT/ACCIDENT:			
Date:		Time:	
Location and geographical spread of incident or accident			
Scale of environmental damage if any	Gas Quantity (kgs) _____ Liquid Volume (m ³) _____ Area impacted (m ²) _____		
Own and third party property damage if any			
Number of Injuries and/or Fatalities if any			
DESCRIPTION OF THE EVENTS LEADING TO AND THE MOST PROBABLE CAUSE OF THE INCIDENT AND ACCIDENT:			

PLEASE ATTACH ANY INFORMATION THAT IS RELEVANT TO THE REPORT WHERE APPROPRIATE SUCH AS A COPY OF THE JOURNEY PLAN AND VEHICLE TRACKING DATA FOR THE PREVIOUS 12 HOURS PRIOR TO THE INCIDENT/ACCIDENT OR ANY OTHER ADDITIONAL INFORMATION THE AUTHORITY MAY REQUIRE.

Made on the 23rd May, 2025.

OPIYO WANDAYI,
Cabinet Secretary for Energy and Petroleum.