



**Government of the Republic of the Union of Myanmar**

**Ministry of Energy**

**Notification No. 100/2013**

**7<sup>th</sup> Waning Day of Warkaung 1375 M.E**

**28<sup>th</sup> August 2013**

In exercising the power conferred by the Union Government, the Ministry of Energy has issued, in accordance with section 4 of the Essential Goods and Services Law, this notification for the systematic performance of the import, storage, transport and distribution of petroleum products.

**Chapter 1**

**Definition**

1. The following expressions contained in this notification shall have the meanings given hereunder:
  - (a) **“Petroleum product”** means a liquid, viscose body, solid body, gas and liquefied gas whose compounds contain inflammable hydrocarbon;
  - (b) **“Committee”** means the Committee for the Control and Supervision of Businesses Importing, Storing, Transporting and Distributing Petroleum Products, formed according to Ministry of Energy Notification No. 88/2011 dated 11<sup>th</sup> October 2011;
  - (c) **“Sub-Committee”** means a Sub-Committee for the Control and Supervision of Businesses Importing, Storing, Transporting and Distributing Petroleum Products, formed for the respective Region or State;
  - (d) **“License”** means a permit issued by the relevant departments to operate businesses that import, store and distribute petroleum products;
  - (e) **“Import”** means the import of a petroleum product into Myanmar territory by sea, air, road or any others means;
  - (f) **“Storage”** means the storage of a petroleum product in any place or in any building. In this expression, the time for transporting the petroleum product is not included;
  - (g) **“Transport”** means supplying the transport, from one place to another in the country, the loading and off-loading of a petroleum product;
  - (h) **“Distribution”** means the distribution of a petroleum product.



## Chapter 2

### Import

2. A person desirous to import a petroleum product into the country shall apply for, and acquire, an import license from the Ministry of Commerce in accordance with the prescribed procedures.
3. The import of a petroleum product through a specified port, airport and border crossing shall be done in accordance with the rules, regulations and procedures prescribed by the Port Authority, the Customs Department, the Department for Commerce and Consumer Affairs and *[other]* relevant departments.
4. A petroleum product shall be imported in the prescribed packaging, vehicle or barges in accordance with international standard and norms.
5. An import license holder shall import the qualified petroleum product prescribed by the Ministry of Energy in accordance with international standard and norms.
6. The receipt of a petroleum product at a port from a carrier and the transfer to and receipt by another carrier shall be done with the permission of the relevant Port Authority.
7. Intertanko's Standard Tanker Chartering Questionnaire 88 (Q-88), version 3, from the petroleum product carrier shall be sent in advance to the relevant Port Department and Storage Department for examination and confirmation.
8. A sample of the imported petroleum product shall be tested and examined by an officer authorized by the President and a lab certificate, which is recognized as qualified, shall be included.
9. In connection with the quality of the imported petroleum product, the Ministry of Energy may, if necessary, acquire the sample and test and examine it.

## Chapter 3

### Storage

10. A person desirous to store a petroleum product shall construct an underground storage tank, surface storage tank and warehouses in accordance with the prescribed standard, norms and designs and shall apply for, and acquire, a storage license from the Mining Department, Ministry of Mines.
11. A person storing a petroleum product shall strictly comply with the regulations contained in the storage license.



## Chapter 4

### Transport

12. A bowser, oil barge, tanker and tank wagon by which a petroleum product is transported shall be registered with, and *[the registration shall be]* validated by, the relevant departments.
13. A bowser, oil barge, tanker and tank wagon by which a petroleum product is transported shall not transport more than the specified quantity.
14. If the owner of a vehicle or barge by which a petroleum product is transported appoints any person, he/she shall be responsible that the employee understands and follows the procedures.
15. In order to avoid, when transporting a petroleum product, unnecessary incidents such as a leakage, fire hazard and explosion, *[the transport]* shall be done in accordance with the prescribed rules, regulations and procedures under the relevant law.

## Chapter 5

### Distribution

16. In order to obtain permission to operate a petroleum product distribution business at a petroleum sales shop and storage place, a distribution license shall be applied for and acquired from the Ministry of Energy.
17. The license holder under paragraph 16 shall strictly comply with the regulations contained in the distribution license.

## Chapter 6

### Miscellaneous

18. The Committee shall, without interfering in the duties and powers of the relevant ministries under this notification, perform its duties and responsibilities by itself or shall authorize a Sub-Committee.
19. In case of non-compliance with, or a violation of, the provisions of this notification, action shall be taken under the Essential Goods and Services Law.
20. When submitting an application to acquire a license and operating a business under this notification, the Environmental Conservation Law, Foreign Investment Law and any other relevant law, rule, order, etc. shall be complied with.
21. When operating businesses of importing, storing, transporting and distributing petroleum products, necessary accounts, records and vouchers shall be completely compiled and maintained at every stage of the business and shall be submitted for examination when the relevant departments come to examine them.



22. When operating businesses of importing, storing, transporting and distributing petroleum products, the fire safety specifications of the Fire Services Department shall be complied with as prescribed.
23. Whoever transports a petroleum product in transit through the Republic of the Union of Myanmar shall acquire permission from the Ministry of Energy and the charges for the transport in transit shall be paid to the State at the prescribed rates.

Zay Yar Aung  
Union Minister

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Date: 28<sup>th</sup> August 2013