

**AUTHORISATION  
TO OPERATE AN  
LPG  
FIXED PIPED NETWORK**

**SAMPLE**

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**Authorisation to operate a Fixed Piped Network**

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**Authorisation Number:** \_\_\_\_\_

**Authorisation granted by the Malta Resources Authority under the LPG Market Regulations (LN 249 of 2008) to operate a Fixed Piped Network.**

\_\_\_\_\_, holder of Identity Card Number \_\_\_\_\_, and residing at \_\_\_\_\_ (hereunder known as the authorised person) is being granted a authorisation, on behalf of \_\_\_\_\_ to:

1. Store fuels in tanks having capacities of:

Tank	Storage Capacity

which storage facility is located at:

\_\_\_\_\_

And operate a piped network located at:

\_\_\_\_\_

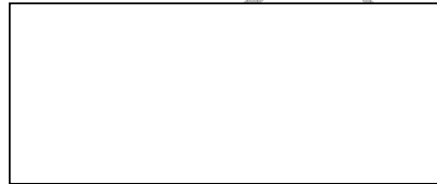
Authorisation is being granted under the attached conditions for the time span declared hereunder. However, the authorisation fee shall be payable annually as prescribed in the aforesaid Regulations. The Authority reserves the right to amend, modify, replace add or delete the conditions of the authorisation as prescribed in regulation 12 of the aforesaid Regulations.

**This authorisation does not cover any changes in operation or infrastructure that are not approved by the Authority prior to their coming into effect or service.**

**Fees paid for this Authorisation: €**

**Authorisation Validity: XXXX 2010 to 31<sup>st</sup> December 20XX**

\_\_\_\_\_  
**for Malta Resources Authority**



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## **STANDARD CONDITIONS OF AUTHORISATION**

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## **1. DEFINITIONS**

In this authorisation (except in so far as the context otherwise requires) the definitions of the terms used in this authorisation are the same as those in the Malta Resources Authority Act (Chapter 423) and the Regulations, LPG Market Regulations LN 249 of 2008.

## **2. LIMITATIONS, VARIATIONS AND AMENDMENTS**

### **2.1 LIMITATIONS**

Nothing in this authorisation or the conditions attached thereto should be construed as, and/or should in any way be understood and, or be deemed to exonerate the holder and/or any other person or persons from being obliged to observe, comply with or carry out any requirement or comply with a provision of any law or subsidiary legislation or any other legal requirement for the time being in force.

### **2.2 VARIATIONS AND AMENDMENTS**

Any special condition, exemption or variation shall be read together with, and construed as being part of these conditions, unless otherwise specified.

Any general condition in Part 3 or special condition in Part 4 of this authorisation may be amended or varied, or new general and special conditions added, at the discretion of the Malta Resources Authority, according to applicable laws and regulations, giving where practicable due notice to the authorised provider

The authorised provider shall however be notified of the intended amendments and consulted by the Malta Resources Authority prior to any such amendment or variation being put into effect.

**2.3** The Malta Resources Authority may oblige the authorised person to meet the following requirements where appropriate -:

- (a) compliance by the holder with all other relevant permits and authorisations, however so described, issued by any other public authority;
- (b) the safeguarding of safety conditions at the authorised facility;
- (c) fitness and propriety of the authorised provider;

- (d) protection of the health and safety of employees and third parties that could be involved in the operations related to this authorisation;
- (e) protection of the environment;
- (f) compliance with relevant laws and regulations;
- (g) continued maintenance of adequate standards in the authorised facility with regard to safety, health, security, hazardous substances and the environment.

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## GENERAL CONDITIONS

- 3.1 The authorised person shall comply with the requirements of the 'LPG Market Regulations, 2008' (Legal Notice 249 of 2008), and other applicable legislation/regulations in force at the time.
- 3.2 Special conditions may be attached to this authorisation upon its granting and subsequent to that time thereof. The continuing validity of this authorisation shall be subject to adherence to such special authorisation conditions
- 3.3 The authorised person and all persons employed on the authorised facility shall act in accordance with and observe the conditions attached to this authorisation.
- 3.4 The authorisation including the granting form duly issued by the Authority and any special authorisation conditions issued shall be produced to an official of the Authority upon demand.
- 3.5 The quantity of LPG kept at any one time on the storage site of the authorised facility shall not exceed the amount specified in the authorisation;
- 3.6 The authorised person shall take all reasonably practicable steps, necessary to prevent persons under the age of 16 from having access to the authorised facility.
- 3.7 The authorisation authorises the authorised person to store solely LPG for retailing to final consumers through a fixed piped network, unless a special provision for storing other fuels is so granted by the Authority.
- 3.8 The separation distance between an authorised storage site of the facility and another premises housing vulnerable populations e.g. schools, residential homes for the elderly or hospitals is not to be less than 12 meters, or, the distance established in any other guidelines or codes of practice which may be issued by the Authority, whichever of these is the greatest.
- 3.9 The authorised person shall take all reasonably practical steps to protect the environment in the course of operations associated with this authorisation, including but not only, those specified in environmental legislation currently in force.
- 3.10 The storage facility and its operation must comply with the guidelines issued by the Authority.
- 3.11 The authorised person shall accept at all reasonable times inspections carried out by officers of the Authority or persons on its behalf for the purposes of ascertaining the condition of the authorised facility, its equipment and operational standards.
- 3.12 The authorised person must provide assistance and facilitate the work of the various Authorities instituted by law, in so far as, and in the carrying out of their duties in accordance with their legislative remit and relevance to the authorisation concerned.

- 3.13 Operations associated with this authorisation must comply with the guidelines issued by the Authority from time to time. The Authority reserves the right to amend, vary, add or remove conditions, whether general or special, attached to this authorisation in terms of regulation 12 of the 'LPG Market Regulations,2008' (Legal Notice 249 of 2008), The authorised person undertakes to accept directions in the form of letters from the Authority, intended to explain or amplify the conditions attached to this authorisation or otherwise improve the general conduct of activities regulated by this authorisation

#### **Storage Vessel and Piping Location**

- 3.14 The siting and condition of the storage vessel and piping network must always remain in conformity with Regulations and Codes of Practice issued or approved by the Authority.

#### **Material Alteration**

- 3.15 Any material alteration to the authorised facility shall follow the procedure prescribed in regulation 16 of the 'LPG Fuel Market Regulations', (Legal Notice 249 of 2008).
- 3.16 No person shall perform material alterations on an LPG fitting in which to his knowledge, LPG is or has been kept, until he has taken all reasonable precautions to ensure that the fitting has been rendered free from LPG.

#### **Security at the authorised premises**

- 3.17 It is the responsibility of the authorised person to make sure that all practicable steps necessary to prevent fires, explosions, leaks and spills at the authorised premises are taken.
- 3.18 In this regard, the authorised person shall take all practicable steps necessary to prevent:
- a) any fire or explosion;
  - b) the escape of LPG;
  - c) any LPG entering any drain, sewer or public road;
  - d) any naked light, fire, flame or any other source conducive to the ignition of flammable vapour occurring or present within a hazardous area; and

- e) smoking taking place in any hazardous area where LPG is stored.
- 3.19 No electric light, electrical apparatus or appliance likely to ignite surrounding flammable vapour shall be used in any hazardous area where LPG is stored unless the apparatus is specifically designed for explosive atmospheres.
- 3.20 Adequate and efficient fire-fighting equipment together with means for summoning the Fire Brigade, shall be provided at all times by the authorised person. The equipment shall be maintained in good condition and be capable of efficient operation at all times and in all weather conditions.

### **Emergency Procedures**

- 3.20 The authorised person shall make available to persons working at the authorised facility or being given service of LPG through the fixed piped network, written procedures for normal operating and emergency procedures as approved by the Authority. All operational and emergency procedures shall be reviewed regularly by the authorised person. They shall be amended to take into account any changes in local circumstances, any alterations or modifications to the plant or equipment at the authorised facility and as a result of any practical experience gained from suspected or actual leaks, spills or other incidents.
- 3.21 All storage tanks containing LPG have to be clearly marked as containing flammable and hazardous goods. The capacity of the storage tank, the erection date and date of last inspection must also be exhibited on a label painted in white lettering on a black background in the vicinity of the storage vessel.

### **Notification Requirements**

- 3.22 The authorised person shall immediately notify the Department of Civil Protection the details of any fire, explosion, any actual or suspected leak or loss of LPG from the storage tanks and/ or fitting on the authorised facility, or other significant incident, which could be reasonably judged to be detrimental to the safe operation of the authorised facility.

### **Use of LPG**

- 3.23 The LPG storage being given authorisation shall be used only for stationary combustion appliances unless a special provision is so granted by the Authority.

### **Inspection, testing and certification by a competent person**

3.24 When applying for the granting of an authorisation to operate a fixed piped network, the authorised person must commission a competent person to check and certify that the storage facility, piped network and other LPG auxiliaries comply with existing legislative requirements and approved codes of practice.

Thereafter, the authorised person must ensure that assessment inspections are carried out by a competent person in regard to the bulk LPG installation for safety purposes, within 12 months from the date of installation, and thereafter, from the date of the first post-installation check, at intervals of not more than 24 months

3.25 Inspection, checking and certification must comply with the guidelines issued by the Authority and must be filled in the application.

### **Maintenance and Emergency Service**

3.26 The authorised facility shall be maintained in such a condition that safety-related features remain in place and function effectively.

3.27 The authorised person shall make sure that the fixed piped network is covered by a maintenance agreement which is to include the provision for an emergency service.

In the absence of a maintenance agreement by third parties the authorised person should keep a copy of the maintenance schedule and emergency service procedures together with associated records

### **Records**

3.28 The authorised person must maintain proper books of accounts supported by adequate and comprehensive records, which should be in accordance with guidelines that may be issued from time to time by the Authority.

3.29 The authorised person shall maintain in a form acceptable to the Authority and produce to an inspector upon request, a record documenting the daily records and accounts of all receipts and issues of petroleum in such form as the Authority may from time to time prescribe.

3.30 Within the 15<sup>th</sup> working day of each month the authorised person must submit in

written form to the Authority a list covering the total amount of LPG handled during the preceding month. The list shall cover:

- (i) LPG bought or supplied from each authorised importer and, or wholesaler;  
and
- (ii) all LPG sales, divided into:
  - residential premises;
  - Autogas stations;
  - Agricultural;
  - commercial and institutional premises; and
  - industrial premises by type: - food sector, manufacturing, textiles, and construction industries.

### **Insurance**

- 3.31** The authorised person shall insure and keep insured throughout the duration of the authorisation the authorised premises against loss or damage, including malicious damage resulting from fire and/or explosion, to third parties and third party property surrounding the secondary storage site.

### **Transfer of Authorisation**

- 3.32** Authorisations shall be transferable:  
Provided that whenever an authorised person desires to transfer his license he shall follow the procedure prescribed in regulation 20 of the 'LPG Market Regulations, 2008', (Legal Notice 249 of 2008).
- 3.33** The Authority shall treat an application for the transfer of a license as a new application in terms of Schedule 1 of the 'LPG Market Regulations, 2008', (Legal Notice 249 of 2008).

4. **Special Conditions of Authorisation**

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**Declaration**

I \_\_\_\_\_ of \_\_\_\_\_  
accept this authorisation with its conditions.

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I.D. No.

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