VERŻJONI ELETTRONIKA

L.N. 100 of 2012

MALTA RESOURCES AUTHORITY ACT (CAP. 423)

Petroleum for the Inland (Wholesale) Fuel Market (Amendment) Regulations, 2012

IN exercise of the powers conferred by article 28(1) of the Malta Resources Authority Act, the Minister for Resources and Rural Affairs, after consultation with the Malta Resources Authority, has made the following regulations:-

Citation.

1. The title of these regulations is the Petroleum for the Inland (Wholesale) Fuel Market (Amendment) Regulations, 2012, and these regulations shall be read and construed as one with the Petroleum for the Inland (Wholesale) Fuel Market Regulations, hereinafter referred to as "the principal regulations".

S.L. 423.28

Amends regulation 1 of the principal regulations.

2. Sub-regulation (1) of regulation 1 of the principal regulations shall be substituted by the following:

"(1) The title of these regulations is the Petroleum for the Inland Wholesale Fuel Market, Bottling of LPG and Primary Storage Facilities Regulations.".

Amends regulation 2 of the principal regulations.

3. Regulation 2 of the principal regulations shall be amended as follows:

(a) for the definition "competent person" there shall be substituted the following definition:

" "competent person" means a person who is approved by the Authority and who:

(a) practices the profession of an engineer under the Engineering Profession Act; and

Cap. 321.

(b) who is suitably trained, has sufficient knowledge, experience and capability as approved by the Authority to:

(i) carry out assessment inspections of authorised facilities;

(ii) supervise material alterations to authorised facilities;

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(iii) certify in writing that authorised facilities are being maintained and operated as prescribed in any authorisation conditions and, or guidelines and, or Codes of Practice duly approved by the Authority;

(iv) certify in writing the design, construction, testing and commissioning of equipment and, or sites intended to be designated by the Authority as authorised facilities;

(v) carry out other work of a technical nature that is complimentary or ancillary to the above;"; and

(b) for the definition "material alterations" there shall be substituted the following definition:

"material alteration" means any alteration which, within the limits of the applicability of the authorisation, may in the opinion of the Authority reasonably affect the operation of an authorised facility and includes the addition, change, removal, repair, replacement or cessation of use of any equipment, whether electrical or mechanical;".

Amends regulation 33 of the principal regulations.

4. Regulation 33 of the principal regulations shall be renumbered as regulation 33(1) and immediately after sub-regulation (1) as renumbered there shall be added the following new sub-regulation:

"(2) The authorised provider referred to in sub-regulation (1) shall ensure that the minimum biofuel amounts as a percentage of the total energy content of MSA EN 228 petrol and MSA EN 590 diesel placed on the market, as provided for in the Sixth Schedule, are audited and verified to be in compliance to the sustainability criteria set out in regulation 4 of the Biofuels (Sustainability Criteria) Regulations.".

S.L.423.47

Amends the First Schedule to the principal regulations.

5. In the First Schedule to the principal regulations for the words:

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"FIRST SCHEDULE
Regulation 8(2)"

there shall be substituted the words:

"FIRST SCHEDULE

Regulation 2, 8(2)

Fee due to the Authority for approval as a competent person ..... €35".

Amends the Second Schedule to the principal regulations.

6. In the Second Schedule to the principal regulations for the words:

"(a) €4,659 per annum in the case of a primary storage facility which does not exceed 25,000 tonnes capacity;

(b) €9,317 per annum in the case of a primary storage facility which exceeds 25,000 tonnes but does not exceed 100,000 tonnes capacity;

(c) €13,976 per annum in the case of a primary storage facility which exceeds 100,000 tonnes capacity"

there shall be substituted the words:

"(a) €1,500 per annum in the case of a primary storage facility which does not exceed six tonnes capacity, but in the case of a primary storage facility of LPG such amount of authorisation fee shall be applicable when the capacity does not exceed two tonnes;

(b) €2,500 per annum in the case of a primary storage facility which does not exceed 2,500 tonnes, but in the case of a primary storage facility of LPG such authorisation fee shall be applicable when the capacity does not exceed 50 tonnes;

(c) €5,000 per annum in the case of a primary storage facility which exceeds the capacities mentioned in paragraph (b) but which does not exceed 25,000 tonnes capacity;

(d) €10,000 per annum in the case of a primary storage facility which exceeds 25,000 tonnes but which does not exceed 100,000 tonnes capacity;

(e) €15,000 per annum in the case of a primary storage facility which exceeds 100,000 tonnes capacity.".

Substitutes the Third Schedule to the principal regulations.

7. For the Third Schedule to the principal regulations there shall be substituted the following:

"THIRD SCHEDULE
Regulation 30(1)

Gas Oil falling within CN Code 2710.19.45.00 shall be marked with CI Solvent Yellow 174 dye added in not less than such a quantity that gives a colour intensity when measured in a spectrophotometer at 430 ± 10nm, corresponding to 5 mg of CI Solvent Yellow 174 as defined in the Colour Index per litre of mineral oil.".

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