

FUEL AND ENERGY

Petroleum Products and Energy Act 13 of 1990.

Summary: This Act provides measures for the saving of petroleum products and economy in the cost of distributing such products. It controls pricing and certain information about petroleum products, and regulates certain services in connection with motor vehicles. The Act also establishes a National Energy Fund and a National Energy Council, and provides for levies on fuel.

Amendments: Act 29/1994 amends sections 2, 14, 15 and 21. Act 11/1997 amends sections 1 and 38 and inserts sections 76A and 76B. Act 3/2000, which came into operation on 3 July 2000 (GN 154/2000, GG 2357), amends sections 1, 6, 8 and 21 and inserts section 2A and 4A. Act 16/2003, which came into force on 17 March 2005 (GN 29/2005, GG 3396), amends sections 1, 2A, 11,13, 17, 18, 19, and the long title, and inserts sections 11A, 11B, 18A, 18B, 19A and 19B.

Regulations: GN 48/1991 (GG 183), which is replaced by GN 112/1991 (GG 281), concerns regulations on the purchase, sale, supply, acquisition, possession, disposal, storage, transportation, recovery and re-refinement of used mineral oil.

Other regulations are contained in GN 38/1993 (GG 617), which repeals the regulations in RSA GN R.1614/1985.

Regulations are also contained in GN 155/2000 (GG 2357), which repeals the regulations in RSA GN R.1829 of 28 August 1981, R.1614 of 19 July 1985, R.2298 of 11 October 1985 and R.1100 of 2 June 1986. GN 155/2000 is amended by GN 202/2002 (GG 2866), which amends regulations 7, 14, 21, 28 and 44; substitutes regulation 30; inserts regulation 31A and amends Annexure A.

GN 93/2003 (GG 2970) concerns arbitration procedures.

GN 230/2004 (GG 3307) concerns the funding of approved agencies; it is replaced by GN 30/2005 (GG 3397).

Specifications and standards pertaining to Regulations 44 and 45 of the Petroleum Products Regulations issued in terms of GN 155/2000 are applied by GN 166/2007 (GG 3900). (Previous specifications and standards were applied by GN 21/2002 (GG 2696) and GN 75/2003 (GG 2946).)

Regulations relating to the reselling price of petrol products are contained in the following, each of which revokes or replaces the previous one in the list; the entire list is retained here, as it provides an interesting historical record of the movement of petrol prices.

- GN 48/1990 (GG 70)
- GN 62/1990 (GG 94)
- GN 72/1990 (GG 104)
- GN 23/1991 (GG 166)
- GN 130/1991 (GG 299)
- GN 56/1992 (GG 407)
- GN 46/1993 (GG 631) as amended by GN 51/1994 (GG 832) (to add Walvis Bay)
- GN 80/1995 (GG 1080)

GN 77/1996 (GG 1292)
GN 93/1996 (GG 1306)
GN 200/1996 (GG 1372)
GN 7/1997 (GG 1481)
GN 69/1997 (GG 1538)
GN 152/1997 (GG 1606)
GN 200/1997 (GG 1704)
GN 5/1998 (GG 1774)
GN 90/1998 (GG 1845)
GN 171/1998 (GG 1910)
GN 251/1998 (GG 1971)
GN 9/1999 (GG 2029)
GN 80/1999 (GG 2097)
GN 119/1999 (GG 2142)
GN 203/1999 (GG 2203)
GN 1/2000 (GG 2255)
GN 98/2000 (GG 2310)
GN 119/2000 (GG 2332)
GN 149/2000 (GG 2351)
GN 221/2000 (GG 2406)
GN 21/2001 (GG 2476)
GN 60/2001 (GG 2510)
GN 148/2001 (GG 2580)
GN 59/2002 (GG 2725)
GN 185/2002 (GG 2834)
GN 8/2000 (GG 2901)
GN 148/2003 (GG 3017)
GN 218/2003 (GG 3073)
GN 3/2004 (GG 3132)
GN 74/2004 (GG 3188)
GN 140/2004 (GG 3236)
GN 40/2005 (GG 3417)
GN 92/2005 (GG 3472)
GN 129/2005 (GG 3503)
GN 19/2006 (GG 3579)

Note that there are two versions of GG 3579, both dated
18 January 2006. The correct version states at the top
“This Gazette replaces Gazette 3579 of 18 January 2006.”

GN 63/2006 (GG 3621)
GN 81/2006 (GG 3643)
GN 106/2006 (GG 3667)
GN 123/2006 (GG 3681)
GN 181/2006 (GG 3737)
GN 218/2006 (GG 3753)
GN 4/2007 (GG 3774)
GN 40/2007 (GG 3801)
GN 59/2007 (GG 3801)
GN 86/2007 (GG 3828)
GN 89/2007 (GG 3828)
GN 115/2007 (GG 3867)
GN 131/2007 (GG 3883)
GN 223/2007 (GG 3953)
GN 40/2008 (GG 3992)
GN 66/2008 (GG 4013)
GN 74/2008 (GG 4028)

GN 108/2008 (GG 4046)
GN 134/2008 (GG 4060)
GN 169/2008 (GG 4081)
GN 190/2008 (GG 4100)
GN 230/2008 (GG 4123)
GN 249/2008 (GG 4137)
GN 268/2008 (GG 4159)
GN 286/2008 (GG 4182)
GN 6/2009 (GG 4196)
GN 40/2009 (GG 4196)
GN 65/2009 (GG 4242)
GN 139/2009 (GG 4282)
GN 145/2009 (GG 4295)

This notice revokes GN 138 of 17 June 2009. There is no such notice. It was clearly meant to revoke GN 139 of 17 June 2009. (GN 138 of 19 June 2009 is the promulgation of the Appropriation Act 4 of 2009.)

GN 164/2009 (GG 4318)
GN 189/2009 (GG 4338)
GN 204/2009 (GG 4354)
GN 245/2009 (GG 4394)
GN 15/2010 (GG 4424)
GN 78/2010 (GG 4461)
GN 109/2010 (GG 4488)
GN 127/2010 (GG 4504).

Cases: *BP Namibia (Pty) Ltd v Southline Retail Centre CC* 2009 (10 NR 268 (HC)).
(Note: The Act is mistakenly referred to in the headnote as the Petroleum Products Act 120 of 1977).

INTERNATIONAL LAW

Statute of the International Atomic Energy Agency, 1956

effective date in respect of Namibia: 17 February 1983.

(source: Environmental Treaties and Resource Indicators Service, <http://sedac.ciesin.org/entri>.)

Convention of the African Energy Commission, 2001

(entered into force within AU on 13 December 2006)

ratification approved by Parliament: 20 June 2006 (source: Parliament); 14 May 2007 (source:

www.africa-union.org)

deposit: 30 May 2007 (source: www.africa-union.org)

SADC Protocol on Energy, 1996

(entered into force within SADC on 17 April 1998) (source: SADC)

signature: 24 August 1996 (source: SADC)

See also State-owned Enterprises Governance Act 2 of 2006 (**COMPANIES**), which affects the National Petroleum Corporation of Namibia (Pty) Ltd.

See also **ELECTRICITY**.

See also Atomic Energy and Radiation Protection Act 5 of 2005 (**ENVIRONMENT**).