

APPLICATION NUMBER: BNKG

Bunkering

Application for a Bunkering licence issued in terms of Port Rule 148. (Port Rules issued in terms of section 80(2) of the National Ports Act No. 12 of 2005).

Trading name of Applicant:		
Port in which bunkering activity is to be provided.	Port	Tick applicable port
	Port of Richards Bay	
	Port of Durban	
	Port of East London	
	Port of Ngqura	
	Port of Port Elizabeth	
	Port of Mossel Bay	
	Port of Cape Town	
	Port of Saldanha Bay	

Application is lodged for the following bunkering methods/activities in the applicable port. (NOTE: Not all bunkering methods/activities are applicable in all ports).

Bunkering method/activity.	Tick applicable bunkering method(s)/activity or activities.
a.) Bunker barge/ Vessel (Outside Breakwater)	
b.) Fixed (Quayside pipelines)	
c.) Road tanker (Mobile bunker supplier)	
d.) Road truck (Mobile bunker supplier by drums)	

Important Information:

Instructions

UNDERSTANDING THE APPLICATION FORM

1. Applicants are advised to read these Instructions, as well as the Guidelines for Agreements, Licences and Permits in terms of the National Ports Act No. 12 of 2005 ("the Guidelines") carefully before completing the **Application form**. The Guidelines are available at www.transnetnationalportsauthority.net.
2. Any queries regarding the completion of the **Application form** may be submitted to the Port Manager (or designated Port licence representative).

ANNEXURES

3. Certain documentation or information is required in support of a response to some questions. Applicants are instructed in the **Application form** regarding the documentation or information required as annexures. If the required documentation or information is not submitted, the application may be adversely affected or may be refused.

Note: If answering "No" to any questions, i.e. if the documentation or information requested cannot be provided, an **explanation** for this should be given instead of the **Annexure**, to demonstrate that the Applicant is capable of performing a reliable, efficient and economical bunkering service.

COMPLETION OF APPLICATION FORM

4. An application for a bunkering licence must be made in writing in the form specified hereinafter and must contain the information specified therein.
5. Complete all paragraphs of the **Application form** in the spaces provided. If the information necessary for completion of a paragraph is not available, the response should be "information not available". Information may not be submitted by way of annexures, except where applicants are specifically directed to do so.
6. The **Application form** must be completed and submitted together with the required supporting documents. Complete the **Application form** in black ink and in **CAPITAL LETTERS**.
7. The **declaration** must be signed and declared as true. If the declaration is not signed and declared to be true, the application will be refused.
8. The application must be punched and placed in a file, with a divider before each annexure. The annexures must be clearly marked and numbered as indicated in the **Application form**.
9. The application can also be submitted via email to the designated port licence representative in the port where the applicant wishes to be licenced.

LODGEMENT OF APPLICATION

10. In order to finalise the **application** per port, the following documents and information are required:
 - a. Completed and signed **Application form** per port;
 - b. Provide annexures and information as indicated in the **Application form**, as needed; and
 - c. Signed standard terms and conditions of the licence.
11. **Applications** must be submitted on a per port basis, to the office of the Port Manager (or designated port licence representative).
12. **Applications** must be delivered between 08:30 and 16:00 during weekdays, to the office of the Port Manager (or designated port representative) for the applicable port.
13. **Applications** can also be emailed to the designated port licence representative.

14. A formal acknowledgement of receipt will be issued by the Authority's Port Manager (or designated port representative) upon receipt of the **application**. The receiving of the **application** does not imply an acknowledgment of the completeness of the **application** or the correctness of its content.
15. **Applications** may not be submitted by post or fax. An application not submitted by hand or email to the port licence representative will be refused.

PAYMENT OF LICENCE FEE

16. Upon written notification of the successful outcome of an **application**, Transnet National Ports Authority requires once-off payment per port for the full duration of the term of the licence, before issuing the licence. The licence fee (as set out in the TNPA Tariff Book) is payable for each port you want to conduct your business in.
17. **The Bunkering Licence fee (Tariff) applicable per port for the tariff year, can be paid in equal instalments on an annual basis over the five (5) year period of the licence.**

IMPROPER LODGEMENT

18. Improperly lodged **applications** will be refused. An **application** is improperly lodged if:
 - a. The **application** was lodged in a manner not in line with the Instructions.

MATERIAL DEFECTS

19. **Applications** that are materially defective will be refused. An **application** is materially defective if:
 - a. The declaration was not signed and attested to by the applicant's authorized representative; or
 - b. The applicant provided false information or documents, failed to disclose material information or attempted to improperly influence officials of Transnet National Ports Authority.

BUNKERING LICENCE – APPLICATION FORM

Paragraph 1 – Applicant details

- 1.1. Registered name of applicant:
- 1.2. Trading name of applicant:
- 1.3. Registration number:
- 1.4. Income tax reference number:
- 1.5. VAT registration number:
- 1.6. Compensation Fund (COID) Certificate Number:.....
- 1.7. Principal place of business: Number and street:
- Suburb:
- Town/City:
- Postal code:
- 1.8. Postal address: Number and street/ PO Box
- Suburb:
- Town/City:
- Postal code:
- 1.9. Telephone number: (.....)
- 1.10. Authorised representative's first name and surname:
- a. Identity number:
- b. Position held / relationship to applicant
- c. Cellular number:
- d. Email address:
- 1.11. Provide, as **Annexure 1A**, a brief profile of the applicant, including a brief history of the applicant organisation, information about the services it provides and an organogram.
- 1.12. Provide, as **Annexure 1B**, a copy of a valid company or close corporation registration certificate.
- 1.13. Provide, as **Annexure 1C**, a copy of a resolution authorising the person listed in paragraph 1.10 to be the authorised representative.

Paragraph 2 – Formal requirements

- 2.1. Does the applicant have a valid tax clearance certificate? Yes No
- 2.1.1. If "Yes", provide, as **Annexure 2A**, a copy of a valid SARS tax clearance certificate.
- 2.2. Does the applicant have a valid "COID" certificate? Yes No
- 2.2.1. If "Yes", provide, as **Annexure 2B**, a copy of valid certificate issued by the Compensation Commissioner, i.e. a "Letter of Good Standing" in terms of the Compensation for Occupational Injuries and Diseases Act 1993.

- 2.3 Does applicant have updated written procedures for transfer of bunkers? Yes No
- 2.3.1 If "Yes", provide, as **Annexure 2C**, a copy of updated written procedures for transfer of bunkers.

Paragraph 3 – Equipment and personal protective clothing

- 3.1 Does the applicant have the appropriate equipment to supply bunkers according to the method of operation e.g. bunker barge, pipes, road tanker and road truck?
 Yes No
- 3.2 Has the applicant compiled safe working procedures for all methods of bunkering activities applied for?
 Yes No
- 3.2.1 If "Yes", provide, as **Annexure 3A**, written confirmation that safe working procedures are compiled for all methods of bunkering methods applied for.
- 3.3 Does the applicant provide protective clothing and equipment for all employees?
 Yes No
- 3.3.1 If "Yes", provide, as **Annexure 3B**, provide the list of the **personal protective equipment** and confirmation that the requirements in respect of appropriate personal protective equipment for all employees are met.
- 3.4 The applicant will on request be required to provide the relevant details, for example a list of the appropriate equipment, compiled safe working procedures, prior to the Authority's on-site audit.

The applicant's authorised representative will be contacted for the arrangement of a date on which the Authority will conduct a compliance and safety, health and environment audit and/or inspection to determine if the applicant is capable of complying with the related terms and conditions of the Bunkering Licence.

Paragraph 4 – Health and Safety

- 4.1 Does the applicant currently comply with the health and safety obligations contemplated in the Bunkering Licence?
 Yes No
- 4.1.1 If "No", an explanation is needed, as **Annexure 4A**.
- 4.2 Has the applicant appointed safety, health and environment representatives to Safety, Health and Environment Committees, as required by the Occupational Health and Safety Act No. 85 of 1993 or the Maritime Occupational Safety Regulations of the Merchant Shipping Act 57 of 1951, whichever is applicable?
 Yes No
- 4.2.1 If "Yes", provide, as **Annexure 4B**, the names and qualifications of representatives appointed to Safety, Health and Environmental Committees.
- 4.3 Are safety, health and environmental incidents recorded and investigated? Yes No
- 4.3.1 If "Yes", provide, as **Annexure 4C**, copies of the applicant's incident record and investigation reports for the previous two years.
- 4.4 Are all the applicant's employees provided with occupational health and safety training?
 Yes No
- 4.4.1 If "Yes", provide, as **Annexure 4D**, copies of occupational health and safety training records for all employees.
- 4.5 Does the applicant have emergency management processes? Yes No

4.5.1 If **"Yes"** the applicant will on request be required to provide the relevant details prior to the Authority's on-site audit. Emergency management processes will then be verified during the audit.

4.6 Does the applicant have the following infrastructure, within port limits, available?

Infrastructure	Yes/ No	Infrastructure	Yes/ No
Housekeeping and waste reception facilities		Stacking and storage facilities	
Worker facilities		Inspection facilities	

4.6.1 If **"Yes"** to any of the items listed in the table above, the applicant will be required to provide the relevant details on request prior to the Authority's on-site audit, whereupon such infrastructural requirements will be verified.

The applicant's authorised representative will be contacted for the arrangement of a date on which the Authority will conduct a compliance and safety, health and environment audit and/or inspection to determine if the applicant is capable of complying with the related terms and conditions of the Bunkering Licence.

Paragraph 5 – Labour, personnel qualifications and competencies

5.1 Does the applicant currently comply with the labour and personnel obligations contemplated in the Bunkering licence? Yes No

5.1.1 If **"No"** an explanation is needed; as **Annexure 5A**.

5.2 Are the employees of the applicant familiar with the current provisions of MARPOL Regulations, ISGOTT Manual and the ISM Code? Yes No

5.2.1 If **"No"** an explanation is needed; as **Annexure 5B**.

5.3 Do all employees of the applicant have a general health and safety certificate issued by a SAQA accredited training institution? Yes No

5.3.1 If **"No"** an explanation is needed; as **Annexure 5C**.

5.4 Have all employees of the applicant received training in all spill and pollution control measures? Yes No

5.4.1 If **"No"** an explanation is needed; as **Annexure 5D**.

5.5 Have all employees of the applicant (in case of bunker barge) received SAMSA approved training? Yes No

5.5.1 If **"No"** an explanation is needed; as **Annexure 5E**.

5.6 The names, qualifications certificates, experience and training records for each employee or person to be employed shall be available on request prior to the Authority's on-site audit, and verified during the audit.

The applicant's authorised representative will be contacted for the arrangement of a date on which the Authority will conduct a compliance audit and/or inspection to determine if the applicant is capable of complying with the related terms and conditions of the Bunkering Licence.

Paragraph 6 – Security

6.1 Does the applicant currently comply with the security obligations contemplated in the Bunkering licence? Yes No

- 6.1.1 If **"No"**, an explanation is needed; as **Annexure 6A**.
- 6.2 The applicant undertakes to comply with the provisions of the International Maritime Organisation Convention of Safety and Security at Sea, the ISPS Code and the Maritime Security Regulations 2004, adopted under the Merchant Shipping Act No 57 of 1951, contemplated in the Bunkering licence. **Yes**

Paragraph 7 – Environmental protection

- 7.1 Does the applicant currently comply with the environmental obligations contemplated in the Bunkering licence? **Yes** **No**
- 7.1.1 If **"No"**, an explanation is needed; as **Annexure 7A**.
- 7.1.2 If **"Yes"**, provide as **Annexure 7B**, a copy of the environmental management plan for identified potential environmental impacts.
- 7.2 Does the applicant have an IOPP (International Oil Pollution Prevention) certificate for Bunker Barge? **Yes** **No**
- 7.2.1 If **"Yes"**, provide as **Annexure 7C**, a copy of the IOPP (International Oil Pollution Prevention) certificate for Bunker Barge.
- 7.3 Does the applicant have a SOPEP (Ship Oil Pollution Emergency Plan) on board? **Yes** **No**
- 7.3.1 If **"Yes"**, provide as **Annexure 7D**, a copy of the SOPEP (Ship Oil Pollution Emergency Plan).
- 7.4 Does the applicant have a contract and/or an arrangement with a Pollution Response Service provider for major spills? **Yes** **No**
- 7.4.1 If **"Yes"**, provide as **Annexure 7E**, a copy of the contract and/or an arrangement with a Pollution Response Service provider for major spills.

The applicant's authorised representative will be contacted for the arrangement of a date on which the Authority will conduct a compliance audit and/or inspection to determine if the applicant is capable of complying with the related terms and conditions of the Bunkering Licence.

Paragraph 8 – Insurance and risk

- 8.1 Does the applicant have public liability insurance? **Yes** **No**
- 8.1.1 If **"Yes"**, provide, as **Annexure 8A**, a copy of the relevant insurance policy, encircling the part dealing with public liability.
- 8.2 If the applicant is a new operator, does the applicant qualify for public liability insurance? **Yes** **No**
- 8.2.1 If **"Yes"**, provide, as **Annexure 8B**, a letter from an insurance company confirming that the applicant qualifies for public liability insurance.
- 8.3 Does the applicant have environmental pollution liability insurance? **Yes** **No**
- 8.3.1 If **"Yes"**, provide, as **Annexure 8C**, a copy of the relevant insurance policy.
- 8.4 If the applicant is a new operator, does the applicant qualify for environmental pollution insurance? **Yes** **No**
- 8.4.1 If **"Yes"**, provide, as **Annexure 8D**, a letter from an insurance company confirming that the applicant qualifies for environmental pollution insurance.

8.5 Has the applicant compiled a risk assessment report dealing with safety, health and the environment and the nature of bunkering services applied for?

Yes No

8.5.1 If "Yes", provide, as **Annexure 8E**, a copy of the risk assessment report, which must include:

- a) Identification of any foreseeable hazards;
- b) An assessment of the risk of harm arising from the identified hazards;
- c) Indication of where hazards can and will be eliminated; and
- d) Where hazards cannot be eliminated, identification of how risks can be controlled by implementing measures to lessen the risk of harm to the lowest possible level.

8.6 Has the applicant compiled a plan for reducing risk?

Yes No

8.6.1 If "Yes", provide, as **Annexure 8F**, a copy of the plan for reducing risk, which must include, where appropriate:

- a) A medical surveillance programme that is applicable to the risks identified in the risk assessment; and
- b) Objectives, targets, action plans, responsibility assigned and completion dates.

8.7 The applicant undertakes not to subcontract any bunkering activity to a third party who is not in possession of a valid bunkering licence for the port without the prior written consent of the authority.

Yes

Paragraph 9 – Broad-based black economic empowerment

9.1 Does the applicant qualify as an exempted micro-enterprise in terms of the Broad-Based Black Economic Empowerment Codes of Good Practice?

Yes No

9.1.1 If "Yes", provide, as **Annexure 9A**, a valid confirmation that the applicant qualifies as an exempted micro-enterprise.

9.2 What is the applicant's current BBBEE Status?

Level [] Contributor

9.2.1 Provide, as **Annexure 9B**, a copy of the valid certificate from an accredited verification agency reflecting the applicant's current BBBEE status.

9.2.2 If the applicant's BBBEE level status is from level 5 to 9, provide a written undertaking, as **Annexure 9C** that the Applicant will reach at least level 4 BBBEE status, within twelve (12) months from the date of Bunkering licence being issued.

Paragraph 10 – Application declaration

I, the undersigned, do hereby declare that:

- a) I have read the instructions set out on the instructions page of this application form.
- b) The information submitted with and in this application is true, correct and complete.
- c) I accept that if any information in this application is not true or complete, or if false information is provided, or material information is not disclosed, this may lead to the application being refused, or to the withdrawal, suspension or cancellation of any licence granted on the strength of this application.
- d) In order to allow for the proper verification of information submitted, I hereby authorise any institution, organ of state, person or body, who possesses or acquires any information relevant to the application, to disclose or make the information available to the Transnet National Ports Authority.

- e) The applicant undertakes to co-operate with any investigators by timeously submitting responses to written requests for information or explanations, by attending meetings with investigators, by answering questions satisfactorily at such meetings and where necessary, by granting investigators access to premises and documents. The applicant accepts that a failure to co-operate may constitute an independent ground for refusing an application.
- f) The applicant accepts that any attempt to influence the decision of Transnet National Ports Authority on the allocation of a licence in any manner other than provided for in the Guidelines or in this application form, may result in the application being refused.

Signed at

This **day of** **20**

Signature of Authorised Representative:

Representative's full name:

The authorised representative declares that he/she knows and understands the contents and implications of the above declaration.

Full name:

Designation:

Physical address:

.....

**FOR OFFICIAL USE ONLY: DO NOT TEAR OFF
ACKNOWLEDGEMENT OF RECEIPT ONLY**

Registered name of applicant:

Received by:
(Name) (Signature)

Date of receipt: 20.....

Time of receipt: :

Receipting venue:

Application number:

Transnet
National Ports
Authority

Stamp:

Disclaimer: The receiving of this **application** does not imply an acknowledgment of the completeness of the application or the correctness of its content.

(Tear off) - - - - - (Tear off)

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