

GOVERNMENT NOTICE No. 222 published on 19/07/2013

THE WEIGHTS AND MEASURES ACT
(CAP. 340)

REGULATIONS

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SCHEDULES

THE WEIGHTS AND MEASURES ACT

(CAP. 340)

REGULATIONS

(Made under section 54)

THE WEIGHTS AND MEASURES (SALE OF LIQUEFIED PETROLEUM GAS [LPG])
REGULATIONS, 2013

PART I
PRELIMINARY PROVISIONS

Citation

1. These Regulations may be cited as the Weights and Measures (Sale of Liquefied Petroleum Gas) Regulations, 2013.

Interpretations

2. In these Regulations, unless the context requires otherwise-

“Act” means the Weights and Measures Act;

“Assizer” means a Weights and Measures Officer appointed under section 14(2) of the Act;

“Bulk LPG storage” means a provision of storage facilities where more than 1,000 kg of LPG is stored in a pressure vessel;

“commissioner” means the Commissioner for Weights and Measures appointed under section 14(1) of the Act;

“cylinder” means any portable or stationery pressure container, together with all of its permanent supports and attachments installed for the storage and handling

of LPG;

“cylinder shell” means container without a valve or any other readily detachable part such as a valve protection cap, boot or shroud;

“dealer” means any person conducting LPG retail business under the agency of a super dealer;

“dealership agreement” means the contractual arrangement that establishes, *inter alia*, an exclusive relationship between a wholesaler and a super dealer or between a super dealer and a dealer with respect to the purchase and sale of LPG and it shall contain the minimum mandatory requirements set out by EWURA;

“EWURA” means Energy and Water Utilities Regulatory Authority;

“gross weight” means the weight of any goods including the weight of its container;

“SI Units” means the International System of Units as approved by the General Conference on Weights and Measures and which are specified in regulations made under this Act;

“filler” means a device used to fill gas;

“Liquefied Petroleum Gas” (“LPG”) means any material having a vapour pressure not exceeding that allowed for commercial propane and composed predominantly of the following hydrocarbons, either by themselves or as mixtures, propane, propylene, butane and butylenes;

“inspection lot” means a batch which is a definite quantity of the some prepackages produce at one time under conditions that are presumed uniform and from which a sample is drawn and inspected to determine conformance with specified criteria for acceptance or

rejection of the inspection as a whole;

“metrological supervision” means legal control exercised by an inspector on checking the correctness of quantities of LPG imported through any border by pressure vessel, amount distributed by any means including bulk LPG storage, cylinders and labeling on cylinders;

“mark” means hard- stamping, embossing or embedding of cylinders;

“net weight” means the weight of any goods excluding the weight of its container;

“premises” includes any land or any building or other structure, and includes train, boat, ship, aircraft or any other vehicle except premises used solely as a dwelling house;

“refilling center” means a facility operated by a wholesaler or a super dealer and dully authorized by EWURA to decant LPG cylinders;

“super dealer” means any person who either handles at any one time not less than three thousand kilogram’s of LPG or has a re-filling center and who has a dealership agreement with a wholesaler and shall have the rights and obligation to-

(a) store, handle and sell LPG to a dealer;

(b) sell LPG in cylinder or in bulk to a customer; or

(c) re-fill LPG to customer through a re-filling center.

“weight” means the force on the object due to gravity;

“wholesaler” means any person that imports, stores, handles, fills, decants and sells LPG directly to a bulk customer or a super dealer.

PART II
SALE OF LPG IN CYLINDERS

General requirements

3.-(1) The tare weight, net weight and gross weight shall be in SI Units and marked or painted conspicuously.

(2) Any cylinder shall be examined and measured to ascertain the declared tare weight when received for filling or refilling.

Marking and Labelling

4. For any gas cylinder, the following information shall be legibly and permanently marked around the neck or collar-

- (a) brand name;
- (b) name of the product;
- (c) serial number;
- (d) tare weight;
- (e) net weight;
- (f) gross weight; and
- (g) pressure at filling.

Inspection and Testing

5.-(1) Inspection and testing of a cylinder at any premises shall be conducted in order to ascertain the particulars as specified in Regulation 4 and prescribed notice of compliance shall be issued.

(2) Where another party or person is authorized by the Commissioner to carry out inspection and tests on his behalf, he shall conduct such inspection and testing as provided under sub regulation (1) of this regulation.

(3) The Commissioner or any other authorized person shall enter all the findings of his examination in the First Schedule and shall obtain, on the said Data Sheet, the signature of the manufacturer or, as the case may be, of the packer, or his authorized agent distributor, dealer what about unauthorized ones.

Measuring instruments

6. All dealers including retailers who selling gas in cylinders, whose information is as in regulation 4, shall maintain a measuring instrument of at least accuracy class III.

Maximum permissible error

7. The maximum permissible error on gas cylinder shall not be greater than one percent of the declared gross weight during filling or re-filling and two percent of the declared gross weight at the retailer or wholesaler premises.

Seal

8. Any filled LPG cylinder shall bear respective filler's seal whose sample has been submitted to the Weights and Measures Agency for registering purposes.

Rejection of Cylinders

9. Any cylinder not conforming to all or any of the provisions of this regulation, such cylinders shall be rejected and notice shall be issued.

Penalty

10. Any person who contravenes the provisions of these regulations shall be guilty of an offence and shall be liable to a penalty as provided for in the Act.

SCHEDULE

Weights And Measures (Sale Of Liquefied Petroleum Gas [Lpg])

G.N. No. 222(contd.)



—————
THIRD SCHEDULE
—————

The United Republic of Tanzania

The Weights and Measures Agency

FILLED LPG CYLINDER REJECTION NOTE

—————
(Made under Regulation 9)
—————

FLPGCRN/No:00000001

To:.....
of.....
Tel.....

I,being An Assizer of Weights
and Measures do hereby reject the under mentioned LPG cylinders for proper
filling and labeling

This.....day of20.....

Signature.....

PART II
FEES

Fees 11. Metrological supervision fees shall be TShs.2/= per kilogram and shall be charged once on the declared quantity of importation.

Dar es Salaam,
09th July, 2013

ABDALLAH .O. KIGODA
Minister for Industry and Trade

Weights And Measures (Sale Of Liquefied Petroleum Gas [Lpg])

G.N. No. 222(contd.)