

PETROLEUM AND NATURAL GAS REGULATORY BOARD NOTIFICATION

New Delhi, the2018

In exercise of the powers conferred by section 61 of the Petroleum and Natural Gas Regulatory Board Act, 2006 (19 of 2006), the Petroleum and Natural Gas Regulatory Board hereby makes the following regulations, namely: -

1. Short title and commencement.

- 1) These regulations may be called the Petroleum and Natural Gas Regulatory Board (Registration for establishing & operating Liquefied Natural Gas (LNG) terminals) Regulations, 2018.
- 2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

- (1) In these regulations, unless the context otherwise requires:
 - a) "Act" means the Petroleum and Natural Gas Regulatory Board Act, 2006;
 - b) "Board" means the Petroleum and Natural Gas Regulatory Board established under sub-section (1) of the Section 3 of the Act;
 - c) "Liquefied natural gas terminal (LNG terminal)" means an infrastructure required to:
 - (i) receive liquefied natural gas;
 - (ii) store liquefied natural gas;
 - (iii) enable regassification of LNG;
 - (iv) transport regassified Liquefied natural gas to the outside boundaries of the facility; and

- (v) transport Liquefied natural gas to the outside boundaries of the facility;

and such an infrastructure on-land LNG terminal, Floating Storage Regassification units (FSRU), LNG-FPSO (LNG-Floating, Production Storage and offloading), etc.

- (2) “Uncommitted Capacity” means that capacity of the LNG facility which is net of the entity’s own and the contractual requirements.
- (3) All other words or expressions used in these regulations and not defined but defined in the Act or in other regulations made there under, shall have the meaning, respectively assigned to them in the Act or in other regulations notified under the provisions of the Act.

3. Application for Registration.

(1) An entity desirous of establishing or operating a LNG terminal after the date of establishment of the Board and fulfilling the following conditions prescribed by the Central Government vide notification number G.S.R. 805(E) dated 30th October 2012 shall make an application for registration to the Board as per Schedule-I.

- (a) Offer at all times, after registration, 20 per cent of its short term (less than 5 years contract) uncommitted re-gasification capacity or 0.5 Million Metric Tonnes Per Annum (MMTPA), whichever is higher, as common carrier capacity.
- (b) Adhere to the technical standards and specifications including safety standards activities relating to petroleum, petroleum products and natural gas, as prescribed by the Board by regulations, which are in force.

(c) Furnish a bank guarantee to the Board for an amount equal to 1 per cent of the estimated project cost of the LNG terminal or Rs. 25 crore, whichever is less.

Provided that an entity desirous of establishing or operating more than one LNG Terminal shall make separate applications for each of such LNG terminals.

4. Application fee.

An application for registration under regulations 3 shall be accompanied by the fee as specified in the Petroleum and Natural Gas Regulatory Board (Levy of Fee and other Charges) Regulations, 2007. Such fee shall be non-refundable.

5. Certificate of Registration

- (1) The Board shall issue a certification of registration valid for 25 years as per the format at Schedule-II to an entity making an application for registration along with the bank guarantee and application fee as per regulations 3 and 4 respectively.
- (2) At the end of the validity period of certificate of registration, the Board may consider extension of it for a block of 10 years at a time on such terms and conditions, as it may deem fit at that time. For this purpose, the entity shall be required to make a fresh application to the Board as per Schedule-I six months prior for the expiry of the certification of registration certificate.

Provided the Board may condone the delay in the making fresh application by an entity for extension of the registration certificate.

6. Change of Ownership.

- (1) In case of change in the ownership, management control or any other such change in respect of the LNG Terminal after the issue of the certificate of registration, the same shall be informed to the Board along with copies of the supporting documents within 60 days of such a change with a request for amending the certificate of registration, if required.
- (2) Upon receipt of such an information and request, the Board may amend the certificate of registration in the name of the new owner.

7. Submission of Information.

The entity shall submit information to the Board as on 1st April and 1st October of every year in the format at Schedule-III.

8. Suspension or Termination of Certificate of Registration.

- (1) In case any entity defaults in fulfilment of any of the eligibility conditions mentioned in regulation 3, the Board may at the first instance suspend the certificate of registration for a period of one month and the entity shall rectify the default within such period.
- (2) The Board may allow extension of time for rectifying the default if it is satisfied with the progress made by the entity during the one month period and feels such an extension is necessary for the entity to rectify the default. The suspension of certificate of registration shall also be extended for such a period of extension allowed to the entity.
- (3) If, the entity fails to rectify the default even after allowing the extension of time, the Board may issue show cause notice to submit its response

within one month time. If the Board is not satisfied with the response of the entity, it may terminate the certificate of registration after giving an opportunity of being heard to such an entity.

- (4) In case of termination of the certificate of registration issued to an entity, the bank guarantee furnished by such an entity shall be forfeited.

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Schedule – I

Application for Registration
(to be submitted on the letter head of the entity)
(see regulations 3)

To
The Secretary,
Petroleum & Natural Gas Regulatory Board,
World Trade Centre, 1st Floor,
Babar Road
New Delhi – 110 001

Sub:- Application for Registration for establishing or operating a liquefied natural gas terminal

1	Name of the entity	
2	Type of entity – Public Sector Undertaking (PSU-Central/State)/Private/ JV/Proprietorship firm/Others (please specify) (Attach copy of relevant Act, certificate of registration under the Companies Act. etc., Articles of Association/Partnership Deed, etc.)	
3	Date of incorporation and date of commencement of business.	
4	Address of Registered office	
5	Name, addresses, telephone numbers, Fax, E-mails ID of Chairman and all Directors / Partners / Proprietor.	
6	Details of the LNG Terminal	
	(i) Location	
	(ii) Re-gasification Capacity	
	(iii) Long term committed re-gasification capacity	
	(iv) Short term (less than 5 years contract) uncommitted	

	re-gasification capacity	
(v)	20% of short term (less than 5 years contract) uncommitted re-gasification capacity.	
(vi)	Common carrier re-gasification capacity	
7.	Details of non-refundable application fee enclosed	
(i)	DD/Cheque No. and Date	
(ii)	Name of Issuing Bank	
(iii)	Amount (Rs.)	
8.	Details of Bank Guarantee enclosed	
(i)	Amount of Bank Guarantee	
(ii)	Name of the Bank and address of its branch that has issued the Bank Guarantee	

(Attach separate sheets for providing information wherever necessary)

Date:

Place:

Signature of the Authorised Signatory

(Name and Designation)

Seal of the entity

Petroleum and Natural Gas Regulatory Board

**Certificate of Registration for Establishing or Operating LNG Terminal
(see regulation 5)**

In exercise of the Powers conferred under sub section (1) of Section 15 of the Petroleum and Natural Gas Regulatory Board Act 2006 (hereinafter referred to as “Act”) and in accordance to the provision of the Petroleum and Natural Gas Regulatory Board (Registration of Liquefied Natural Gas Terminal) Regulations, 2018, the Petroleum and Natural Gas Regulatory Board hereby grants Certificate of Registration to M/s
(Name of the entity along with address of the Registered Office) for establishing or operating liquefied natural gas terminal at (Location of the LNG terminal).

2. This Certificate of Registration shall be valid for a period of 25 years from _____ (date of issue)

Date:

Place:

Signature: _____

(Secretary or any other authorised Officers of the Board)

Name: _____

Designation _____

(Seal)

Schedule-III

Submission of Information to the Petroleum and Natural Gas Regulatory Board (PNGRB) as on 1st April/ October of every year under the provisions of the Petroleum and Natural Gas Regulatory Board (Registration of LNG Terminals) Regulations, 2018

(see regulation 6)

Information as on _____

1.	Name of the Entity	
2.	Date of Certificate of Registration issued by the PNGRB	
3.	Total re-gasification capacity	MMTPA
4.	Long Term Committee Capacity	MMTPA
5.	Short Term Committee Capacity	MMTPA
6.	Short Term Uncommitted Capacity	MMTPA
7.	20% of (6) above	MMTPA
8.	Common Carrier Capacity	MMTPA
9.	Details of Entities to whom Common Carrier Capacity was provided till last half year	
	Name of the Entity	Quantity provided (MMTPA)
		Till last half Year