



UNITED REPUBLIC OF TANZANIA
MINISTRY OF ENERGY
ENERGY AND WATER UTILITIES
REGULATORY AUTHORITY
(EWURA)



IN THE MATTER OF ROUTINE INSPECTION AT PETROLEUM WHOLESALE
OPERATIONS

AND

IN THE MATTER OF CHECKING ON COMPLIANCE WITH THE LAW WITH
REGARD TO PETROLEUM SALES AND STOCK MOVEMENT BY BAGENI
COMPANY LIMITED, KAKOLA-BULYANHULU AREA, KAHAMA, SHINYANGA

COMPLIANCE ORDER NO: 01-11-2024

REFERENCE NO: BA.308/480/245/ Vol.I /10

(Made under section 39 of the EWURA Act, Cap. 414)

PRELIMINARIES

Bageni Company Limited is a licensed wholesaler mandated to conduct petroleum wholesale business in Tanzania. EWURA conducted an audit exercise on your operations by assessing your petroleum products stock movement from 1st January 2023 to 31st December 2023 to establish compliance with the applicable law and regulations.

FINDINGS

During the audit, EWURA noted with concern that Bageni Company Limited:

- (a) purchased petroleum products from Hass Petroleum Limited which is also a licensed wholesaler contrary to rule 26 of the Petroleum (Wholesale, Storage, Retail and Consumer Installation Operations) Rules, 2022; and
- (b) sold petroleum products below the wholesale floor price contrary to rule 6(a)(iii) of the EWURA Petroleum Products Price Setting Rules, 2022 as indicated in the Annex.


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ORDER

Therefore, and based on the foregoing, EWURA has considered the matter in accordance with the applicable law and decided that Bageni Company Limited be and is **HEREBY ORDERED** to:

- a) stop purchasing petroleum products from other licensed wholesalers;
- b) sale petroleum products using approved prices; and
- c) explain in writing within seven (7) days from the date of receipt of this Order why legal action should not be taken against Bageni Company Limited for contravening the above cited provisions of the law.

GIVEN under the seal of the Energy and Water Utilities Regulatory Authority this 6th November 2024.


Dr. James A. Mwainyekule
DIRECTOR GENERAL



Order served upon, and received by

BAGENI COMPANY LIMITED this 20 day of 11 2024.

Name MANYENI RAGERI

Signature [Handwritten Signature]

(Official Stamp)

Designation DIRECTOR

This Order is issued in duplicate. Sign both copies and retain your copy while the other copy is to be returned to the Authority to authenticate due service of the Order.



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Annex: Sales made below floor price

LOADING DATE	PRODUCT	DELIVERY NOTE/INVOICE NO	QUANTITY (Litre)	CUSTOMER NAME	LOADING DEPOT	SELLING PRICE (TZS/Litre)	CAP PRICE (TZS/Litre)	FLOOR PRICE (TZS/Litre)	PRICE BELOW FLOOR PRICE (TZS/Litre)
20/12/2023	PMS	1381	39,000	BUZENGANWA FILLING STATION	HASS	2,870.00	3,026.52	2,903.52	33.52
21/12/2023	PMS	1390	13,000	KOBIL TANZANIA LIMITED	HASS	2,895.00	3,026.52	2,903.52	8.52
22/12/2023	PMS	1388	17,000	TARAKEA PETROL STATION	HASS	2,870.00	3,026.52	2,903.52	33.52
22/12/2023	PMS	1391	41,000	LUSANA OIL COMPANY	HASS	2,870.00	3,026.52	2,903.52	33.52
22/12/2023	PMS	1392	28,000	ELITEPETRO COMPANY LIMITED	HASS	2,870.00	3,026.52	2,903.52	33.52
23/12/2023	PMS	1393	15,000	OLYMPIC PETROLEUM T	HASS	2,880.00	3,026.52	2,903.52	23.52
23/12/2023	PMS	1394	16,000	OLYMPIC PETROLEUM T	HASS	2,880.00	3,026.52	2,903.52	23.52
23/12/2023	PMS	1395	42,000	OLYMPIC PETROLEUM T LTD	HASS	2,880.00	3,026.52	2,903.52	23.52
LOADING DATE	PRODUCT	DELIVERY NOTE/INVOICE NO	QUANTITY (Litres)	CUSTOMER NAME	LOADING DEPOT	SELLING PRICE (TZS/Litre)	CAP PRICE (TZS/Litre)	FLOOR PRICE (TZS/Litre)	PRICE BELOW FLOOR PRICE (TZS/Litre)
23/12/2023	PMS	1396	44,500	OLYMPIC PETROLEUM T LTD	HASS	2,880.00	3,026.52	2,903.52	23.52
23/12/2023	PMS	1397	44,500	OLYMPIC PETROLEUM T LTD	HASS	2,880.00	3,026.52	2,903.52	23.52
22/12/2023	PMS	1398	38,000	OLYMPIC PETROLEUM T LTD	HASS	2,880.00	3,026.52	2,903.52	23.52
23/12/2023	PMS	1399	4,500	CRESRENT ENERYTANZANIA	HASS	2,870.00	3,026.52	2,903.52	33.52
23/12/2023	PMS	1400	15,000	CRESRENT ENERGY TANZANIA	HASS	2,870.00	3,026.52	2,903.52	33.52
22/12/2023	PMS	1382	39,500	BLUE WAVE EMPORIUM LTD	HASS	2,860.00	3,026.52	2,903.52	43.52