

BA. 308/480/10/WL VII/36



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 VIVO ENERGY TANZANIA
LTD MANDELA ROAD, PLOT NUMBER 263, BLOCK D, HOUSE NO. 34, DAR ES
SALAAM

COMPLIANCE ORDER NO: 16-07-2024
REFERENCE NO: BA.308/480/10/ Vol.VII /36
(Made under section 39 of the EWURA Act, Cap. 414)

PRELIMINARIES

Vivo Energy (T) 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 November 2022 to 31st October 2023 to establish compliance with the applicable laws and regulations.

FINDINGS

During the audit, EWURA noted with concern that Vivo Energy (T) Limited:

- (a) sold petroleum products to unlicensed buyers as per **Annex 1** and failure to record in the invoice the proper name of the licensee as appearing in the license contrary to rule 25(2)(a)(i)(iii) and 30(1) of the Petroleum (Wholesale, Storage, Retail and Consumer Installation Operations) Rules, 2022; and
- (b) selling petroleum products above or below the cap price contrary to Rule 6(a) (iii) of the EWURA Petroleum Products Price Setting Rules, GN No.57 of 2022 to customers indicated in **Annex 2**.

ORDER

Therefore, and based on the foregoing, EWURA has considered the matter in accordance with the applicable law and decided that Vivo Energy (T) Limited be and is **HEREBY ORDERED** to:

- a) stop immediately selling or offering for sale Petroleum Products to unlicensed persons;
- b) sale of petroleum products using approved prices;
- c) Indicate the correct name of the licensee in the invoice as appearing in the licence; and
- d) explain in writing within seven (7) days from the date of receipt of this Order why legal action should not be taken against Vivo Energy Tanzania Limited for contravening the above provisions of law and licence terms and conditions.

GIVEN under the seal of the Energy and Water Utilities Regulatory Authority this 18th July 2024.



Dr. James A. Mwainyekule
DIRECTOR GENERAL

Order served upon, and received by:

VIVO ENERGY CO. LTD this 26 day of 07 2024.

Name Daryweshi Abdid

Signature [Signature]

(Official Stamp)

Designation Technical Asistan

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.



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



Annex 1: List of unlicensed customers

Date	Customer Name	Invoice Number	Loading Depot	Product Type	Quantity (L20)
30-12-22	Gulf Aggregates Tanzania Ltd	92588067	Sahara Terminal	Diesel	32,737.09
29-12-22	Galco Limited	92585396	Sahara Terminal	Diesel	33,729.12
18-01-23	Canuck Company Limited	92623622	Camel Oil Terminal	Diesel	34,721.16
16-02-23	Delmonte (T) Limited	92691157	Camel Oil Terminal	Diesel	8,630.69
15-06-23	Ekaterra Tea Tanzania Limited	92953381	MCCL Fuel Terminal	Diesel	17,360.58
08-03-23	Prime Fuels Tanzania Ltd	92735153	MCCL Fuel Terminal	Diesel	14,880.50
28-04-23	Tancoal Energy Limited	92846590	Hass Terminal	Diesel	34,721.16
30-04-23	Unilever Tea Tanzania Ltd	92818559	Hass Terminal	Diesel	20,832.69
27-04-23	Stanza(17) General Investment Ltd	92844121	World Oil Terminal 2	Gasoline	34,577.56

Annex 2

A: List of Sales made above the cap price

Date	Customer Name	Invoice Number	Loading Depot	Product Type	Quantity (L20)	Offered price (TZS/Ltr)	Cap Price (TZS/Ltr)
30-06-23	Mogas Tanzania Limited	92988298	MOGAS Terminal	Diesel	256,558.59	2,740.06	2,531.65

Annex 2

B: List of Sales made below the floor price

Date	Customer Name	Invoice Number	Loading Depot	Product Type	Quantity (L20)	Offered price	Floor price
31-12-22	Unilever Tea Tanzania Ltd	92578241	Iringa (Kabambe)	Diesel	5,998.82	2,920.60	2,991.60
18-01-23	Olympic Petroleum Ltd - Kemondo	92623803	MCCL Fuel Terminal	Diesel	35,713.19	0.00	3,039.49

24-02-23	Olympic Petroleum Ltd - Goba Petrol Station	92714258	MCCL Fuel Terminal	Diesel	7,936.26	0.00	2,849.53
20-09-23	Tbl Arusha	93162735	Kurasini Fuel Terminal	Diesel	17,856.59	2,952.29	3,003.64
13-10-23	Refuelling Solutions (T) Ltd	93213991	MOGAS Terminal	Diesel	4,960.17	3,126.64	3,191.95
30-10-23	Canuck Company Limited	93250807	Kurasini Fuel Terminal	Diesel	34,721.16	1.33	3,191.95
16-03-23	Olympic Petroleum Ltd - Goba Petrol Station	92751804	MCCL Fuel Terminal	Gasoline	38,529.28	0.00	2,713.38