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**REGULATION N° 09/R/GP-EWS/RURA/2023 OF  
28/03/2023 GOVERNING FUEL QUALITY CONTROL IN  
RWANDA**

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**PREAMBLE**

The Regulatory Board;

Pursuant to Law N°09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning especially in articles 2,4,6 and 20;

Pursuant to Law N° 85/2013 of 11/9/2013 regulating petroleum and petroleum products trade in Rwanda especially in articles 20 and 29;

Pursuant to Prime Minister's Order N°131/03 of 10/05/2016 determining another Regulatory Authority for trade of petroleum and petroleum products and its additional responsibilities especially in articles 2 and 3;

Pursuant to Ministerial Instructions N°21/2013 of 03/07/2013 declaring Compulsory Rwandan Standards;

Considering the consultative meetings respectively held on 07<sup>th</sup> October, 2021 and 28<sup>th</sup> October, 2021;

And whereas upon due consideration and deliberation in its session of the 28<sup>th</sup> March 2023

**HEREBY** decrees:

## CHAPTER ONE: GENERAL PROVISIONS

### **Article one: Purpose**

The purpose of this regulation is to establish a regulatory framework for fuel quality control in Rwanda.

### **Article 2: Scope**

This Regulation applies to fuel quality control of Gasoline, Diesel, Kerosene and Heavy Fuel Oil at fuel depots, during transportation, and at retail outlets.

### **Article 3: Definitions**

In this regulation, the terms hereunder have the following meanings:

- 1) **Additive:** Material added to a petroleum product, usually in small amounts, to impart or enhance desirable properties or to suppress undesirable properties;
- 2) **Adulteration:** intentional addition of unsuitable or unauthorized product into a petroleum product;
- 3) **Consumer:** Any person who buys fuel for his/her own use;
- 4) **Fuel:** Gasoline, Diesel, Kerosene, and Heavy Fuel Oil;
- 5) **Person:** An individual, entity, corporation registered to conduct business according to the laws of Rwanda;
- 6) **Regulatory Authority:** A national organ with mandate to regulate public utilities;
- 7) **RS:** Rwanda Standard which is the specification or code of practice declared by the Rwanda Standard Board.

### **Article 4: Specifications**

Fuel products mentioned in the scope of this regulations as well as the fuel additives have their specifications stipulated in the Annex I.

## CHAPTER II: PETROLEUM PRODUCTS QUALITY CONTROL

### **Article 5: Basic quality test at the fuel depot**

A fuel depot operator must inspect all road tankers that come to offload at a fuel depot to ensure that all seals are in good condition.

The fuel depot operator must test the leading parameters to ensure the quality of the petroleum products before offloading the products into storage tanks.

The leading parameters to be tested include:

- Density, and water content for gasoline;
- Density, flash point, and water content for kerosene and diesel;

Test reports must be properly kept and availed to the Regulatory Authority when requested.

#### **Article 6: Detailed quality tests**

In case the fuel does not pass the basic quality test at the fuel depot, a sample shall be taken by the Regulatory Authority Staff to the National or any accredited laboratory for detailed quality tests in accordance with the applicable standards.

Any fuel that does not meet the specifications set out in the standards must not be stored by the fuel depot operator, neither used nor sold.

#### **Article 7: Fuel quality control during transportation**

It is prohibited to carry different type of products in a road tanker transporting fuel from outside the country to the local depot in Rwanda.

No person shall open the seals attached on road tanker or tamper with the quality of petroleum products in tank.

The owner of road tanker shall ensure that a tank's pressure test was carried out so as to minimise the products contamination during local fuel delivery service.

#### **Article 8: Fuel quality control at retail outlets**

Any petrol service station shall possess the tool kit to test density and water content before offloading of a road tanker.

Any petrol service station operator must conduct daily tank inspection to ensure that there is no leakage or contamination of fuel. The inspection shall be recorded and kept through reports.

It is prohibited to offload fuel into the storage tank while dispensing fuel to a customer. During offloading, all fuel dispensing activities must stop.

#### **Article 9: Fuel quality complaint handling at retail outlets**

A consumer complaining about quality of petroleum products delivered, shall inform the Regulatory Authority within 24 hours through writing or toll free.

The consumer must immediately stop his/her vehicle to enable the Regulatory Authority to conduct an assessment at the scene. The testing of the products shall be conducted by the Regulatory Authority and a brief report of the assessment shall be generated and signed by the consumer, a retail site representative, and the staff who conducted the assessment.

The Regulatory Authority decision on the complaint shall be taken and delivered to both parties after the assessment was conducted.

In case there is a discrepancy in test results due to different testing equipment or methods, the sample of the concerned fuel shall be taken by the Regulatory Authority to the National or any accredited laboratory for further detailed testing. The cost incurred in testing shall be covered by the owner of the product in case the results remain the same otherwise it shall be covered by the Regulatory Authority.

Every Petrol Service Station operator shall display a flyer informing consumers about the complaint procedure.

**Article 10: Fuel quality complaint handling at fuel depot**

The fuel that does not pass the leading parameters test at fuel depot shall immediately be taken by Regulatory Authority to National or any accredited laboratory for further detailed testing. The cost incurred in detail parameters testing shall be covered by the owner of the product.

The Regulatory Authority shall make a decision, upon the presentation of the outcome from a detail testing from National or any accredited laboratory.

**Article 11: Mechanism of testing petroleum products**

Sampling and testing of petroleum products shall be undertaken in accordance with the requirements stipulated in the applicable national and international standards.

Samples to be taken to National or any accredited laboratory for further detailed testing shall be taken and carried under the presence of the Regulatory Authority staff.

A reference sample and a test sample each not exceeding one (1) liter shall be taken and sealed properly.

The testing laboratory shall retain the reference sample for a period of thirty (30) days. A person who wishes to challenge the results shall only do so within thirty (30) days from the date of sampling and the test shall be performed on his/her expense.

**CHAPTER III: MONITORING AND ENFORCEMENT**

**Article 12: Fuel quality inspection**

The Regulatory Authority shall conduct fuel quality checking at a petrol service station, fuel road tanker or depot whenever deemed necessary to ensure the quality compliance with national standards throughout the supply chain.

The inspection shall be conducted during normal business hours, except when the Regulatory Authority has reasonable basis to believe that non-compliance activities are occurring outside of normal business hours.

**Article 13: Enforcement mechanism**

If the Regulatory Authority find that a person is transporting, storing or selling adulterated or contaminated fuel, it shall take immediate action or notify the concerned person about the action to be taken.

Immediate action may include temporary closure of the concerned facility or activity.

**CHAPTER IV: ADMINISTRATIVE SANCTIONS**

**Article 14: Refusing to provide samples for quality testing**

Any person who refuses to provide samples required for quality testing shall be liable to an administrative fine of five hundred thousand Rwandan francs (Frw 500,000) and shall be obliged to temporarily stop his or her business until his / her product is tested and proven compliant.

**Article 15: Hindering any inspection**

Any person who hinders the Regulatory Authority staff during quality inspection or audit shall be liable to an administrative fine between two million (Frw 2,000,000) and five million Rwandan francs (Frw 5,000,000).

**Article 16: Trade in adulterated petroleum products**

Any person who sells adulterated petroleum products not conforming to the relevant national or international standards approved by the Rwanda Bureau of Standard, shall be liable to an administrative fine between five million Rwandan francs (Frw 5,000,000) and twenty million Rwandan francs (Frw 20,000,000) or withdrawal of the granted license.

**Article 17: Introduction of fuel additive to the market without approval of Regulatory Authority**

Any person who introduce fuel additive to the market without an approval of the Regulatory Authority shall be liable to an administrative fine of three million (Frw 3,000,000) Rwandan francs.

**Article 18: Failure to comply with Regulatory Authority Directive**

Any person who fail to comply with Regulatory Authority directive including but not limited to closure of facility transporting, selling or storing adulterated petroleum product, shall be liable to an administrative fine of two million (Frw 2,000,000) Rwandan francs.

## **CHAPTER V: FINAL PROVISIONS**

### **Article 19: Repealing provision**

All other prior provisions contrary to this regulation are hereby repealed.

### **Article 20: Commencement**

This regulation shall come into force on the date of signature by the Chairperson of the Regulatory Board.

**Done at Kigali on 19/05/2023**

(Sé)

**Dr Omar GATERA**

**Chairperson of the Regulatory Board**



**ANNEX I: FUELS AND ADDITIVES SPECIFICATIONS**

SN	Product	Specifications
1	Permitted Automotive gasoline	The quality requirements shall comply with the limits specified in RS ARS 1362 and shall be tested in accordance with the test methods listed therein.
2	Permitted Automotive Diesel	The quality requirements shall comply with the limits specified in RS ARS 1363 and shall be tested in accordance with the test methods listed therein.
3	Heavy Fuel Oil	Heavy Fuel Oil that is burned for the generation of heat or used in an engine for the generation of power shall conform to D396-21 and shall be tested in accordance with the test methods listed therein.
4	Illuminating Kerosene	The quality requirements shall comply with the limits specified in RS 352 and shall be tested in accordance with the test methods listed therein.
5	Fuel Additives	<p>Any person who wants to introduce the additives in fuel shall seek an approval from Regulatory Authority.</p> <p>No person shall use any fuel additive that tamper with the quality of the fuel or having any harmful side effects.</p> <p>Additives can be used at Petrol Service Station but it is prohibited to introduce an additive in fuel storage tanks at fuel depot.</p>