

NEWSLETTER

Brazilian Administrative Council for Economic Defense (“Cade”) extends deadlines for Petrobras’ divestments regarding oil refining and natural gas assets

On April 28th, 2021, Cade extended the deadlines for Petrobras to sell oil refineries and assets in the natural gas market. The divestments are part of the obligations assumed by Petrobras in connection with 2 (two) Terms of Commitment to Cease Conduct – TCCs entered into by the state-owned company and Cade in 2019 within separate administrative investigations carried out by the autarchy concerning Petrobras’ alleged abuse of dominant position in the aforesaid markets in which Petrobras committed to sell those assets in order to foster competition.

The state-owned company has presented to Cade a request for readjustment of the divestments schedule in view of the economic scenario resulting from the Covid-19 pandemic, among other reasons. On its last plenary session, Cade’s Tribunal granted the state-owned company’s aforementioned request.

Due to the extension, the deadlines for the divestments were changed as follows¹:

- by April 30th, 2021: sale of Nova Transportadora do Sudeste (NTS);
- up to June 30th, 2021: sale of Petrobras’ indirect equity interest in distribution companies - either by selling its shares in Gaspetro or seeking the sale of Gaspetro’s equity interest in the distribution companies;
- up to July 31st, 2021: sale of Refinaria Isaac Sabbá (Reman), Refinaria Lubrificantes e Derivados de Petróleo do Nordeste (Lubnor), and Refinaria Alberto Pasqualini (Refap);
- up to October 30th, 2021: sale of Unidade de Industrialização de Xisto (Six), Refinaria Gabriel Passos (Regap) and Refinaria Abreu e Lima (RNEST); and
- up to December 31st, 2021: sale of Refinaria Presidente Getúlio Vargas (Repar).

Nevertheless, we note that the deadline for the conclusion and completion of the sales remains the same for all operations, that is, December 31st, 2021.

Our Competition team is at your disposal for further clarifications on these matters.

Competition
CTA – Catão & Tocantins Advogados

Associado à **ECIJA**

1 <https://www.gov.br/cade/pt-br/assuntos/noticias/cade-prorroga-prazos-para-venda-de-ativos-nos-mercados-de-refino-e-gas-natural-pela-petrobras>