

**Statutory Instrument No of 2019**

THE SIERRA LEONE ELECTRICITY AND WATER REGULATORY COMMISSION

(ACT NO 9 OF 2011)

**Short title      Certification (Professionals, Contractors, Manufacturers and Importers in the Water Supply Industry) Rules 2019**

In exercise of the powers conferred upon it by Section 66 of the Sierra Leone Electricity and Water Regulatory Commission Act 2011, the Commission hereby makes the following rules-

**PART I – PRELIMINARY**

**Interpretation**      1. In these rules unless the context otherwise requires -

“Act” means the Sierra Leone Electricity and Water Regulatory Commission Act, 2011;

“artisan” means a plumber who qualified through an apprenticeship programme and has been so certified;

“associate engineer” means a person with the technical school certificate Level 4 of NCTVA certified for level 4 in construction or the equivalent in a relevant field;

“consultant” means an engineer or engineering company which has been certified to provide services relating to the design, engineering, procurement and construction or project supervision as well as inspection and testing;

“contractor” means an individual or company which has been certified to undertake plumbing contracting, including installation and maintenance;

“contracting company” means a plumbing entity which is registered with the related trades certification;

“Council” means the Sierra Leone Professional Engineers Registration Council established under section 3 of the Professional Engineers Acts 1990;

“pipeline works” means the laying of pipeline systems together with associated equipment and facilities;

“pipeline or plumbing professional” means an engineer of all classes or a technician of all grades or both that has a technical educational qualification of a degree, diploma or certificate in technical training;

“pipeline or plumbing activity” includes plumbing design, installation, maintenance, testing, inspection manufacture and import of various plumbing goods and material;

“plumbing works” means water installation activities within a premises;

“engineer” means a person with a Bachelor of Science degree or higher or the equivalent qualification in an approved course in plumbing, mechanical, chemical or civil engineering from a recognised university or equivalent institution and is a member of and duly registered in the Register of Professional Engineers of Sierra Leone by the Council;

“experience” means verifiable previous personal involvement in or practice of plumbing or other related activities;

“junior technician” means a person who has completed the Level 1 of NCTVA and successfully undergone at least six months of technical training from a recognised training center or a supervised mentorship or apprenticeship programme;

“material and equipment” means plumbing equipment, pipes and material;

NCTVA” means the National Council for Technical, Vocational and Other Academic Awards;

“senior technician” means a person with the technical school certificate Level 3 of NCTVA certified for level 3 in construction or the equivalent in a relevant field;

“technician” means a person with the technical school Level 2 of NCTVA certified for construction or the equivalent in a relevant field.

## **Application**

2. These rules shall apply to professionals or

**of rules**

companies that undertake pipe laying and plumbing activities including the following –

- a) pipe line systems design;
- b) installation;
- c) maintenance;
- d) testing;
- e) inspection;
- f) contracting;
- g) consultancy; and
- h) importation of pipeline and plumbing material and equipment relating to the supply of potable water.

**PART II – APPLICATION FOR CERTIFICATE AND OTHER RELATED PROVISIONS**

**Requirement for a certificate**

3 No person shall undertake a pipeline laying or plumbing activity unless that person holds a certificate issued by the Commission for that purpose.

**Multiple Certificate**

4. An applicant who wishes to undertake more than one activity under these rules shall apply for a multiple certificate

**Types of Certificate**

5 The types of certificates to be issued by the Commission shall be as follows-

- a) the pipe layer and plumber’s certificate;
- b) the pipeline contracting certificate;
- c) the manufacturer’s certificate; and
- d) the importer’s certificate.

**Mode of Application**

6 (1) A person who wishes to undertake any activity under these rules shall make a written application in the prescribed form to the Commission.

(2) A person applying for –

- a) a pipe layer and plumber’s certificate shall fill out the form set out in Schedule 1A;
- b) a pipeline contractor’s certificate shall fill out the form set out in Schedule 1B

- c) a manufacturer's certificate shall fill out the form set out in Schedule 1C; and
- d) an importer's certificate shall fill out the form set out in Schedule 1D

(3) An application for a certificate shall be accompanied with all the supporting documents relevant to the certificate applied for.

(4) An application shall be signed by the applicant, addressed to the Commission and delivered by post or email.

**Application Fees**

7. The applicant shall submit the application with a non-refundable fee as to be determined by the Commission and Published in the Gazette.

**Receipt of Application**

8. The Commission shall within 10 days of receiving an application issue a letter to the applicant acknowledging receipt of the application.

**Decision of Commission**

9(1) The Commission shall within 30 days from the date of receiving the application make a decision and notify the applicant of the decision in writing .

(2) A certificate shall be issued by the Commission unless the applicant fails to meet the technical, financial and managerial capability criteria under the Act or statutory instruments made pursuant to the Act.

(3) If the Commission refuses the application, it shall in writing communicating the decision to the applicant stating the reasons for the refusal.

**Annual Fees**

10(1) The holder of a certificate shall pay the annual fee as determined by the Commission and published in the Gazette.

(2) The annual fee shall be paid on or before each anniversary of the date of first issuance

**Duration and Renewal of Certificate**

11(1) A certificate shall be valid for a period of 3 years in the case of an individual and 5 years in the case of a body corporate subject to these rules.

(2) Subject to these rules the certificate may be renewed by the Commission at the end of its term.

**Suspension or  
cancellation**

12(1) The Commission may suspend or cancel a certificate where it is satisfied that -

- a) the holder has
  - i) contravened a term or condition of the certificate;
  - ii) given information to the Commission which is false or misleading;
- b) it is in the public interest to do so.

(2) When the Commission has grounds for the cancellation of a certificate, it shall notify the holder to show cause why the certificate should not be cancelled.

(3) If the holder of the certificate is unable to persuade the Commission or fails to respond to the notice, the Commission shall proceed to cancel the certificate in accordance with section 35 of the Act.

(4) The Commission shall restore the certificate when the holder remedies the matter that gave rise to the suspension or cancellation.

**PART III – CATEGORIZES AND CLASSES OF CERTIFICATE**

**Categories  
and classes**

13(1) The Commission shall categorise pipeline and plumbing professionals into the following categories-

- a) engineer;
- b) associate engineer;
- c) senior technician;
- d) technician;
- e) junior technician; and
- f) technician.

(2) The Commission shall further classify each category by education and experience as follows –

- a) Class A;
- b) Class B
- c) Class C

(3) The qualification for each class of pipeline and plumbing professional shall be as set out in Schedule 2.

**Categories of contractors' certificate**

14(1) The Commission shall categorise contractors in the following classes-

- a) Class 1
- b) Class 2; and
- c) Class 3

(2) For purposes of certifying contractors, the following criteria shall apply:

- a) work limits for each class of contractor;
- b) the qualification and experience requirement for personnel;
- c) the personnel, equipment and facilities requirement as set out in schedule 4;
- d) evaluation methods for grading and upgrading as set out in schedule 3.

**Work limits**

15(1) A pipe layer or plumber may undertake activities of a lower class but shall not undertake activities that exceed the technical limits provided in this rule.

(2)The technical limits for each class of a plumbing professional shall be as follows-

- a) Class A pipe layer or plumber shall have no technical limit;
- b) Class B pipe layer shall be authorized to design, install and inspect distribution pipeline systems;
- c) Class B plumber shall be authorized to design and perform plumbing works in respect of commercial and complex residential premises;
- d) Class C pipe layer shall be authorized to perform plumbing works in house and bungalow type residential buildings and the laying of service pipelines.

**PART IV – EVALUATION AND GRADING**

**Evaluation and grading**

16 (1) The Commission may examine an applicant through a written examination, a performance test and if deemed necessary a practical test before a certificate is issued or upgraded.

(2) The Commission shall develop a curriculum or appoint a professional entity to develop a curriculum for the

training, continuous education and examination of pipe layers and plumbers.

(3) The outline of the curriculum referred to in sub-rule (2) shall be based on the standards and rules relating to the water supply sector.

(4) The Commission shall –

- a) create a unit for Committee for works which shall be responsible for conducting the written examination or performance and practical tests;
- b) outsource the responsibility of conducting the written examination, performance and practical tests to an appropriate external professional or educational body.
- c) publish the examination schedule and the designated examination and performance testing centres in the Gazette and newspapers of mass circulation

(5) The applicant shall be notified in writing of the result of the examination or test taken within 30 days

(6) An applicant that is not successful in an examination or test conducted by the Commission may re-take the written examination or performance and practical test after a six month period.

(7) The Commission may on application waive the requirement for the written examination or performance and practical test in respect of any plumbing professional that has served a minimum number of 10 years with a governmental agency, a licenced public utility company or other relevant organisation.

## **Guidelines**

17. The Commission may issue -

- a) guidelines on procedures for conducting the written examinations or performance and practical tests;
- b) criteria for waiving the written examination or performance and practical test.

**Obligations of a manufacturer and importer**

18. The holder of a manufacturer or importers' certificate shall ensure that -

- (a) the material or equipment manufactured or imported meets the Sierra Leone or approved international standard; and
- (b) an adequate requirement of qualified personnel and facilities are employed in their business.

**Annual report**

19(1) A holder of a certificate shall submit an annual report to the Commission on its activities for each operational calendar year.

(2) The report shall be submitted before the end of the first quarter of the following year.

**Register**

20 (1) The Commission shall maintain a register of holders of certificates and the type of services they are qualified to perform.

(2) The Commission shall publish the list of holders of certificates in the Gazette and on its website.

**PART V – MISCELLANEOUS**

**Offences**

21. A person who-

- a) undertakes pipe laying or plumbing works, manufactures or sells pipes or plumbing materials and equipment without the requisite qualification and certification;
- b) employs or permits to be employed persons without the requisite qualification or certification;
- c) obstructs or interferes with a member of the Commission, officer or person employed by the Commission in the exercise of powers conferred by the Act and statutory instruments made under the Act ;

commits an offence punishable under section 65 of the Act .



**Transitional Provision** 22. A person prior to the coming into effect of these rules who was engaged in an activity requiring a certificate under these rules shall apply for the relevant certificate within 3 months of the coming into effect of these rules.

**SCHEDULE 1-A**

**SIERRA LEONE ELECTRICITY AND WATER REGULATORY COMMISSION  
APPLICATION FORM FOR CERTIFICATE FOR PIPE LAYER OR PLUMBER**

Application No:	Date Received:
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*Please fill entire form; add Receipt of Application Fee and 2 Photographs*

**PART 1 – TYPE OF CERTIFICATE**

1. Certificate that applicant is seeking: please check as applicable

- |   |                                  |                                  |
|---|----------------------------------|----------------------------------|
| <input type="checkbox"/> Engineer           | <input type="checkbox"/> Class A |                                  |
| <input type="checkbox"/> Associate Engineer | <input type="checkbox"/> Class B | <input type="checkbox"/> Class C |
| <input type="checkbox"/> Senior Technician  | <input type="checkbox"/> Class B | <input type="checkbox"/> Class C |
| <input type="checkbox"/> Technician         | <input type="checkbox"/> Class B | <input type="checkbox"/> Class C |
| <input type="checkbox"/> Junior Technician  |                                  | <input type="checkbox"/> Class C |
| <input type="checkbox"/> Artisan            |                                  | <input type="checkbox"/> Class C |

Qualification	Categories	Categories
Engineer	Class A	
Associate Engineer	Class B	Class C
Senior Technician	Class B	Class C
Technician	Class B	Class C
Junior Technician		Class C
Artisan		Class C

**PART 2**

2. Applicant's personal information

1. Full Name:	
2. Date of Birth:	
3. ID / Social Security No.	
4. Address:	

5. TIN:	
6. Telephone No.:	
7. Email:	

**PART 3**

3. Applicant's educational record

Type of Training	Dates	School or Institute	Diploma or Degree

**PART 4**

4. Professional experience

Type of certificate held	Issuing Authority	Certificate No	Issue date	

**PART 5**

5. Verifiable Work Experience: Indicate capacity and nature of practical pipe laying or plumbing work performed

Description of Job	Time in Months	Employer	Contact Person's details


**PART 6**

6. References: Provide names of references in the Pipeline or Plumbing Industry to be used as references

Reference	Address and Telephone No.

**PART 7**

7. Remarks: Provide additional information on training and work experience which can help the EWRC


\_\_\_\_\_  
Signature of Applicant and Title

\_\_\_\_\_  
Date

**SCHEDULE 1-B**

**SIERRA LEONE ELECTRICITY AND WATER REGULATORY COMMISSION  
PLUMBING CONTRACTORS' CERTIFICATE APPLICATION FORM**

**PART A**

Application No:	Date Received:
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*Please fill entire form and add receipt of Application Fee*

1. Certificate Type A separate application must be filed for EACH separate certificate type	
<input type="checkbox"/> CIVIL CONTRATOR Indicate whether class 1, 2 or 3	
2. Business Name:	
3. National ID No.:	
4. Type of Ownership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Company	
5. Mailing Address: (please use P.O. Box)	
6. Physical Address: (location address)	
7. Phone No.:	8. Fax No.:
9. Email Address:	
10. Contact Person: Name: _____ Phone No.: _____ Email Address: _____	
11. Liability Insurance: (a) at least ---- LE (b) at least ---- LE (c) at least ---- LE (A certificate of insurance MUST be attached to the application)	

12. Workmen's compensation insurance:

Available

Not Available

If available state limit:

13. Plumbing Professional employed by the Contractor:

I agree to assign my certificate to the contractor and affirm that I shall comply with all the applicable provisions of the Water Supply laws, regulations, rules, the Certification of Contractors and Plumbing Professionals Rules, Water Codes, and any other Standards in force in Sierra Leone, at any given time.

I understand that providing false information on this application or in any report to the Commission may result in civil or criminal penalties or a revocation of my certificate.

(A contractor MUST be or employ at least a certified or Technician to qualify)

Name: \_\_\_\_\_ Certificate of Competence# \_\_\_\_\_

Signature: \_\_\_\_\_ Date signed: \_\_\_\_\_

14. Key staff:

Plumbing professionals:

Managerial staff:

Other professionals:

(Attach list and profiles of key staff)

15. STATEMENT OF OWNER

I certify that I shall maintain the required insurance and that I shall comply with all the applicable provisions of the Water Supply laws, regulations, rules, the Certification of Contractors and Plumbing Professionals Rules, Water Codes, and any other Standards in force in Sierra Leone, at any given time.

I understand that providing false information on this application or in any report to the Commission may result in civil or criminal penalties or a revocation of the certificate. I am requesting.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

## **PART B**

### Additional Information requirement for corporate bodies

- (1) A corporate applicant shall provide the following additional information in respect of the application for a certificate, as shall be relevant:
  - a. a business registration licence;
  - b. particulars of education and experience of key professional staff;
  - c. particulars of facilities and equipment;
  - d. annual reports for preceding two years including a financial statement and a summary of plumbing industry activities undertaken during the period;
  - e. list of sub-contractors, if any;
  - f. evidence of insurance cover for personnel, equipment and facilities.
- (2) The applicant shall provide -
  - a. a summary of plumbing work experience, if any;
  - b. written references from a minimum of four clients confirming the plumbing or electromechanical works undertaken;
- (3) Where the plumbing consulting or contracting company has been in existence for less than two years, the Commission may rely on the individual experience of the key professional staff in lieu of the corporate experience of the company and the written references from the clients of such employees or a former employer.

**SCHEDULE 1-C**

**SIERRA LEONE ELECTRICITY AND WATER REGULATORY COMMISSION  
MANUFACTURER OR IMPORTER'S CERTIFICATE APPLICATION FORM**

Application No:		Date Received:
Type Indicate whether	Manufacturer	Importer

*Please fill entire form and add Application Fee*

1. Certificate Type <input type="checkbox"/>	
2. Business Name:	
3. National ID No.:	
Business TIN:	
4. Type of Ownership: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Limited Liability Company	
5. Mailing Address: (please use P.O. Box)	
6. Physical Address: (location address)	
7. Phone No.:	8. Fax No.:
9. Email Address:	
10. Contact Person: Name: _____ Phone No.: _____ Email Address: _____	
11. STATEMENT OF OWNER I certify that I shall maintain the required insurance and that I shall comply with all the applicable provisions of the Water Supply laws, regulations, rules, the Certification of Contractors and Plumbing Professionals Rules, Water Codes, and any other Standards in force in Sierra Leone, at any given time	



I understand that providing false information on this application or in any report to the Commission may result in civil or criminal penalties or a revocation of the certificate,

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date Signed: \_\_\_\_\_

#### Additional Information requirement for corporate bodies

- (1) A corporate applicant shall, subject to sub-rules 2, 3 and 4, provide the following additional information in respect of the application for a certificate, as shall be relevant:
- a. a business registration licence;
  - b. particulars of education and experience of key professional staff;
  - c. particulars of facilities and equipment;
  - d. annual reports for preceding two years including a financial statement and a summary of plumbing industry activities undertaken during the period;
  - e. list of sub-contractors, if any;
  - f. evidence of insurance cover for personnel, equipment and facilities.
- (2) In the case of an application relating to a manufacturer's certificate, the applicant shall in addition provide the relevant Environmental and Social Impact Assessment.

## SCHEDULE 2

### CLASSES OF PLUMBING PROFESSIONALS

#### Classification of Plumbing Professionals

Category of Plumbing Professional		Years of Experience		
	Education	Class A	Class B	Class C
Technologist	PhD			
	MSc			
	BSc			
Associate Engineer	HND			
Senior Technician	Level 4	-		
Technician	Level 3	-		
Junior Technician	Level 2	-		
Artisan	Level	-	-	

## **SCHEDULE 3**

### **CRITERIA FOR EVALUATION**

*(To be based on Ministry of Water Resources criteria)*

#### **Part 1: Criteria for Grading of New Contractors**

1. Scope of works for each class
2. Number of qualified professional employed by the organization
3. Size and layout of office facilities
4. Transport and plant, machinery, equipment capacity as needed for undertaking jobs professionally
5. Value of projects handled
6. Availability of relevant applicable laws, regulations, codes, technical manuals, procedural manuals
7. Testing and measurement equipment
8. Insurance policy

#### **Part 2: Criteria for Grading and Upgrading Contractors**

1. Financial soundness from bank statement or Working Capital availability such as overdraft facility from bank and fixed deposits receipts with banks
2. Value of assets
3. Track record and evidence of works
4. Financial capability from tax clearance, equity, liability and credit statements and guarantee
5. Insurance guarantee

**SCHEDULE 4**

**PERSONNEL AND EQUIPMENT REQUIREMENT FOR CONTRACTORS**

**PART A: Personnel Requirement for Contractors**

Personnel Requirements for Contractors (number of personnel per class of contractor)

	Professional	Class of contractor		
		1	2	3
1	Class A			
2	Class B			
3	Class C			
4	Class D			

**PART B: Facility and Equipment Requirement for Contractors**

No	Requirement		Quantity for each Class			
	Item	Specification (if any)	1	2	3	Comment
1	Facility					
1.1	Office	Floor Area				
1.2		Floor Area				
1.3	Workshop	Floor Area				
1.4		Floor Area				
2	Vehicles and Heavy Equipment					
2.1						

2.2								
2.3								
2.4								
2.5								
3	Workshop Machinery							
3.2								
3.3								
3.4								
3.5								
4	Hand Tools & Personal Safety Gear							
5	Measurement Equipment							

MOHAMED D. B. SEISAY

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Chairman

*Date of Gazette notification:*

*Entry into force:*