

GOVERNMENT NOTICE No. 945 Published On 6/11/2020

THE ELECTRICITY ACT,
(CAP. 131)

REGULATIONS

(Made under sections 24 (9), 26 (8), 39 (6) 41 (6) and 44)

THE ELECTRICITY (GENERAL) REGULATIONS, 2020

PART I
PRELIMINARY PROVISIONS

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| Citation | 1. These Regulations may be cited as the Electricity (General) Regulations, 2020. |
| Interpretation | 2. In these Regulations, unless the context requires otherwise - |
| Cap. 131 | “Act” means the Electricity Act;
“electric supply line” means a power line from the existing utility network to the consumer’s premises;
“dedicated line” means any electric supply line through which electric power is supplied to the intended customer only and shall not be taped to supply other customers;
“Ministry” means a ministry responsible for electricity matters; and
“standard service line” means a service line not exceeding thirty meters in length in the nearest taping point from distributing main line to the customer premises. |

PART II
GENERAL PROVISIONS

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| Electric supply lines to be | 3. A licensee shall endeavor to extend electric supply lines closer to customers in such a manner that |
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closer to customer customers requesting electricity supply will be supplied through a standard service line or a dedicated line.

Option to pay cost of construction of electric supply line 4.-(1) Where a customer applies for power supply which requires the extension of the electric supply line and the licensee is not in a position to finance construction of such electric supply line, the customer may opt to pay the cost of construction of the electric supply line.

(2) Where a customer has paid for extension of the electric supply line pursuant to subregulation (1), upon an agreement with the licensee, the customer shall be reimbursed by the licensee through deduction from electricity bills at the rate of forty percent of the monthly bill or of every purchase of electricity charges.

(3) Reimbursement under subregulation (2) shall cease after full recovery of incurred costs.

(4) Reimbursement for construction of the electric supply line shall exclude cost for service line as approved by the Authority.

(5) The licensee shall, where the customer is not in a position to opt to pay the cost for such extension of services, be responsible for such extension as usual.

Equipment and properties of licensee 5.-(1) The equipment and properties referred to under section 26(6)(a) of the Act shall include-

- (a) metering system;
- (b) conductors;
- (c) cables;
- (d) poles;
- (e) insulators;
- (f) cross arms;
- (g) d-irons; and
- (h) switchgears.

(2) The licensee or his representative shall, upon introducing himself to the customer, have unrestricted access to his installations within the customer's premises.

(3) Except where the access is intending to discover electricity theft or electricity infrastructure tempering, the right to access infrastructure within the customer's premises under subregulation (2) shall start with a notice of at least

twelve hours saved to the customer.

(4) The licensee shall, among other things, establish a standard procedure for inspection which shall stipulate-

- (a) customer identification;
- (b) date and time of inspection;
- (c) type of inspection conducted; and
- (d) work done and its findings.

(5) The licensee and the customer or his representative shall jointly sign the inspection form witnessing the findings of the inspection.

(6) In the absence of the signature of the customer or his representative, a signature of a local government leader of the respective area and photographs of the premises shall be taken as proof of findings of the inspection.

(7) Cause of the loss or damage may be established by the licensee during the normal course of inspection of his installations, or reported by the customer or any other person.

(8) The customer may, where he is of the view that the inspection was not conducted properly, lodge a complaint to the Authority within fourteen days and the Authority shall order re-inspection under the supervision of an independent inspector and where the re-inspection establishes that the findings of the first inspection are correct, the cost of the re-inspection shall be borne by the customer, and vice versa.

(9) The licensee may, where he establishes loss or damage in the due course of his inspection, immediately disconnect power supply pursuant to section 28(1) (b) of the Act.

(10) Notwithstanding subregulation (8):

- (a) the customer shall be notified by the licensee of the amount in monetary terms of the loss or damage found in the due course of the inspection of the equipment or property under his custody or at his premises within forty eight hours after the inspection; and

- (b) where power was disconnected as a result of the findings of the inspection, power shall be restored within seventy two hours upon payment by the customer provided that the licensee shall take into consideration the nature of the business or operations of the customer.

Damage caused
by customer

6.-(1) The licensee shall, where he establishes that the equipment and properties were unlawfully damaged by the customer and requires repair, replacement or rectification, establish the cost of such rectification, replacement or repair, as the case may be.

(2) The licensee shall, upon establishing the cost of rectification, replacement or repair of the damage, consider the market price of the equipment or parts to be replaced, labour charges and transportation cost.

(3) The licensee shall issue a breakdown of the cost of rectification or repair of the damage and demand compensation for repair, replacement or rectification from the customer.

(4) The licensee shall, restore power supply to the customer upon payment of the compensation pursuant to sub regulation (3).

Tempering of
equipment and
properties

7.-(1) The licensee shall, where he has established pursuant to the procedures prescribed under these Regulations that the equipment and properties were tampered with maliciously or negligently, causing physical or financial loss directly or indirectly to the licensee-

- (a) immediately disconnect power supply at the customer premises;
- (b) notify the customer the amount in monetary terms of the physical or financial loss directly or indirectly caused to the licensee as a result of the tampering within forty-eight hours after the inspection;
- (c) consider the financial loss basing on the consumption trend of the customer or installed capacity in establishing the cost of loss or

damage; and

- (d) in the course of calculating revenue loss caused by tampering of a meter or installations, the period of financial recovery under consideration shall be full period starting from the date when commenced, but shall not exceed the date of the immediately preceding inspection.

(2) The lost financial or revenue recovery shall include interest charged at the rate of two percent per month on the outstanding amount.

(3) In the event that the licensee requires rectification or repair of tampered equipment or property, the cost shall consider market price of the equipment or parts to be replaced, labour charges and transportation cost.

(4) Power shall be restored within seventy two hours upon payment of the cost by the customer, in the event that power was disconnected as a result of the findings of the inspection.

Damage
requiring no
proof

8.-(1) Where the licensee has established that the equipment and properties suffered damages which does not require proof of having been caused by the customer-

- (a) the customer shall be notified by the licensee of the amount in monetary terms of the physical or financial loss directly or indirectly caused to the licensee as a result of such loss or damage within forty eight hours after the inspection;
- (b) in establishing the cost of revenue loss if so occurred, the licensee shall consider the revenue loss basing on the consumption trend of the customer or installed capacity; and
- (c) in the event that the licensee requires to rectify, repair or replace the damaged equipment or property, the cost shall consider market price of the equipment or parts to be replaced, repaired or rectified labour charges and transportation cost.

(2) In the course of calculation of revenue lost, the period of revenue recovery under consideration shall

consider the full period starting the date when the loss commenced, but shall not exceed the date of the immediately preceding inspection; in its absence, twelve months counted backward from the date of current inspection.

Meter and
metering

9.-(1) The amount of electrical energy supplied to the customer or the number of hours during which the supply is given or the maximum demand taken by the customer or any other quantity or time connected with the supply shall be ascertained by meters of a type approved by the Tanzania Bureau of Standards, or determined in a manner agreed upon by the licensee and the customer and approved by the Authority.

(2) The licensee shall supply and fix meters, upon the premises of the customer or at the nearest pole and connect the supply system therewith.

(3) The customer may, in consultation with the licensee, install a check meter for purposes of determining the quantity of energy supply.

(4) The meters shall, whether supplied by the licensee or customer, be sealed by the licensee with an approved seal bearing the licensee's distinguishing brand or mark impressed thereon as approved by the relevant authority.

(5) The licensee may, in order to protect any meter or meters or any other apparatus belonging to him, install suitable cut-outs on a customer premises on the supply side of any such meter or other apparatus, and seal such cut-outs with an approved seal bearing the licensee's distinguishing brand or mark impressed thereon as approved by the relevant authority.

(6) Where a customer is supplied with electrical energy by the licensee has provided a meter for purposes of ascertaining the quantity of electrical energy supplied, and the licensee changes the method of charging for electrical energy supplied by him, the licensee shall either pay to that person the reasonable expenses which he may have incurred in providing a new meter for the purpose of ascertaining the quantity of electrical energy supplied according to the new

method of charging, or provide such customer with a new meter.

Installation
of check
meter

10.-(1) The customer shall, in his premises, be entitled to install a check meter or meters for purposes of checking the quantity of electrical energy supplied to him, but the registrations of such check meter shall not be taken into account in determining the quantity of electrical energy supplied to him and no such check meter shall be fixed and connected with the supply system, except in such manner and subject to such conditions as the licensee may approve.

(2) The licensee shall not disconnect any meter to be used for ascertaining the quantity of electrical energy supplied, or a customer's check meter, or from any electric supply line through which electrical energy is supplied by the licensee, unless he has given a notice to that effect to the person not less than twenty four hours before doing so.

(3) The licensee shall not make any alteration, adjustment or readjustment in any meter being used for ascertaining the quantity of electrical energy supplied, as to affect the functioning of such meter unless the licensee has given to the customer a notice to that effect not less than forty-eight hours' before doing so or as may be agreed upon.

(4) The licensee shall, at all times, and at his own expense, maintain all meters for ascertaining the quantity of electrical energy supplied, in proper order for correctly registering that quantity.

Ascertaining
quantity of
electrical energy

11. The licensee shall, subject to the provisions of section 34 of the Act and for purposes of this regulation, have access to, and be at liberty to remove, test, inspect and replace any meters installed for purpose of ascertaining the quantity of electrical energy supplied at all reasonable times.

Defective
meter

12.- (1) Where a meter used to register the quantity of electrical energy supplied by a licensee to any customer is found to be defective through no fault of the licensee or the customer, the licensee may, in consultation with the customer, determine the reasonable quantity of electrical energy supplied and recalculate the charges due to or from the customer as appropriate for up to a maximum period of twelve months from the date the meter is established to be defective.

(2) Notwithstanding the provision of subregulation (1), the licensee shall, where the customer reports any suspected defect in the meter and the licensee did not examine the meter within seventy two hours-

- (a) not be entitled to recover from the customer unmetered energy for more than three months from the date the meter was established to be defective; and
- (b) reimburse the customer the energy metered exceeding the actual consumption from the date when the meter was established to be defective.

(3) Where any meter used to register the quantity of electrical energy supplied by any licensee to any customer is found to be defective through interference by the customer, the provisions of section 26(6)(c) of the Act and regulation 10 shall apply.

Testing and
calibration of
meters

13. The licensee shall establish one or more stations suitably equipped with standard instruments for testing and calibrating meters, and shall-

- (a) maintain the standard instruments in proper working order; and
- (b) test or cause to be tested, from time to time, the accuracy of the working standards by some recognized absolute method.

Installation of
sub meters

14. Where the licensee is to supply power to a building or premises with more than one tenant, the licensee may opt to install one bulky meter or several separate meters to measure electricity supplied to the premises or building for purposes of charging consumed energy or

demand and the owner may install submeters for purpose of ascertaining the amount of electricity consumed by each tenant.

Electrical
installation and
transmission
lines

15.-(1) where the licensee is planning to install electrical installations or extend transmission lines to supply any intended customer, the licensee shall be required to carry out a feasibility study along the route of location of the installation to cover supply of power to communities within a radius of 0.6 kilometers from the installation or transmission line route in order to determine the feasibility of supplying electricity to the local communities where electrical supply installations are located or along the transmission line.

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(2) Upon receipt of capital contribution request from the licensee the Rural Energy Agency (REA) shall respond to such request basing on conditions stipulated in the Rural Energy Act.

(3) Where the licensee fails to comply with section 39(4) of the Act, the Authority may, upon consultation with the Minister, suspend or revoke the licence.

Electrical
generation by
local natural
resources

16.-(1) The licensee shall, where electrical generation is done by using natural resources obtained in Mainland Tanzania, be required to-

- (a) consult the local community located at the generation point to determine and agree on development activities which are priority to the community;
- (b) enter into an implementation agreement with the local government of the respective district on the agreed development project; and
- (c) implement the development project as agreed with the local community.

(2) Where the licensee fails to comply with section 39(5) of the Act, the Authority may, upon consultation with the Minister, suspend or revoke the license.

Protection of
public from
danger

17.-(1)The licensee shall, in conducting its licensed activities of generation, transmission, distribution, supply of

electricity and installation, ensure compliance with industry's standards and best practice to guarantee protection of the public from danger.

(2) The dangers referred to under this regulation includes dangers to persons, property and the environment.

(3) The licensee shall ensure that the public is aware of the licensee's activities and any associated potential danger and hazards.

(4) When carrying out maintenance of electrical equipment, the licensee shall adhere to the applicable maintenance and safety procedures to avoid harm to persons, properties and the environment.

Health and
safety of
persons and
properties

18. Notwithstanding the provisions to regulations 17, in conducting its licensed activities the licensee shall comply with relevant and applicable laws in place with regard to health and safety of persons, properties and the environment.

Review of
energy policy,
power system
master plan, etc.
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19.-(1) The Ministry shall-

- (a) oversee the timely review of the Energy Policy, Electricity Act and Power System Master Plan in order to address the changes in the electricity industry;
- (b) oversee and coordinate timely implementation of the Power System Master Plan; and
- (c) promote Regional Power Grid Interconnection for facilitation of regional, sub-regional and cross border electricity trading.

(2) In overseeing implementation of the Power System Master Plan, the Government shall promote diversification of the power generation sources in order to ensure security, reliability and sufficiency of power supply to meet the demand.

Timely capital
investment

20. The Government shall ensure timely capital investment for reinforcement and expansion of the transmission and distribution networks to support wheeling of power to the load centers across the country.

Promotion of
access to
electricity in
rural and peri-
urban areas

21. The Minister in consultation with the Board of Directors of the licensee shall ensure that the Electrification Plan and Strategies established under section 37 (1) of the Act are carried out in order to promote access to electricity in rural and peri-urban areas-

- (a) facilitate capacity building in the preparation, installation, operation and management of the rural electrification systems and projects; and
- (b) facilitate productive use of electricity in rural areas by supporting small and medium enterprises for wealth generation and poverty reduction.

Research
initiatives

22. In promoting research for the electricity sub-sector, the following initiatives shall be done-

- (a) the Minister shall set aside funds in its fiscal budget and support research activities within the electricity sector;
- (b) electricity utilities shall set aside funds in its budgets and establish dedicated research units;
- (c) the Minister shall ensure that the sector participates in activities that promote research particularly in research institutes that relate to the electricity supply industry;
- (d) EWURA shall set aside funds in its budget and support research projects in accordance with section 44(2)(b) of EWURA Act; and
- (e) the Rural Energy Agency shall facilitate research in accordance with section 15(b) of the Rural Energy Act.

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Techniques and
innovation in
electricity
supply

23. In developing new techniques relating to the electricity supply industry:

- (a) the Minister shall ensure that innovation is encouraged in the sector as part of the efforts to developing new techniques;
- (b) the Minister in consultation with other relevant government institutions shall endeavour to look for and solicit finance from relevant stakeholders in the sector for capacity building in

- order to promote innovation in the sector;
- (c) the developed techniques aim at improving efficiency, quality, safety and ensuring low cost services to end users; and
- (d) utilities endeavor to introduce and use new technologies in their undertakings to improve service delivery.

Revocation of
GN. No.
63 of 2011

24. The Electricity (General) Regulations, 2011 are hereby revoked.

Dodoma,
23rd October, 2020

MEDARD MATOGOLO CHANANJA KALEMANI
Minister for Energy