

CHAPTER 57:02

ENERGY SECTOR (HARMONISATION OF LAWS) ACT

ARRANGEMENT OF SECTION

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PRELIMINARY

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An ACT to harmonise laws governing regulatory functions in the restructured electricity and energy sectors.

A.D.2002

Enacted by the Parliament of Guyana: -

PART I

PRELIMINARY

Short title

And commencement

1. This Act may be cited as the Energy Sector (Harmonisation of Laws) Act 2002 and shall come into operation on such date, as the Minister shall appoint by order.

Interpretation.

2. In this Act-

No.10 of 1999

(a)“Commission” has the same meaning as in section 3 of the Public Utilities Commission Act 1999

No.11 of 1999

(b) “Governing body” and “public supplier” have the same meaning as in section 2 of the Electricity Sector reform Act 1999

PART II

HARMONISATION OF LAWS

Amendment of section 6(3) of the Hydroelectric Power Act. Cap.56.03

3. Section 6(3) of the Hydro-Electric Power Act is hereby amended in the following respects-

- (a) By the substitution for the word “shall” in the subsection above the provision, of the word “may” and by the substitution, for the full stop at the end of the provision of a colon; and
 - (b) By the insertion, immediately thereafter, of all the following further provision
 - (c) “Provided further that, prior to granting a final licence to an undertaking, the Minister shall be satisfied-
- (a) that the governing bodies of both the public supplier to which the public undertaking proposes to sell electricity for transmission and distribution to

consumers have approved the terms and conditions upon which such electricity shall be purchased by the supplier, and such terms and conditions insofar as they relate to rates have further been approved by the Commission in the exercise of its authority under section 35(1) of the Public Utilities Commission Act 1999; and

No 10 of 1999

- (b) that the terms and conditions so approved are commercially prudent and viable, shall not adversely affect and shall enhance the system-wide capacity, reliability and efficiency of the public supplier, and are compatible with national energy policy”

4. The Guyana Energy agency Act 1997 is hereby amended in the following respects-

Amendment of the
Guyana Energy
Agency Act.
No.31 of 1997

- (a) by the deletion of section 5(3);
- (b) by the substitution for section 7(1) of the following subsection-

Cap 56:03

“(1) The following conferred on the President by the Hydro-Electric Power Act and the regulations made there under shall, with effect from the commencement of this Act, be exercised by the Minister, and the provisions of than Act relating to the functions of the President shall be read and construed and have effect as if references therein to the President were references to the Minister.”

- (c) By the substitution for words “The Agency” in section 10(1), of the words “in the performance of its specified functions under section 5, 6 and 8, the Agency.

Construction of
reference in the
Guyana Energy
agency Act 1997 to
the Electricity sector
reform
Act 1997.
No.31 of 1997
No. 30 of 1997
No. 11 of 1999

5. Any reference in the Guyana Energy Agency Act, 1997 to the Electricity Sector Reform Act 1997 shall be read and construed as a reference to the Electricity Sector Reform Act 1999.