

28<sup>th</sup> September, 2012

LEGAL NOTICE NO. 103

THE ENERGY ACT, 2006  
(No. 12 of 2006)

IN EXERCISE of the powers conferred by section 110 of the Energy Act, 2006, the Minister for Energy makes the following Regulations:—

THE ENERGY (SOLAR PHOTOVOLTAIC SYSTEMS) REGULATIONS, 2012

Citation.

1. These Regulations may be cited as the Energy (Solar Photovoltaic Systems) Regulations, 2012.

Application.

2. (1) These regulations shall apply to a solar PV system manufacturer, importer, vendor, technician, contractor, system owner, a solar PV system installation and consumer devices.

(2) Where alternate current electricity is involved the Electric Power (Electrical Installation Work) Rules, 2006, shall apply.

Interpretation.

3. In these Regulations, unless the context otherwise requires—

“consumer devices” means off-the-shelf, readymade kits with no installation required, and may include PV lanterns, dc phone chargers and PV kits;

“contractor” means a business, or organization that provides goods or services to another entity under terms specified in a contract;

“battery based system” means an electrical energy supply system based on a battery without an integrated charging source or the charging source on site, and may include a single DC battery up to 200 Ah;

“hybrid system” means an integrated solar PV system incorporating other electricity generation sources such as diesel generator or wind generator;

“Commission” means the Energy Regulatory Commission established under section 4 of the Act;

“Kenya Standard” shall have the meaning assigned to it under Standards Act, Cap 496;

“licensee” means the holder of a licence;

“manufacturer” means an entity that makes solar PV system, components or products through a process involving raw materials, components, or assemblies;

“medium system ” means a solar PV system incorporating a single module or multiple modules up to 300 Wp;

“photovoltaic or PV” means the direct conversion of sunlight into electric current.

“small system ” means a solar PV system incorporating a single module or multiple modules up to 100 Wp;

“solar cell” means a solid state device that converts the energy of sunlight directly into electricity by photovoltaic effect;

“solar PV module” means a packaged interconnected assembly of solar cells, also known as photovoltaic cells;

“solar photovoltaic system or solar PV system” means a system consisting of photovoltaic modules, electrical, mechanical connections and mountings and regulating or modifying electrical output components that generate and provide electricity;

“system design tools” means equipment, software, spreadsheets, charts, or matrices used in the design, installation, testing and maintenance of solar PV systems.

“solar PV system installation” means a set up comprising a solar PV system, modules and components fixed at a specific site for the provision of electricity service.

“vendor” means a distributor, promoter, or supplier of solar PV system or components or consumer devices to a user for installation by a technician, contractor or user.;

“warranty” means an assurance or guarantee given to the purchaser by a manufacturer or his agent stating that a product will perform as stated, is reliable and free from known defects and that the manufacturer shall, without charge, repair or replace defective parts within a given time limit and under certain conditions.

Licensing of solar PV system technicians.

4. (1) A person shall not design or install any solar PV system unless he is licensed by the Commission.

(2) To be licensed by the Commission as a technician, a person shall be required to have the prescribed qualifications and experience as set out in the First Schedule, and appropriate certification recognized by the Commission.

(3) The Commission may on application being made to it, grant to the applicant any one of the following classes of licences –

- (a) Class T1 licence, which shall entitle the holder to carry out solar PV system installation work for small systems or single battery DC system of up to 100 Wp.
- (b) Class T2 licence, which shall entitle the holder to carry out solar PV system installation work for medium systems or multiple batteries which may include an inverter.
- (c) Class T3 licence, which shall entitle the holder to carry out solar PV system installation work for advanced, including grid connected and hybrid systems.

Licensing of solar PV system manufacturers.

5. (1) A person shall not engage in the business of manufacture of any solar PV system and components unless he applies for and obtains a licence from the Commission.

(2) An application under this regulation shall be in form ERC 002 as set out in the Third Schedule, and the applicant shall pay to the Commission the fee set out in the Second Schedule.

(3) An application for a solar PV system technician’s licence shall be made to the Commission on form ERC 003 set out in the Second Schedule, specifying the class of licence in respect of which the application is made, and shall be accompanied by the prescribed fee.

(4) The applicant shall furnish to the Commission such evidence or particulars as may be required by the Commission relating to the applicant’s previous experience of solar PV system installation work.

Licensing of solar PV system manufacturer, importer, vendor or contractor.

6. (1) A person shall not import, distribute, promote, sell or install any solar PV system unless he is licensed by the Commission as a vendor.

(2) Where under this regulation a person who is not a technician applies to be licensed by the Commission as a vendor or contractor that person shall be required to have in his employment, a licensed Solar PV system technician.

(3) The Commission may on application being made to it, grant to the applicant any one of the following classes of licences—

- (a) Class C1 licence, which shall entitle the holder to carry out design and installation work for solar PV systems, in which case the contractor shall be requested to be or have in his employment a class T3 technician;
- (b) Class V1 licence, which shall entitle the holder to design, distribute, promote, sell or install solar PV systems, in which case the licensee shall be required to be, or to have in his employment a class T2 technician
- (c) Class V2 licence, which shall entitle the holder to manufacture or import solar PV systems or components, in which case the licensee shall be required to be or to have in his employment a class T2 technician.

(4) An application for the registration of a manufacturer, importer, vendor or contractor shall be made to the Commission on form ERC 004 set out in the Third Schedule, and such application shall specify the class of licence in respect of which the application is made and be accompanied by the prescribed application fees to the Commission as set out in that Schedule.

General conditions for licences.

7. (1) The Commission may grant an applicant such type of licence as in its opinion the applicant is qualified to hold, or may refuse to grant any licence to any applicant, and shall set out in writing the reasons for refusal.

(2) The Commission may require or cause an applicant under these Regulations, to be examined, in such manner as it may determine, upon any matter or thing in connection with the application for the purpose of engaging in or undertaking solar PV system promotion, distribution or installation.

(3) The Commission shall process all applications expeditiously and in any case, not later than ninety days from the date of receipt of the application.

(4) A licence issued under this Regulation shall be valid for one year from the date of issue.

(5) A solar PV system technician licence holder shall be required to practise for at least two years before applying to upgrade the licence.

Design, installation, repair and maintenance.

8. (1) The design, installation, repair and maintenance of a solar PV system shall be in accordance with the relevant Kenya Standard.

(2) Any solar PV system design and specifications shall take into account the electric energy needs and safety of the user, and ensure that these aspects are appropriately matched.

(3) A system design declaration indicating the user's electrical energy needs and proposed design shall be prepared by the vendor or contractor and signed by both vendor or contractor and the customer.

(4) A vendor or contractor shall be responsible for the design and specifications of complete solar PV systems, except in situations where customers purchase individual system components from different vendors. In which case the customers shall indicate in the signed system design declaration form that they did not require the said design or specifications from the vendor or contractors.

(5) A vendor or contractor shall submit the solar PV system design tools to the Commission for approval.

(6) A solar PV system technician or contractor shall issue an installation completion certificate, showing as a minimum, the date of installation, details of the person installing, details of the owner, the location, capacity and warranty upon the commissioning of the solar PV system.

(7) The owner of a solar PV system shall use and ensure maintenance and carry out repairs required to keep the installation in good and efficient working condition.

#### Warranty on system and components.

9. (1) A manufacturer, vendor, technician or contractor shall provide a warranty to the customer for the components in the solar PV system and the PV Installation for the periods set out in the Fourth Schedule.

(2) Consumer devices which incorporate the use of solar PV systems shall have a warranty for the periods set out in the Fourth Schedule.

(3) A manufacturer or vendor shall ensure the warranty period is clearly indicated on any displayed solar PV system product.

#### Use and disposal of solar PV systems and components.

10. (1) All manufacture, sale, installation, use and disposal of solar PV systems and components shall be in accordance with the provisions of the Environmental Management Coordination Act, No 8 of 1999 and the Occupational Safety and Health Act, No 15 of 2007.

(2) A manufacturer or vendor of a solar PV system and components shall affix thereon appropriate safety and health warning labels.

(3) A technician or contractor shall affix appropriate safety and health warning labels on completed solar PV system installations.

#### Compliance with other technical, legal and regulatory requirements.

11. The installation of solar PV system and battery based systems in premises shall be in compliance with all other relevant technical, legal and regulatory requirements applicable in Kenya.

#### Documentation by the Commission.

12. (1) The Commission shall maintain a register of all licensed solar PV systems manufacturers, importers, vendors, technicians and contractors, which shall be available for inspection by the public during working hours free of charge.

(3) All vendors, technicians and contractors shall provide to the owner of a solar PV system the prescribed documentation as set out in the Fifth Schedule.

(4) All manufacturers, importers, vendors, technicians and contractors shall provide with the Commission information on the annual sales volumes in watts, and value of solar PV systems and components manufactured, sold and installed, by the 31st March of the year following the manufacture, sale or installation.

(5) A solar PV system manufacturer, importer, vendor, technician or contractor shall maintain any documentation required under these Regulations for a minimum period of five years.

#### Powers of Inspection.

13. (1) The Commission or its agent may carry out inspection, in relation to the compliance with these Regulations, in accordance with section 24 of the Act.

(2) Where the Commission finds that any provisions of these Regulations have been contravened by a manufacturer, importer, vendor, technician or contractor, or that a condition has arisen which may lead to the contravention of these Regulations, the Commission or its agent may issue a non-compliance notice in that respect.

(3) A notice issued under sub-regulation (2) shall state—

- (a) the specific provisions which have been or are likely to be contravened;
- (b) the measures which should be taken to rectify the contravention; and
- (c) the period within which the notice shall be complied with.

(4) The Commission may, upon request and after inspection, issue a compliance certificate where the manufacturer, vendor, technician, or contractor is in compliance with these Regulations and the solar PV system meets the requirements set out herein.

(5) An inspection under sub-regulation (4) shall be carried out at the licensee's cost and the compliance certificate shall be valid for a period of one year.

#### Renewal of licence.

14. (1) An application for renewal of a licence shall be made at least thirty days before the expiry date of the current licence, and shall be renewed accompanied by the fee specified in Third Schedule.

(2) Where, upon application, it is shown to the satisfaction of the Commission that a licence has been lost, destroyed or defaced, the Commission may issue a duplicate licence.

#### Revocation of licenses.

15. (1) The Commission may suspend or revoke any licence issued under these Regulations upon being satisfied that the licensee has contravened any of the provisions therein.

(2) Upon the suspension or revocation of a licence under subregulation (1), the Commission may by written notice to such licensee setting out the reasons thereof, disqualify him from holding a licence or a particular type of licence for such period as the Commission deems fit.

(3) Before exercising its powers under subregulation (1), the Commission shall by notice in writing afford the licensed solar PV system manufacturer, importer, vendor, contractor or technician whose licence it is proposed to suspend or revoke an opportunity of appearing or being represented before it to show cause why the Commission should not exercise its power under these Regulations.

(4) An issuing officer may at any time by giving seven days' notice in writing to a licensed manufacturer, importer, vendor, contractor or technician, a copy of which shall be sent to the Commission, suspend the licence of the business of such a licensee or of a branch thereof until the next meeting of the Commission.

(5) Any licence issued and is not renewed for two consecutive years shall, unless the licence holder has before expiry of the licence informed the Commission in writing of the intention and reasons not to renew the licence, be deemed to have been cancelled and shall not be considered for renewal.

(6) Where the Commission suspends or revokes the licence of any manufacturer, importer, vendor, contractor or technician it shall remove the name of the holder from the register of licensees for the time being licensed under these Regulations.

(7) Where a licence is cancelled under sub-regulation (6) or deemed to be cancelled under sub regulation (5) the licence holder may re-apply for a licence and shall be required to go through an oral interview.

(8) Every licence shall, unless previously suspended or cancelled, remain in force until it expires and shall not be transferable but may be renewed subject to such conditions as may be specified by the Commission.

Offences and penalties.

16. Any person who—

- (a) by himself, servant, or agent undertakes or carries out any solar PV system manufacture, import, vending or installation work without being the holder of a licence then in force appropriate to the work undertaken or carried out or without being under the direction of such a license-holder;
- (b) contravenes or fails to comply with any of the terms and conditions of any licence issued under these Regulations or willfully gives false or misleading information under or for the purposes of these Regulations;
- (c) submits or causes to be submitted to the Commission or its agent a completion certificate which he knows or has reason to believe is false in any material particular;
- (d) being an owner or occupier of any premises or a developer or contractor of any premises under construction, causes or permits to be carried out upon the premises any solar PV system installation work in contravention of these Regulations, or
- (e) contravenes or fails to comply with any of these Regulations or who fails to comply with any prohibition or order of the Commission under any of these Regulations,

commits of an offence and shall, on conviction, be liable to a fine not exceeding one million shillings, or to imprisonment for at term not exceeding one year, or to both.

#### FIRST SCHEDULE

(r.4(2))

#### QUALIFICATIONS AND EXPERIENCE FOR LICENSING

Solar PV system Technician—Minimum Education (Academic) qualifications and Professional (Job) experience

	Category	Education (Academic)	Professional (Job) Experience
1	Basic T1	KCPE, Electrical Govt. trade test 2 and Basic Solar Training	Verifiable two years solar installation experience
2	Intermediate T2	KCSE, Certificate in Electrical or Electronic and Intermediate Solar Training	Verifiable four years solar installation experience
		KCSE, Diploma in Electrical or Electronic and Intermediate Solar	Verifiable two years solar installation experience

		Training	
		Bsc Electrical Engineering or relevant degree Or Higher National diploma	One year of solar installation experience
3	Advanced T3	KCSE, Diploma in Electrical or Electronics and Intermediate Solar Training	Verifiable four years solar installation experience
		Bsc Electrical Engineering or relevant degree Or Higher National diploma	Two years of solar installation experience

**SECOND SCHEDULE (r.5(2))  
LICENCE FEES**

1. To be licensed as a solar PV system technician the following fees shall apply:

<i>Class of Licence</i>	<i>Application Fee (KSh)</i>	<i>License Fee (KSh)</i>	<i>Renewal Fee (KSh)</i>
Class T2	500	2,000	750
Class T3	750	3,000	1,000

2. To be licensed as a solar PV system manufacturer, importer, contractor/ vendor the following fees shall apply: -

	<i>Application Fee (KSh)</i>	<i>License Fee (KSh)</i>	<i>Renewal Fee (KSh)</i>
Class C1	500	1,000	1,000
Class V1	1,000	2,500	1,000
Class V2	2,000	5,000	2,500

**THIRD SCHEDULE  
(r.6(4))**

**FORMS**

FORM ERC 001

Submission form for annual sales volumes in watts for solar PV system manufacturers, vendors, contractors and technicians

PV Category: ☐ Technician ☐ Contractor/Vendor ☐ Manufacturer (Please indicate with a tick (✓))

1. Name of manufacturer/ vendor/ contractor/ technician  
.....
2. Licence No. ....
3. Details of manufacturer/ vendor/ contractor/ technician
  - (a) Income Tax Personal Identification Number:.....
  - (b) Postal Address:.....
  - (c) Email Address:.....
  - (d) Telephone number(s):.....
  - (e) Location of business premises:  
 LR/ Plot No.....Building Name.....

Street/.....  
Town/County:.....

4. Give full details of proprietors or partners owning business or directors/shareholders of the company, as applicable.

Name.....

Nationality .....

.....

*(Insert additional lines as appropriate)*

5. Provide the following information based on your solar PV system category i.e. manufacturer, vendor, contractor, technician, manufacturer for systems and components sold and installed in the last one year-

(a) For importers

(i) Component/ consumer devices imported

	<i>Description of solar PV system component or consumer device including capacity or size.</i>	<i>Number</i>	<i>Country of origin</i>
1.			
2.			
3.			

*(Insert additional lines as appropriate)*

(ii) Components/ consumer devices Sold

	<i>Description of solar PV system component or consumer device including capacity or size.</i>	<i>Number</i>	<i>General location(Region/District/County)</i>
1.			
2.			
3.			

*(Insert additional lines as appropriate)*

(b) For manufacturers

(i) Components/ consumer devices produced

	<i>Description of solar PV system component or consumer device including capacity or size.</i>	<i>Number</i>
4.		
5.		
6.		

*(Insert additional lines as appropriate)*

(ii) Components/ consumer devices Sold



	<i>Description of solar PV system component or consumer device including capacity or size.</i>	<i>Number</i>	<i>General location (Region/District/County)</i>
4.			
5.			
6.			

*(Insert additional lines as appropriate)*

(c) For vendors/ Contractors/Technicians

(i) Systems installed

	<i>Description of solar PV system including system capacity or size.</i>	<i>Number</i>	<i>General location (Region/ District/ County)</i>
1.			
2.			
3.			

*(Insert additional lines as appropriate)*

(ii) Components sold

	<i>Description of solar PV system component including capacity or size.</i>	<i>Number</i>	<i>General location ( Region/ District/ County)</i>
1.			
2.			
3.			

*(Insert additional lines as appropriate)*

(d) For vendors / Contractors - Imports.

(i) Components

	<i>Description of solar PV system component or consumer device including capacity or size.</i>	<i>Number</i>	<i>Country of Origin</i>
1.			
2.			
3.			

*(Insert additional lines as appropriate)*

(ii) Systems

	<i>Description of solar PV system including system capacity or size.</i>	<i>Number</i>	<i>Country of Origin</i>
1.			
2.			
3.			

*(Insert additional lines as appropriate)*

## DECLARATION

I/We hereby, declare that the information I/we have provided in the application is true and correct. I understand that it is an offence to give false information in an application for a licence.

Signature of Applicant .....

Date .....

FORM ERC 002

## APPLICATION FOR A SOLAR PV SYSTEM MANUFACTURER LICENCE

(A separate application form must be completed in respect of each separate business establishment)

The Director General  
Energy Regulatory Commission  
P.O. Box 42681, 00100 GPO  
NAIROBI

I/We .....  
hereby apply to be licensed as a manufacturer in accordance with the Energy (Solar Photovoltaic )  
Regulations, 2011 . I/ We commit to carry out all manufacturing work for solar PV system and  
components undertaken by me/ ourselves in accordance with the Energy (Solar Photovoltaic)  
Regulations, 2011 and any rules and by-laws for the time being in force there under.

Purpose of Application:      New Application ☐ Renewal ☐ (Please tick ( ☐ ) as appropriate)

1. Name of applicant

.....  
.....  
.....

2. Details of applicant:

- (a) Income Tax Personal Identification Number:.....
- (b) Postal Address:.....
- (c) Email Address:.....
- (d) Telephone number(s):.....
- (e) LR/ Plot No..... Building Name.....
- (f) Street/:.....
- (g) Town/County:.....

3. Location of business premise(s)

- (a) .....
- (b) .....
- (c) .....

*(Insert additional lines as appropriate)*

4. Give full details of proprietors or partners owning business or directors/shareholders of the company, as applicable.

Name .....

Nationality.....

.....  
.....

*(Insert additional lines as appropriate)*

5. State if you are or any of your partners/directors is an un-discharged bankrupt. (If so indicate the names).

- (a) .....
- (b) .....
- (c) .....

*(Insert additional lines as appropriate)*

6. For new applications, certified copies of the following documents should be submitted with the application for a licence:

- (a) If Kenyan, a copy of ID card, or if non-Kenyan a copy of current work permit together with copies of pages 1 and 5 of the passport;
- (b) Relevant entry permits(s) for non-citizens;
- (c) Copy of Business name Registration Certificate or Certificate of Incorporation and Memorandum and Articles of Association in case of a company (whichever is applicable).
- (d) Lease agreement or letter from landlord confirming tenancy.
- (e) PIN and VAT certificates.
- (f) Valid Tax compliance certificate
- (g) Any other document that may be required by the Commission from time to time

7. For renewal of a licence, only a photocopy of the current licence should be submitted

8. Name and address of bank(s) or financial institution(s) where the business account(s) is/are maintained

- (a) .....
- (b) .....
- (c) .....

*(Insert additional lines as appropriate)*

9. Previous manufacturing experience

.....  
.....  
.....

*(Insert additional lines as appropriate)*

10. Have you applied for a license in the past? Yes ☐ No ☐ If yes,

- (a) Licence No.....
- (b) Issued on.....
- (c) Issued by.....

11. Has any previous application for a licence been rejected under these regulations? Yes ☐ No ☐  
☐ (If Yes, give details)

.....  
.....  
.....

.....Has any  
previous licence been cancelled under these regulations? Yes ☐ No ☐ (If Yes, give details)

## DECLARATION

I/We hereby apply for a licence as a solar PV system manufacturer. I/ We commit to carry out production in accordance with the Energy (Solar Photovoltaic) Regulations, 2011.

I/We hereby, declare that the information I/we have provided in the application is true and accurate. I/We understand that it is an offence to give false information in an application for a licence.

Signature of Applicant ..... Date .....  
Signature of Applicant ..... Date .....  
Signature of Applicant ..... Date .....

## REFEREES

(The following details to be completed by two different and independent referees, who would vouch your competence to operate as a manufacturer if licensed, your technical ability having already been established. Persons who may not understand what is involved in running a business cannot be accepted as referees).

### 1st Referee

I certify that the information given in this form is true and correct to the best of my knowledge

Full name.....  
(Block letters, surname first)

Occupation.....

Postal address.....

Email Address:.....

Telephone number(s).....

Date..... Signature of 1st referee.....

### 2nd Referee

I certify that the information given in this form is true and correct to the best of my knowledge

Full name.....  
(Block letters, surname first)

Occupation.....

Postal address.....

.....

Email Address:.....

Telephone number(s):.....

Date..... Signature of 2nd referee .....

Form ERC 003

## APPLICATION FOR A SOLAR PV SYSTEM TECHNICIAN LICENCE

The Director General  
Energy Regulatory Commission  
P.O. Box 42681- 00100, GPO  
NAIROBI

I, ..... hereby apply to be licensed as a solar PV system technician in accordance with the Energy (Solar Photovoltaic Systems) Regulations, 2011 for the following class\* of licence-

(a) Class T1, which shall entitle the holder to carry out solar PV system installation work for single PV module and single battery DC system of up to 100 Wp.

(b) Class T2, which shall entitle the holder to carry out solar PV system installation work for medium size PV systems i.e. multiple modules of up to 300 Wp and multiple batteries which may include an inverter

(c) Class T3, which shall entitle the holder to carry out solar PV system installation work for advanced, including grid connected and hybrid solar PV systems.

*\*(Delete classes that do not apply)*

I commit to carry out all solar PV system sales and installation works undertaken by me strictly in accordance with the Energy (Solar Photovoltaic Systems) Regulations, 2011 and any Regulations and by-laws for the time being in force thereunder.

Purpose of Application:      New Application ☐ Renewal ☐ (Please tick (☐) as appropriate)

1. Name of applicant .....

*(Block capitals, surname first)*

2. Income Tax Personal Identification Number:.....

3. Postal Address:.....

4. Email Address:.....

5. Telephone number(s):.....

6. Date of Birth.....

7. Nationality.....

8. Name and address of present employer, if any

.....  
.....  
.....

9. Name of present job.....

10. Academic qualification:.....

(a) .....

(b) .....

11. Professional Qualification(Government Trade Test Certificate etc ):

(a) .....

(b) .....

(c) .....

*(Insert additional lines as appropriate)*

12. Work experience (including apprenticeship (if any):

(a) .....

(b) .....

(c) .....

*(Insert additional lines as appropriate)*

13. Do you have any knowledge of Occupational Safety and Health Regulations: Yes ☐ No ☐

14. Have you applied for a license in the past? Yes ☐ No ☐ If yes,

(i) Licence No.....

(ii) Issued on.....

(iii) Issued by.....

15. Has any previous application for a licence been rejected under these regulations? Yes ☐ No

☐ (If Yes, give details)

.....  
.....  
.....  
Has any previous licence been cancelled under these regulations? Yes ☐ No ☐ (If Yes, give details)

.....  
.....  
.....  
I declare that the particulars given by me are true and accurate. I understand that it is an offence to give false information in an application for a licence.

Date:.....Signature of Applicant:.....

## REFEREES

(The following details to be completed by two independent referees who must have known the applicant's ability very well, preferably in the trade)

### 1st Referee

I declare that the particulars given by the applicant in this form are true and correct to the best of my knowledge.

Full Name: .....  
(Block letters, surname first)

Occupation: .....

Postal address: .....  
.....

Email Address:.....

Telephone number(s):.....

Solar PV system licence No. (If any) .....

I have known the above person for ..... years.

Position held at present.....

Date.....Signature of 1st referee.....

### 2nd referee

I declare that the particulars given by the applicant in this form are true and correct to the best of my knowledge.

Full Name: .....  
(Block letters, surname first)

Occupation: .....

Postal address: .....

.....  
Email Address:.....

Telephone number(s):.....

Solar PV system licence No. (If any) .....

I have known the above person for ..... years.

Position held at present.....

Date..... Signature of 2nd referee.....

#### APPLICATION FOR A SOLAR PV SYSTEM CONTRACTOR/ VENDOR/ IMPORTER LICENCE

*(A separate application form must be completed in respect of each separate business establishment)*

The Director General  
Energy Regulatory Commission  
P.O. Box 42681, 00100 GPO  
NAIROBI

I/We ..... hereby apply to  
be licensed as a solar PV system contractor / vendor (delete as appropriate) in accordance with the  
Energy (Solar Photovoltaic ) Regulations, 2011 for the following class\* of licence-

(a) Class C1, which shall entitle the holder to carry out design and installation work for solar PV  
system. In this case the contractor shall have in his employment a class T3 technician

(b) Class V1, which shall entitle the holder to carry out design distribution, promotion, sale or  
installation work for solar PV system.

(c) Class V2, which shall entitle the holder to carry out import or manufacture solar PV systems or  
components.

*\*(Delete classes that do not apply)*

I/ We commit to carry out all design distribution, promotion, sale and installation work for solar PV  
system undertaken by me/ ourselves in accordance with the Energy (Solar Photovoltaic) Regulations,  
2011 and any rules and by-laws for the time being in force thereunder.

Purpose of Application: New Application ☐ Renewal ☐ (Please tick (☐) as appropriate)

1. Name of applicant .....

2. ....

3. Details of applicant :

(a) Income Tax Personal Identification Number:.....

(b) Postal Address:.....

(c) Email Address:.....

(d) Telephone number(s):.....

(e) LR/ Plot No..... Building Name.....

(f) Street.....

(g) Town/County:.....

4. Location of business premise(s)

(a) .....

(b) .....

(c) .....

*(Insert additional lines as appropriate)*

5. Give full details of proprietors or partners owning business or directors/shareholders of the company, as applicable.

Name.....Nationality.....

.....

.....

.....

*(Insert additional lines as appropriate)*

6. State if you are or any of your partners/directors is an un-discharged bankrupt. (If so indicate the names).

(a) .....

(b) .....

(c) .....

*(Insert additional lines as appropriate)*

7. For new applications, certified copies of the following documents should be submitted with the application for a licence:

(a) If Kenyan, a copy of ID card, or if non-Kenyan a copy of current work permit together with copies of pages 1 and 5 of the passport;

(b) Relevant entry permits(s) for non-citizens;

(c) Copy of Business name Registration Certificate or Certificate of Incorporation and Memorandum and Articles of Association in case of a company (whichever is applicable).

(d) Lease agreement or letter from landlord confirming tenancy.

(e) PIN and VAT certificates.

(f) Valid Tax compliance certificate

(g) Any other document that may be required by the Commission from time to time

8. For renewal of a licence, only a photocopy of the current licence should be submitted

9. Name and address of bank(s) or financial institution(s) where the business account(s) is/are maintained

(a) .....

(b) .....

(c) .....

*(Insert additional lines as appropriate)*

10. List of licensed Solar PV system technician(s)

Full name.....Licence No.....

.....

.....



*(Insert additional lines as appropriate)*

11. Previous solar PV system work experience

.....  
.....  
.....

*(Insert additional lines as appropriate)*

12. Have you applied for a license in the past? Yes ☐ No ☐ If yes,

(a) Licence No.....

(b) Issued on.....

(c) Issued by.....

13. Has any previous application for a licence been rejected under these regulations? Yes ☐ No

☐ (If Yes, give details)

.....  
.....  
.....

Has any previous licence been cancelled under these regulations? Yes ☐ No ☐ (If Yes, give details)

DECLARATION

I/We hereby apply for a licence as a solar PV system contractor / vendor (delete as appropriate). We commit to carry out all installations in accordance with the Energy (Solar Photovoltaic) Regulations, 2011.

I/We hereby, declare that the information I/we have provided in the application is true and accurate. I/We understand that it is an offence to give false information in an application for a licence.

**Signature of Applicant .....Date .....**

**Signature of Applicant.....Date .....**

**Signature of Applicant .....Date .....**

REFEREES

(The following details to be completed by two different and independent referees, who would vouch your competence to operate as a contractor / vendor (delete as appropriate) if licensed, your technical ability having already been established. Persons who may not understand what is involved in running a business cannot be accepted as referees).

1st Referee

I certify that the information given in this form is true and correct to the best of my knowledge

Full name.....

*(Block letters, surname first)*

Occupation.....

Postal address.....

Email Address:.....

Telephone number(s):.....

Date.....

Signature of 1st referee.....

2nd Referee

I certify that the information given in this form is true and correct to the best of my knowledge

Full name.....  
 (Block letters, surname first)  
 Occupation.....  
 Postal address.....  
 Email Address:.....  
 Telephone number(s):.....  
 Date..... Signature of 2nd referee.....

#### FOURTH SCHEDULE (r.9(2))

##### MINIMUM WARRANTY ON SOLAR PV SYSTEM AND COMPONENTS

<i>Component</i>	<i>Warranty period</i>
Controller/regulator	10 years
Inverter	10years
Battery	1 year
Light bulbs/ LEDs	1 year
Panels	20 years
Light fittings/device	2 years

#### FIFTH SCHEDULE (R.12)

##### DOCUMENTATION

<i>Item</i>	<i>Provided by</i>
Receipt of purchase	Vendor/ Contractor
Signed system design declaration (owner/user signs agreement with the design )	Vendor/ Contractor
Signed System completion certificate (include user training)	Technician/contractor
User manuals	Vendor/ Contractor

Dated the 4th September, 2012.

KIRAITU MURUNGI,  
 Minister for Energy