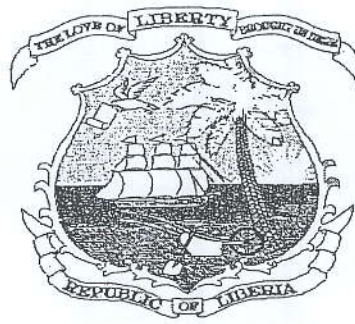




**"AN ACT TO ESTABLISH THE RURAL RENEWABLE ENERGY
AGENCY"**

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AN ACT TO ESTABLISH THE RURAL AND RENEWABLE ENERGY AGENCY

It is enacted by the Senate and House of Representatives of the Republic of Liberia in
Legislature Assembled:

CHAPTER I

PRELIMINARY PROVISIONS

Section 1.1 Short Title

This Act may be cited as the Rural and Renewable Energy Agency Act, 2011.

Section 1.2 Definitions

In this Act, unless the context otherwise requires:

- (a) **"Agency"** means the Rural and Renewable Energy Agency established under this Act.
- (b) **"Annual Report"** means the report submitted annually on the operations of the Agency and Fund submitted by the Board to the National Legislature and the President of Liberia as required under this Act.
- (c) **"Board"** means the Rural and Renewable Energy Agency Board of Directors.
- (d) **"Competition"** means the condition of a market where goods and/or services are available from more than a single entity and where those entities do not collude to set prices and/or terms and conditions of service, and where such circumstances allow consumers free choice without being subjected to undue market power by any single supplier or set of suppliers.
- (e) **"Consumer/Customer"** are terms used, for purposes of this Act, as synonyms, and refer to a person who purchases or receives energy for consumption and not for delivery or resale to others, including a person who owns or occupies premises where energy is supplied.
- (f) **"Developer"** means an investor in, or an operator of a project, that shall be in the form of a private or public entity, a co-operative, or a local community organisation;

- 41 (f) **"Developer"** means an investor in, or an operator of a project, that shall be in the
42 form of a private or public entity, a co-operative, or a local community organisation;
43
- 44 (g) **"Distribution"** means the transportation of electrical energy and power by means of
45 medium-to-low-voltage lines (as specified by the Regulatory Board).
46
- 47 (h) **"Donor"** An entity either multilateral or country specific that donates funds for rural
48 and renewable energy purposes.
49
- 50 (i) **"Electrical Energy"** means the generation or use of electric power by a device over
51 a period of time, expressed in kilowatt-hours (kWh), megawatt-hours (MWh), or
52 gigawatt-hours (GWh).
53
- 54 (j) **"Executive Director"** means the Executive Director appointed under the provisions
55 of Section Section 3.7 of this Act to be the chief executive officer of the Agency.
56
- 57 (k) **"Fund"** means the Rural Energy Fund established under Chapter V of this Act and
58 includes financial resources set aside for rural energy development.
59
- 60 (l) **"Generation"** means the production of electrical energy and power from any
61 primary source of energy.
62
- 63 (m) **"Government"** is the government of the Republic of Liberia.
64
- 65 (n) **"Grant"** means an award of money by the Agency to a Project Proponent.
66
- 67 (o) **"Grant Contract"** means a contract between the Agency and a Project Proponent
68 for the provision of a Grant.
69
- 70 (p) **"Grant Payments"** means the set of payments as shall be stipulated in a Grant
71 Contract.
72
- 73 (q) **"Grid"** is the interconnected electrical transmission and distribution infrastructure
74 tying together generation and load.
75
- 76 (r) **"Immediate family"** includes spouse, parents, children, and dependants, and/or
77 any person or agent acting on behest of any person employed by the Agency, or
78 those relatives included herein.
79
- 80 (s) **"Independent Producers"** means privately operated Generating Facilities (and
81 their owners) which may or may not be dispatched by a System Operator and that
82 are authorized or licensed to operate in the country and to supply electricity to
83 themselves, affiliates, or third parties.

- 84
85 (t) **"International Lender"** is an entity from outside Liberia, either multi-lateral or
86 country-specific, which lends money to finance energy-related projects in Liberia,
87 or which donates funds for such purpose.
- 88
89 (u) **"Market Power"** is a condition where a single entity and/or set of entities possess
90 the ability to control the price and/or terms and conditions of availability of any good
91 or service, and effectively deny or limit consumers in their ability to choose how and
92 where to buy.
- 93
94 (v) **"Micro Finance Institution"** means any entity licensed to offer financial services to
95 poor or low-income clients and/or solidarity groups, including making loans or
96 distributing funds in small amounts, and offering savings and insurance products.
- 97
98 (w) **"Ministry"** means unless otherwise defined herein, the Ministry of Lands, Mines
99 and Energy, Or any successor Ministry with responsibility for energy.
- 100
101 (x) **"Minister"** means the Minister of Lands, Mines and Energy or any successor
102 Minister with responsibility for energy.
- 103
104 (y) **"Modern energy"** is defined as energy that: (i) may be based on petroleum,
105 electricity, or other energy carriers that have commercialized or semi-
106 commercialized market channels; (ii) includes a conversion process; (iii) includes
107 the efficient and sustainable production and use of biomass.
- 108
109 (z) **"Non-discrimination"** means making no unreasonable distinction in price, and/or
110 other terms and conditions of service, between similarly situated consumers.
- 111
112 **"Off-grid"** means an electricity supply system that is not electrically connected,
113 directly or indirectly, to any part of the Transmission infrastructure.
- 114
115 **"Party"** means any entity, either natural person, governmental entity, or corporate
116 entity.
- 117
118 **"President"** refers to the President of the Republic of Liberia.
- 119
120 **"Project"** means the activities and investments associated with development of
121 rural and/or renewable energy and/or the provision of modern energy services in a
122 locality in rural Liberia;
- 123
124 **"Project Proponent"** means a developer of, or an investor in, or an operator of a
125 Project, or Consultant/Contractor providing associated services to a Project, that

shall be in the form of an individual, a private or public entity, a co-operative, or a local community organization.

"Publish" means, for the purpose of this Act, to make information known to all members of the public through notice given in appropriate mass media or governmental publications.

"Regulatory Board" means the government entity established to regulate the energy sector of Liberia.

"Renewable Energy" means energy produced from any of the following technologies from natural resources that have a relatively short regeneration time scale; hydro power; wind, biomass, etc.

Hydro power;

Wind energy;

Biomass energy produced from sources including:

Any agricultural livestock waste nutrients including wood shavings, straw, rice hulls or any other bedding material for the disposition of manure;

Any solid, nonhazardous, cellulosic waste material or any lignin material which is derived from any of the following forest-related resources:

Mill and harvesting residues, pre commercial thinning, slash and brush;

Solid wood waste materials including waste pellets, crates, dunnage, manufacturing and construction wood wastes (other than pressure-treated, chemically-treated or painted wood wastes), and landscape or tree trimmings;

Agricultural sources;

Biomass grown specifically for the purpose of creating a feedstock for electricity or fuel production and using sustainable harvesting practices;

Biomass used to produce biofuels;

Waste to energy including anaerobic digestion systems operating on animal or plant wastes, and methane gas captured from various anthropogenic sources such as landfills, water treatment plants, sewage treatment plants, waste from agricultural and industrial processing plants;

Geothermal energy;

Solar energy, to include solar electric and solar thermal; and

Emerging technologies such as ocean thermal, wave power, and tidal power.

"Rural" means any area of Liberia that is outside the legal boundaries of Monrovia and is deemed urban under a geographic demarcation by the Government.

"Standards" means the technical product and service standards for energy generation, transmission, distribution and use to ensure safety, reliability and quality.

"Supply" means the sale of electric and thermal energy or fuels to consumers or for resale, in accordance with this Act. It includes, but is not limited to the sale of capacity, energy, primary supply, backup supply, and ancillary services.

"System Operator" means an entity licensed to undertake some or all of the following activities:

Co-ordinate the power supply system to obtain instantaneous balance between generation and consumption of electricity;

Dispatch all generation connected to the transmission infrastructure;

Co-ordinate planned generation and planned transmission outages;

Monitor the import and export of electricity;

Prepare forecasts of generation requirements;

Perform such other functions as may be prescribed in its License or in rules issued by the Regulatory Board.

"Tariff" means the legal instrument, approved by the Government or the Regulatory Board, that sets forth the rate a regulated entity is entitled to charge its customers for the goods and services it provides. A tariff may also set forth binding terms and conditions for the provision of such goods and services at the prices specified.

212 "Transmission" means the transportation of electrical energy and power by means
213 of high-voltage lines (as specified by the Regulatory Board
214
215

216 ***Section 1.3 Establishment of the Rural and Renewable Energy Agency*** 217

218 (a) There is hereby established an autonomous agency to be known as the Rural and
219 Renewable Energy Agency, (hereinafter referred to as the "Agency") to be wholly
220 owned by the Government of Liberia
221

222 (b) The Agency shall have perpetual existence.
223

224 (c) The Agency may sue and be sued and adopt a corporate seal.
225
226

227 ***Section 1.4 Objectives of the Agency*** 228

229 The objective of the Agency, acting for and on behalf of the Government of the Republic
230 of Liberia shall be as follows:
231

232 (a) To promote improved access to modern energy services in the rural areas of
233 Liberia.
234

235 (b) To facilitate and accelerate the economic transformation of rural Liberia by
236 promoting the development and supply of modern energy products and services to
237 rural areas with an emphasis on locally available renewable resources.
238

239 (c) To introduce and promote the enactment of regulations and policies in the exercise
240 of the functions of the Agency.
241

242 (d) To administer, secure, enforce, design and execute policies, strategies, plans and
243 programs relating directly and indirectly to the functioning, growth and development
244 of the rural energy sector.
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254 **Section 1.5 Principles of Rural and Renewable Energy Development and Modern**
255 **Energy Service Provision**

256
257 In supporting the provision rural and renewable energy development and modern energy
258 service provision, the Government recognizes the following principles:

- 259
260 (a) **National Interest:** Activities will be undertaken to promote the general welfare,
261 empowerment, and quality of life, and to support and sustain economic and social
262 development.
263
264 (b) **Sustainability:** The Government will promote the development and use of
265 economically, technically, socially, and environmentally viable and sustainable
266 energy resources, including renewable energy, in the rural energy sector. A special
267 emphasis will be placed on locally available resources for rural energy sector
268 development.
269
270 (c) **Development:** Sustainable development is furthered when modern energy services
271 are promoted, facilitated and supported through private and community initiative
272 and involvement.
273
274 (d) **Productive Uses and Income Generation:** Provision of modern energy services
275 to rural areas promotes growth in economic production and productivity as well as
276 social welfare.
277
278 (e) **Equality:** The provision of energy services shall not be unduly discriminatory
279 among consumers.
280
281 (f) **Quality of Service, Safety, Efficiency and Continuity:** The development of rural
282 and renewable energy and provision of energy services shall comply with
283 applicable service quality, safety, reliability and efficiency norms and rules in force.
284
285 (g) **Coordination of Public Policies:** The Government will coordinate the
286 requirements of energy policy with other policies that may be applicable, so as to
287 avoid inconsistent actions or directives.
288
289 (h) **Community Involvement:** As a way of strengthening community ownership,
290 households, commercial enterprises, social service facilities, administrative
291 centers, and other stakeholders as applicable will be encouraged to take active part
292 in the decision making process.
293
294 (i) **Conservation and Efficient Use of Natural Resources:** The principle of
295 conservation and preservation of the environment will consistently be a
296 consideration in the formulation and execution of policy.

CHAPTER II

FUNCTIONS AND IMMUNITIES OF THE AGENCY

Section 2.1 Functions of the Agency

- (a) The Agency shall develop in collaboration with the Ministry of Lands, Mines & Energy and other stakeholders a Rural Energy Strategy and Master Plan for Liberia. The Master Plan shall be formulated on the basis of well-defined project selection and prioritization criteria designed to ensure enhanced energy access with equity, sustainable development and optimal use of indigenous and renewable resources, and ensure that these are integrated into the national energy Master Plan.
- (b) The Agency shall negotiate and enter into contracts with experts and institutions in furtherance of its goal and objectives.
- (c) Without prejudice to the foregoing the Agency shall also:
 - (i.) establish liaison with the appropriate local and national government authorities to facilitate the co-ordination of the activities of the Rural and Renewable Energy Agency with other rural development activities;
 - (ii.) facilitate the timely collection and deposit of all the funds to be collected from sources specified under this Act in the account of the Rural Energy Fund;
 - (iii.) prepare proposals for additional means and sources of finance to be used for the benefit of rural and/or renewable energy service provision
 - (iv.) facilitate the timely collection and deposit of all funds from sources specified under this Act into the account of the Rural Energy Fund;
 - (v.) support the collection and public dissemination of high quality renewable energy resource data, information on rural energy needs, and their geographic distribution – information that is critical to design, development and sustainable operation of rural energy service facilities;
 - (vi.) facilitate the preparation of bid documents for projects to be competitively tendered to prospective developers;
 - (vii.) initiate and facilitate provision of capacity building activities as appropriate in the preparation, installation, operation and management of rural and/or renewable energy systems;

- (viii.) facilitate provision of technical assistance by qualified entities related to technical design, management, financial analysis, project finance and sound business practices to Project Proponents;
- (ix.) promote the establishment of rural energy cooperatives and private electricity service companies with emphasis on rural and renewable energy service provision at the same time strengthening local capacities within existing cooperatives and organizations;
- (x.) facilitate the funding of rural energy projects, including managing the Rural Energy Fund that will provide grants and facilitate low interest loans and loan guarantees as targeted subsidies to ensure access by the poor;
- (xi.) promote, where feasible, market-based approaches to energy development with a focus, but not necessarily exclusive reliance, on public-private partnership delivery of rural energy services;
- (xii.) support the development of all economically viable, sustainable, socially acceptable, and environmentally beneficial rural energy projects and technologies through appropriate financing mechanisms, including through the targeted use of grants and subsidies to enhance affordability to economically viable energy services;
- (xiii.) ensure that households, commercial enterprises, social service facilities, and administrative centers in Liberia have the opportunity to participate in the decision making process regarding access to affordable, sustainable, and environmentally friendly modern energy services;
- (xiv.) be responsible for the regulatory monitoring of rural, off-grid energy and electrification projects below a certain generation capacity or demand threshold for which the Agency has been designated responsible by rule-making or delegation of the Ministry or Regulatory Board;
- (xv.) undertake cost-effective public information and educational campaigns to raise awareness of a broad range of commercially available technology solutions suited to the specific energy needs and conditions of Liberia's rural areas.
- (xvi.) mobilize institutional and public support for the activities of the Agency and Fund and have competence in rural development issues;

- 383 (d) The Agency shall abide by the following regulatory principles:
384
385 (i.) protection of consumers' interests through the promotion of competition and
386 the prevention of anti-competitive practices and monopoly abuse;
387
388 (ii.) promotion of access to, and affordability of, modern energy services;
389
390 (iii.) promotion of least-cost investment and the security of supply for the benefit
391 of consumers;
392
393 (iv.) promotion of improvements in the operational and economic efficiency of the
394 modern energy supply industry and efficiency in the use of modern energy;
395
396 (v.) promotion of appropriate standards of reliability and quality of modern
397 protection of the public from dangers arising from the activities of the energy
398 supply.
399
- 400 (e) The Agency shall utilize money from the Fund Account and any other designated
401 funds as approved by the Board to fulfill its mandate as described Section 1.4 of
402 this Act.
403
- 404 (f) The Agency shall keep proper books of accounts and proper records in relation to
405 those accounts. The Agency shall ensure that all monies received are properly
406 brought to account and all payments out of its monies are correctly made and
407 properly authorized and adequate control is maintained. The accounts, books, and
408 records of the Agency shall be in the form prescribed by the Act in force at the time
409 which governs the management of records.
410
- 411 (g) The Agency shall publish annual financial reports audited annually by the Auditor
412 General or an independently certified financial auditor appointed by the Board and
413 authorized by the Auditor General. Such reports shall follow an accounting
414 standard based on generally accepted accounting principles in Liberia to account
415 for all funds received and disbursed by the Agency. Such reports shall be publicly
416 available within 90 days from the end of the fiscal year.
417
- 418 (h) Financial commitments of the Agency shall be made by signature of the Executive
419 Director co-signed by the Finance Director of the Agency.
420
- 421 (i) The Agency shall undertake and perform such other duties as the Board shall, from
422 time to time, direct.
423
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425

426
427 **Section 2.2 Immunities**

428
429 (a) An employee of the Agency shall not, in his/her personal capacity, be liable in civil
430 or criminal proceedings in respect of any act or omission done in good faith in the
431 performance of his/her functions under this Act.

432
433 (b) The provisions of Section 2.2 (a) shall not relieve the Agency of liability to pay
434 compensation or damages to any person for an injury to such person caused by
435 the exercise of powers conferred on the Agency by this Act or by any other written
436 law or by failure, whether wholly or partially, of any works.

437
438 **CHAPTER III**

439
440 **ORGANIZATION AND STRUCTURE**

441
442 **Section 3.1 The Board of Directors**

443
444 (a) The Board of Directors ("the Board") shall be the governing body of the Agency.

445
446 (b) The Board, shall, in its actions, support the achievement of the overall purpose and
447 functions of the Agency as outlined in Sections 1.4 and 2.1 of this Act by:

448
449 (i.) supporting rural and renewable energy development and modern energy
450 service provision through projects that are developed by private and public
451 entities, co-operatives, and local community organizations;

452
453 (ii.) facilitating the provision of technical assistance to Project Proponents that
454 contribute to rural and renewable energy development and modern energy
455 service delivery;

456
457 (iii.) approving the allocation of grants in an efficient and competitive manner.
458
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469 **Section 3.2 Appointment and Composition of the Board**

470
471 (a) The Board shall be appointed by the President and shall comprise eleven
472 members, as follows:

- 473
474 (i.) a representative from the Ministry of Lands, Mines and Energy or the future
475 ministry responsible for energy;
476
477 (ii.) a representative from the Liberia Electricity Corporation or its successor;
478
479 (iii.) a representative from the Ministry of Justice;
480
481 (iv.) The Executive Director of the Agency, who shall be a non-voting member
482 and Secretary to the Board;
483
484 (v.) three persons selected in such a way so as to ensure equitable geographic,
485 demographic, and gender representation of the country;
486
487 (vi.) three persons selected on the basis of their qualifications and experience in
488 engineering, finance or accounting, environmental safeguards, and legal
489 issues related to rural and/or renewable energy technology and
490 development. One of these shall be designated as the Chairperson of the
491 Fund Management Committee.
492
493 (vii.) one person selected to represent civil society, consumers, or the private
494 sector.

495
496 (b) The Chairperson of the Board shall be appointed by the President.

497
498 **Section 3.3 Criteria for Appointment of Board Members**

499
500 Members of the Board shall:

- 501
502 (a) be able to mobilize institutional and public support for the activities of the Agency
503 and Fund and have competence in rural development issues
504
505 (b) have autonomy from institutional or corporate influence; and
506
507 (c) not have financial interests in any Project supported by the Board.
508
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511

512 **Section 3.4 Tenure of Office of Board Members**
513

- 514 (a) A member of the Board shall hold office for a term of three (3) years and may be
515 reappointed for an additional term of three (3) years, provided no person shall
516 serve for more than two (2) consecutive terms.
517
- 518 (b) In the event the tenure of service of a member expires, such member shall continue
519 to serve until a replacement is appointed and assumes office.
520
- 521 (c) The President may terminate the service of a member, including the Chairperson
522 because of:
523
- 524 (i.) physical or mental inability to perform the functions of office;
525
- 526 (ii.) gross misbehavior or incompetence;
527
- 528 (iii.) Dishonesty or corruption; and
529
- 530 (iv.) Conviction of a felony.
531
- 532 (v.) failure to comply with the provisions of Section 3.3 (a) and b) of this Act.
533

534 **Section 3.5 Meetings and Procedures of the Board**
535

- 536 (a) The Board shall meet as often as necessary for the discharge of its functions but
537 no less than once per quarter. Six members of the Board shall constitute a quorum
538 at any meeting.
539
- 540 (b) The Board may co-opt any person to participate in its deliberations, but a person so
541 co-opted shall have no right to vote and no interest in the program under
542 discussion unless invited specifically for that purpose.
543
- 544 (c) The Executive Director of the Agency shall be responsible for arranging
545 proceedings of the Board and such other duties as the Board may direct.
546
- 547 (d) Members of the Board may be entitled to payment of reasonable honoraria and
548 sitting fees, and other allowances approved by the Board. Payment shall be
549 funded from the operational budget of the Agency.
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554

555 **Section 3.6 Powers and Functions of the Board**

556
557 (a) The Board shall:

558
559 (i.) appoint the Executive Director and Deputy Executive Director(s) of the
560 Agency.

561
562 (ii.) direct the Executive Director to furnish it with any information, reports or
563 other documents which the Board considers necessary for the performance
564 of its functions;

565
566 (iii.) review and approve reports and other documents prepared by the Agency as
567 referred to in Section 2.1 of this Act;

568
569 (iv.) approve the execution of grant contracts with Project Proponents in
570 accordance with approved procedures.;

571
572 (v.) source funds from within and outside the Republic of Liberia in support of
573 rural and renewable energy development and modern energy service
574 provision;

575
576 (vi.) oversee and monitor the administration, management and use of funds
577 provided to the Agency.

578
579 (b) have the power to regulate its own procedure and may make standing orders
580 providing for all matters relating to the meetings of the Board and the proper
581 conduct of its business.

582
583 (c) The Board as the governing body for the Agency shall:

584
585 (i.) direct the Executive Director to furnish it with any information, reports,
586 accounts or other documents as may be reasonably required by the Board;

587
588 (ii.) approve operational principles and guidelines of the Agency;

589
590 (iii.) approve the management, performance, policies and annual operational
591 plans and budget of the Agency;

592
593 (iv.) approve general terms and conditions of employment for employees of the
594 Agency;

- 596 (v.) ensure that the remuneration of the staff of the Agency is competitive with
597 that offered for comparable responsibilities and shall not be bound by the
598 terms established under the Liberian Civil Service structure;
599
600 (vi.) oversee and monitor the management and performance of the Agency, its
601 staff and its financial performance;
602
603 (vii.) appoint the auditor of the Agency and approve the auditor's reports.
604
605
606 (d) The Board shall be the governing body for the Rural Energy Fund and in that
607 respect shall:
608
609 (i.) appoint a Fund Management Committee that shall be responsible for the
610 administration of the Fund and whose Chairperson shall be one of the Board
611 members;
612
613 (ii.) approve criteria for the eligibility of Project Proponents to receive grants from
614 the Fund submitted by the Fund Management Committee.
615
616 (iii.) approve procedures for evaluation of projects for eligibility for grants from the
617 Fund;
618
619 (iv.) approve the terms and conditions for grants from the Fund to Project
620 Proponents;
621
622 (v.) approve or reject applications from Project Proponents seeking grants from
623 the Fund, and determine the level of grants to be approved;
624
625 (vi.) approve the annual and/or multiyear investment plan of the Fund, including
626 provisions for the operating expenses of the Agency;
627
628 (vii.) approve investments for the rural energy sector under this Act. as it
629 considers necessary.;
630
631 (viii.) appoint the auditor of the Fund in accordance with Section 2.1 of this Act,
632 and approve the auditor's reports.
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639 **Section 3.7 Appointment of Executive Director and Staff**

- 640
- 641 (a) The Executive Director and Deputy Executive Director(s) shall be appointed by the
- 642 Board of Directors;
- 643
- 644 (b) The recruitment of the Executive Director and Deputy Executive Director(s) shall be
- 645 on the basis of a competitive selection process;
- 646

647 **Section 3.8 Functions of the Executive Director**

- 648
- 649 (a) Without prejudice to the generality of the foregoing, the Executive Director shall:
- 650
- 651 (i.) be the chief executive officer of the Agency and the Fund.
- 652
- 653 (ii.) exercise the functions of the Agency provided for under Section 2.1 of this
- 654 Act;
- 655
- 656 (iii.) Shall have the power to appoint or promote staff of the Agency; however the
- 657 appointment of senior managers shall be approved by the Board;
- 658
- 659 (iv.) manage the budget, personnel and property of the Agency;
- 660
- 661 (v.) represent the Agency and the Fund in its dealings with third parties.
- 662
- 663 (b) The Executive Director shall keep all records of the affairs and meetings of the
- 664 Board and shall ensure the implementation of its decisions and directives.
- 665
- 666

667 **CHAPTER IV**

668

669 **THE RURAL ENERGY FUND**

670

671 **Section 4.1 Establishment of the Fund**

672

673 There is hereby established a Fund to be known as the Rural Energy Fund.

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682
683 **Section 4.2 Objective of the Fund**
684

685 The Fund represents the funding mechanism by which the Board shall fulfill its mandate
686 herein and shall provide for the coordinated and sustainable financing of projects and
687 programs for the development of rural and/or renewable energy projects and delivery of
688 modern energy services for rural development in a manner such that the Fund becomes
689 a channel through which domestic and international financial resources intended for rural
690 and renewable energy delivery in Liberia shall be managed.

691
692 **Section 4.3 Funding Sources**
693

- 694 (a) The sources of income for the Fund shall consist of monies as may be provided:
- 695
696 (i.) by Government (monies appropriated for the Fund by the Legislature) in an
697 annual budgetary allocation;
 - 698
699 (ii.) through special levies or fees as determined by the Government of the
700 Republic of Liberia;
 - 701
702 (iii.) through revenues from any taxes as determined by the Government of the
703 Republic of Liberia;
 - 704
705 (iv.) through grants, or donations made to the Fund by any natural person, body
706 corporate or other entities, multilateral institution, organization or agency, or
707 government of any country;
 - 708
709 (v.) any other monies that may accrue in the course of the Agency's operations.
- 710
711 (b) The monies constituting the Fund shall be placed in an account with a bank to be
712 invested for the purpose of this Act subject to approval by the Board, and any
713 income from the investment shall be credited to the Fund.
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725 **Section 4.4 Use of the Fund**

726
727 (a) The resources of the Fund shall finance, subject to the operational guidelines of the
728 Fund:

729
730 (i.) grants toward the capital costs of projects implemented by private and public
731 entities, co-operatives, and local community organizations;

732
733 (ii.) the provision of technical assistance, training and other forms of capacity
734 building to Project Proponents;

735
736 (iii.) the provision of related services such as market studies, resource
737 assessments, monitoring and evaluation, information dissemination, planning
738 and training required for the Agency to meet its mandate;

739
740 (iv.) grants to reduce financial barriers and risks to Project development and
741 implementation;

742
743 (v.) payment or discharge of the expenses or obligations incurred in connection
744 with the performance of the functions of the Agency and the Board;

745
746 (vi.) payment of any remuneration or allowances to employees of the Agency and
747 the members of the Board.

748
749 (b) Grants made to Project Proponents may be used to co-finance:

750
751 (i.) training and other forms of capacity building;

752
753 (ii.) the provision of technical assistance by qualified experts related to the
754 planning and preparation of a Project including pre-investment studies for
755 Projects;

756
757 (iii.) the capital costs of a Project implemented by a Project Proponent;

758
759 (iv.) investments in innovative pilot and demonstration projects.

760
761 (c) The Fund may not provide grants toward the operating or debt service costs of any
762 Project or Project Proponent.

Section 4.5 Management of the Fund

- (a) Pursuant to Section 3.6 (c) of this Act, the Board shall be the governing body for the Fund and shall appoint a Fund Management Committee ("the Committee") that shall be responsible for oversight of the Fund.
- (b) The Agency shall make available to the Fund such facilities and services of such officers as necessary for the proper and efficient exercise of the functions of the Fund.
- (c) Where it considers it desirable to reduce risk or avert threatened loss to the Fund, the Board may take any steps it considers necessary on such terms and conditions as it may prescribe.
- (d) The Board shall from time to time in consultation with the Executive Director, fix the size of the Fund sufficient to achieve the objectives of this Act.
- (e) The Board shall be responsible for policy formulation in connection with the Fund and for governance of the Fund in accordance with the Public Financial Management Act of 2009 as may be amended from time to time.
- (f) Funds to be paid out of the Fund shall be so paid only with the approval of the Board.
- (g) The annual accounts of the Fund, including expenditures of the Agency, shall be audited by a competent and qualified auditor appointed by the Board in accordance with Section 3.6 of this Act.
- (h) Donors of the fund may appoint an auditor of their own choice and at their own expense to audit the account of the Fund and Agency if they have a provision to that effect in their agreement to contribute to the Fund.

Section 4.6 Members of the Fund Management Committee

- (a) The Chairperson of the Committee shall be appointed on a competitive basis for his/her skill in financial management.
- (b) The Committee shall comprise five (5) members including the Chairperson.
- (c) All members of the Committee shall have demonstrated experience and expertise in rural and/or renewable energy, finance, accounting, law, and/or project or business management.

- 811 (d) The members of the Committee shall be appointed for a period not exceeding three
812 years. Maximum three (3) members may be re-appointed.
813
- 814 (e) No member of the Committee or Board, or family member of the Committee or
815 Board member shall have interest that shall conflict with the goals and interests of
816 the Committee.
817
- 818 (f) To the extent that any member finds him or herself in a position of benefiting or
819 suffering materially from the decisions of the Committee, the affected member shall
820 identify such potential material benefit/detriment and recuse him/herself from
821 consideration of those decisions.
822
- 823 (g) Members of the Committee or Board including members of their immediate
824 families, shall be prohibited from owning any property or security interest, or any
825 financial or pecuniary relationship with, any entity applying for support through the
826 Rural Energy Fund.
827
- 828 (h) Members of the Committee are barred from taking gratuities of any kind from any
829 party with business pending at the Agency or with applications pending with the
830 Fund.
831

832 *Section 4.7 Functions of the Fund Management Committee*
833

834 The Fund Management Committee shall:
835

- 836 (a) Ensure that processing applications for financial assistance is conducted by the
837 Agency in accordance with the procedures and criteria approved by the Board;
838
- 839 (b) Monitor financial transactions and oversee the balance sheet of the Fund;
840
- 841 (c) Facilitate the periodic reporting and auditing of the activities of the Fund;
842
- 843 (d) Assure that all accounts are consistent with generally applicable accounting
844 standards.
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854 **Section 4.8 Authority for Use of the Fund**

- 855
- 856 (a) Financial commitments from the Fund shall be made under signature of the
- 857 Chairperson of the Fund Management Committee and the Executive Director and
- 858 shall be approved by the Board, and attested by the Chairman of the Board..
- 859
- 860 (b) The selection of Projects for funding and the calculation of the level of Grants for
- 861 Projects shall be done on the basis of published criteria development of the Fund
- 862 Management Committee and approved by the Board. At the beginning of each
- 863 financial year, the Agency shall publish:
- 864
- 865 (i.) schedules of Grants for different categories of investments;
- 866
- 867 (ii.) Project and Project Proponent eligibility criteria;
- 868
- 869 (iii.) the procedures for the submission and processing of applications for financial
- 870 support.
- 871
- 872 (c) For purposes of regional equity, the Board may differentiate Grants by region and
- 873 location.

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876 **Section 5 Effective Date**

877  This Act shall take effect immediately upon publication into handbills.

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881 **ANY LAW TO THE CONTRARY NOT WITHSTANDING.**

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883

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2014

THIRD SESSION OF THE FIFTY-THIRD LEGISLATURE OF
THE REPUBLIC OF LIBERIA

SENATE'S ENGROSSED BILL NO. 15 ENTITLED:

"AN ACT TO ESTABLISH THE RURAL RENEWABLE ENERGY
AGENCY"

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Thursday, January 16, 2014 @ 11:45 G.M.T.

On motion, Bill taken from the Committee Room for its second reading. On motion, under the suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Tuesday, March 18, 2014 @ 12:22 G.M.T.



SECRETARY, LIBERIAN SENATE, R.L

2015

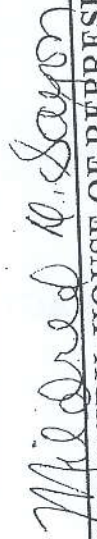
FOURTH SESSION OF THE FIFTY-THIRD
LEGISLATURE OF THE REPUBLIC OF LIBERIA

HOUSE'S ENDORSEMENT TO SENATE'S ENGROSSED
BILL NO. 15 ENTITLED:

"AN ACT TO ESTABLISH THE RURAL RENEWABLE
ENERGY AGENCY

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Thursday, March 20, 2014 @ 13:38 G.M.T.

On motion, Bill taken from the Committee Room for its second reading. On motion, under the suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Thursday, June 18, 2015 @ 12:45 G.M.T.



CHIEF CLERK, HOUSE OF REPRESENTATIVES

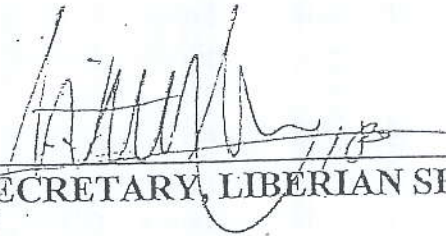
2015

ATTESTATION

“AN ACT TO ESTABLISH THE RURAL RENEWABLE ENERGY AGENCY”



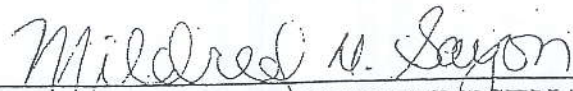
VICE PRESIDENT OF THE REPUBLIC OF LIBERIA/PRESIDENT OF
THE SENATE



THE SECRETARY, LIBERIAN SENATE



THE SPEAKER, HOUSE OF REPRESENTATIVES



THE CHIEF CLERK, HOUSE OF REPRESENTATIVES, R. L.



THE SECRETARY OF THE SENATE



The Liberian Senate

CAPITOL BUILDING, CAPITOL HILL, MONROVIA, LIBERIA
WEST AFRICA

E-mail: singbehlibsens@hotmail.com

2015

FOURTH SESSION OF THE FIFTY-THIRD LEGISLATURE OF THE
REPUBLIC OF LIBERIA.

SCHEDULED OF SENATE'S ENROLLED BILL NO. 6 ENTITLED:

"AN ACT TO ESTABLISH THE RURAL RENEWABLE ENERGY AGENCY"

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR
EXECUTIVE APPROVAL.

APPROVED THIS 6th DAY OF JULY A.D. 2015
AT THE HOUR OF 5:45 P.M.

THE PRESIDENT OF THE REPUBLIC OF LIBERIA