

Uganda

## Electricity Act (1964 Revision)

### Chapter 144

Legislation as at 31 December 2000

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# Uganda

## Electricity Act (1964 Revision)

### Chapter 144

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**An Act to provide for the reestablishment of the Uganda Electricity Board and for the exercise and performance by that board of functions relating to the generation, transmission, distribution and supply of electricity and certain other matters, for the inspection and testing of electrical plant and the safe use of electricity, and for purposes incidental to and connected with the matters aforesaid.**

### Part I – Interpretation

#### 1. Interpretation

In this Act, unless the context otherwise requires—

- (a) "**authorised undertaker**" means a person authorised or required by any Act of Parliament—
  - (i) to construct, maintain or repair any road or bridge or to carry out roadworks; or
  - (ii) to provide the public with a supply of gas or water, or with drainage or sewerage services;
- (b) "**board**" means the Uganda Electricity Board reestablished under this Act;
- (c) "**bulk supply**" means a supply of electricity to be used for the purposes of distribution;
- (d) "**case of emergency**", with reference to a right of entry on or to land or premises conferred under this Act, means a case in which the person requiring entry to the land or premises in question has reasonable cause to believe that circumstances exist which are likely to endanger life or property, and that immediate entry to the land or premises is necessary to verify the existence of those circumstances or to ascertain their cause or to effect a remedy;
- (e) "**consumer**" means a person supplied or entitled to be supplied with electricity by the board;
- (f) "**council**" means the consultative council established under [section 10](#);
- (g) "**distributing main**" means the portion of any main which is used for the purpose of giving origin to service lines for the purposes of general supply;
- (h) "**electrical fittings**" means electric lines, fittings, apparatus and appliances designed for use by consumers of electricity for lighting, heating, motive power and other purposes for which electricity can be used;
- (i) "**electrical inspector**" means a person appointed to be an electrical inspector under this Act;
- (j) "**electrical plant**" means any electric line, plant, equipment, apparatus and appliances used for the purposes of generating, transmitting or distributing electricity, and does not include electrical fittings;
- (k) "**electricity**" means electrical energy generated, supplied or used for any purpose except the transmission of a message;

- (l) "**electric line**" means a wire, conductor or other means used for the purpose of conveying, transmitting or distributing electricity with any casing, coating, covering, tube, pipe or insulator enclosing, surrounding or supporting it or any part of it, any apparatus connected with it for the purpose of conveying, transmitting, distributing or transforming electricity and any pole, standard, guard, staywire, danger plate or other apparatus or appliance required in connection with it;
- (m) "**emergency works**" means works the execution of which at the time when they are executed is requisite—
  - (i) in order to put an end to, or to prevent the arising of, circumstances then existing or imminent which are calculated to cause danger to persons or property, interruption of a supply or service afforded by the board or an authorised undertaker or substantial loss to the board or an authorised undertaker; or
  - (ii) in order to enable an authorised undertaker or the board to afford a supply or service to satisfy an obligation created by this or any other Act to afford a supply or service within a time fixed by or under the Act, and in relation to works comprising items of which some fall within the definition and others do not, includes only those that fall within it and such others of them as cannot be reasonably severed from them;
- (n) "**financial year**" means the period of twelve months ending on the 31st December or on such other date as the Minister may from time to time specify by writing under his or her hand;
- (o) "**general supply**" means the general supply of electricity to ordinary consumers and includes, unless otherwise specially agreed with an urban authority, the general supply of electricity to public lamps, traffic signals, traffic bollards or other street signs or apparatus maintained and controlled by the authority, but does not include the supply of electricity to any consumer under special agreement;
- (p) "**land**" includes land covered by buildings and land covered by water;
- (q) "**licence**" and "licensee" mean respectively a licence granted under [section 16](#) and the holder of the licence;
- (r) "**local authority**" means an urban authority or the administration of a district established under the provisions of the Local Governments Act;
- (s) "**main**" means any electric line through which electricity may be supplied or be intended to be supplied by the board for the purposes of general supply;
- (t) "**Minister**" means, in any particular section of this Act, the Minister for the time being responsible for the administration of that section;
- (u) "**minor works**" means works executed solely for the purpose of erecting or placing service lines (not being works which relate to the placing or intended placing of a service line or a part of a service line for a continuous length of one hundred yards or more in or along a public road) or works executed solely for the purpose of maintaining, repairing or altering electric lines or apparatus;
- (v) "**premises**" includes open air premises, except in [section 54](#);
- (w) "**road**" means any road, whether public or private, together with its curbs, stormwater drains and supporting banks, and any street, square, court, alley, lane, bridge, footway, trace, track, path, passage or highway, whether a thoroughfare or not;
- (x) "**roadworks**" means the reconstruction, widening, diversion or alteration of the level of any road or part of a road or any alteration in the relative widths of the carriageways or footways of the road;
- (y) "**service line**" means any electric line through which electricity may be supplied or be intended to be supplied by the board to a consumer either from any main or directly from the premises of the board;

- (z) "**urban authority**" means a municipal council or town council within the meaning of the Local Governments Act;
- (aa) "**value of the supply**" means the amount of electricity supplied by the board to any consumer or the maximum power demand of a consumer in any given period (according to the method by which the board elects to charge).

## Part II – The Uganda Electricity Board

### 2. Reestablishment of the board

- (1) Subject to this Act, the former board is reestablished under the same name.
- (2) All lands, buildings, rights, monies, securities, credits, effects and all property of or to which immediately prior to the commencement of this Act the former board was seized, possessed or entitled and the benefit of all contracts entered into by the former board insofar as a benefit existed immediately prior to the commencement of this Act shall be vested in the board to the same extent and for the same estate or interest as they were previously vested in the former board to be held and enjoyed, sued for, recovered, maintained, dealt with and disposed of in accordance with this Act.
- (3) The board shall in all respects be subject to and discharge all obligations and liabilities to which the former board was subject immediately prior to the commencement of this Act; and where any such obligation or liability was undertaken by the former board by virtue of any contract made by the former board, the contract shall be deemed to have been made by the board notwithstanding that it was entered into prior to the commencement of this Act.
- (4) In this section, "former board" means the Uganda Electricity Board established under the Uganda Electricity Board Ordinance.

### 3. Constitution of the board, etc.

- (1) Subject to this section, the board shall consist of a chairperson and not less than five nor more than eight other members who shall—
  - (a) be appointed by the Minister;
  - (b) be eligible for reappointment; and
  - (c) hold office for such period, being not less than two years, and subject to such conditions (including conditions as to payment by the board of salary or other remuneration), as the Minister directs at the time of appointment or, with the consent of the person appointed, at any time thereafter.
- (2) The chairperson and members of the board shall be appointed by the Minister from persons appearing to the Minister to be qualified for membership by reason of their having had experience of and shown capability in electricity supply, local government or industrial, agricultural, commercial, financial, educational, scientific or administrative matters.
- (3) The appointment of the chairperson or of any other member of the board may be terminated by six months' notice in writing given by the Minister to the chairperson or the member, or by the chairperson or the member, to the Minister.
- (4) The Minister may give general or special directions to the board relating to the payment of pensions or gratuities on retirement, death or termination of services to the chairperson and other members of the board or to or for the benefit of their dependents, as the case may be, and the board shall give effect to the directions.
- (5) The board may reimburse the chairperson and other members of the board for any expenses reasonably incurred in, or incidental to or in connection with, the exercise and performance of their powers and duties under this Act.

#### 4. Meetings and procedure of the board

- (1) Subject to this section, the board shall regulate its own procedure.
- (2) The board shall appoint a member of the board to be its deputy chairperson.
- (3) The chairperson, or in his or her absence the deputy chairperson, shall preside at meetings of the board and shall have a casting as well as a deliberative vote.
- (4) In the absence of the chairperson and the deputy chairperson from any meeting of the board, the members present shall elect one of their number to preside at that meeting, and the member so elected shall in respect of that meeting have the powers and perform the duties of the chairperson, except that he or she shall not have a casting vote.
- (5) The quorum at a meeting of the board shall be three and, subject to the provisions of this section relating to the casting vote of the chairperson or deputy chairperson, every question before any such meeting shall be decided by a majority of the members present and voting.
- (6) The board shall under the powers conferred by [section 8\(1\)\(e\)](#) appoint and employ a secretary, who shall not be a member of the board.

#### 5. Board to be body corporate, etc.

- (1) The board shall be a body corporate having perpetual succession and a common seal and may in its corporate name sue and be sued and, for and in connection with the purposes of this Act, may acquire, hold, manage and dispose of real and personal property, borrow and lend money, enter into contracts and perform such other acts as bodies corporate may by law perform.
- (2) The seal of the board shall be authenticated by the signature of the chairperson of the board or some other member of the board authorised by the board to act for that purpose, and of the secretary to the board or some other person authorised by the board to act in that behalf.
- (3) Any order or decision of the board may be signified on behalf of the board under the hand of the chairperson of the board, any other member of the board authorised by the board to act for that purpose or the secretary to the board.
- (4) Any instrument or contract (other than an instrument or contract relating to land) which, if executed or entered into by a person not being a body corporate, would not require to be under seal, may be executed or entered into on behalf of the board by any member, officer or servant of the board generally or specially authorised by the board in that behalf.
- (5) Every document purporting to be—
  - (a) an instrument executed or issued by the board and to be sealed with the seal of the board authenticated in the manner provided in subsection (2);
  - (b) an order or decision of the board and to be signified in the manner provided in subsection (3); or
  - (c) an instrument or contract of the kind mentioned in subsection (4) and to be executed or entered into on behalf of the board in the manner provided in that subsection, shall be received in evidence and shall be deemed to be so executed or issued by the board, so signified on behalf of the board or so executed or entered into on behalf of the board without further proof, unless the contrary is shown.

#### 6. Functions of the board

The functions of the board shall be—

- (a) to generate, transmit, distribute and supply electricity and to establish, acquire, maintain and operate undertakings for that purpose;

- (b) to secure, so far as practicable, the development, extension and cheapening of supplies of electricity;
- (c) to make such provision as appears to it to be appropriate, either by itself or in consultation with any other organisation, for advancing the skill of its employees by education, training or otherwise;
- (d) to conduct either by itself, or jointly with any other person, research, experiments or trials for the improvement of methods of generation, transmission, distribution or use of electricity and incur such expenditure for the purpose as the board may think fit, and make contributions to the expenditure of any other person engaged on such research, experiments or trials with the object of achieving such improvements and of promoting the use of electricity; and
- (e) to perform any duty it is required to perform under this Act.

## 7. Revenue to exceed outgoings

- (1) The board shall so perform its functions under this Act as to ensure that, taking one year with another, the revenues of the board exceed the outgoings of the board properly chargeable to revenue account.
- (2) For the purposes of subsection (1), the words "the outgoings of the board properly chargeable to revenue account" mean all charges which in the normal conduct of business are proper to be charged to revenue account, including, in particular, proper provisions for—
  - (a) the depreciation or renewal of assets or the redemption of any loan raised by the board (whichever is the greater); and
  - (b) allocations to reserves.

## 8. General powers of the board

- (1) Subject to this Act, the board may, for the purpose of exercising and performing its functions under this Act—
  - (a) supply electricity to, or take electricity from, any person inside or outside Uganda;
  - (b) make and recover charges for electricity supplied by it;
  - (c) acquire by purchase, lease or otherwise, construct, erect, maintain, alter or improve buildings, machinery, plant, transmission lines, distribution lines, mains, waterworks, reservoirs, canals, watercourses, railways, roads, bridges, pipe lines and any other apparatus or works;
  - (d) sell, let, exchange or hypothecate any buildings, machinery, plants, transmission lines, distribution lines, mains, waterworks, reservoirs, canals, watercourses, railways, roads, bridges, pipe lines and other apparatus or works which it has acquired, constructed or erected;
  - (e) appoint and employ such persons as it thinks fit, pay them such remuneration and allowances as it thinks fit, grant them such leave as it thinks fit, and dismiss them;
  - (f) provide for persons in its employ or their dependents by means of insurance with an insurance company or a pension or provident fund or otherwise, pecuniary benefits upon retirement, death or termination of services or in the event of sickness or injury;
  - (g) cause surveys, plans, sections, maps, drawings and estimates to be made by or through its officers, servants or agents;
  - (h) purchase or sell coal, oil, wood or other fuel, steam, water, cement and other materials and stores;
  - (i) manufacture and sell by-products, electrical plant, poles, works, apparatus and fittings;

- (j) sell, hire or otherwise supply electrical plant, apparatus and fittings and install, repair, maintain or remove any such plant, apparatus and fittings;
  - (k) build houses and sell or let such houses;
  - (l) lend money to its employees for the purpose of building houses or otherwise as it may think fit;
  - (m) insure against any losses, damages, risks and liabilities which it may incur;
  - (n) carry on all such other activities as may appear to it to be requisite, advantageous or convenient for it to carry on for or in connection with or incidental to the exercise and performance of its functions under this Act; and
  - (o) exercise any power conferred upon it under the other provisions of this Act.
- (2) The board may appoint a chief executive officer to the board who shall—
- (a) hold office for such period and subject to such conditions as the board may think fit; and
  - (b) subject to the directions of the board on matters of policy, be charged with the direction of the business of the board and its administration and organisation and, on behalf of the board, with the appointment and control of the staff of the board.

## 9. Acquisition of land

- (1) Whenever any land or interest in land is required by the board, the board may—
- (a) if the land is alienated public land, acquire it by agreement with its owner; or
  - (b) if the land is unalienated public land, or if the board is unable to acquire it by agreement, notify the Minister that the land or the interest in the land specified in the notice is required by the board.
- (2) When any notice has been served on the Minister under subsection (1)(b)—
- (a) if the land is unalienated public land, the Minister may, in his or her discretion, upon such terms as he or she may think fit to impose, make such arrangements with the Uganda Land Commission or the appropriate district land board as may be necessary to place the land at the disposal of the board; or
  - (b) if the land is alienated public land, the Government may, in its discretion and if it is permitted by law so to do, acquire the land compulsorily and then make such arrangements with the Land Commission as may be necessary to place it, upon such terms as the Government may think fit to impose, at the disposal of the board.
- (3) In this section—
- (a) "alienated" in relation to public land has the same meaning as in the Land Act, and "unalienated public land" shall be interpreted accordingly;
  - (b) "Land Commission" means the Land Commission established by article 238 of the Constitution.

## 10. Consultative council

- (1) There is established a consultative council consisting of not more than twelve members to be appointed by the Minister of whom—
- (a) not less than half shall be appointed to represent the interests of local authorities in the areas in which electricity is distributed under the provisions of this Act; and

- (b) the remainder shall be appointed to represent agriculture, commerce, industry and the general interests of consumers of electricity or other persons interested in the development of electricity.
- (2) The chairperson of the council shall be appointed by the Minister from among the members of the council.
- (3) Every member of the council (including the chairperson) shall vacate his or her office on the expiry of two years from the date of his or her appointment as member; but—
  - (a) any member may at any time resign his or her office by writing under his or her hand addressed to the Minister;
  - (b) the Minister may at any time terminate the appointment of any member if he or she is satisfied that it is in the public interest to do so; and
  - (c) any member on or after the expiry or termination of his or her period of office shall be eligible for reappointment.
- (4) A person may be appointed a member of the council under subsection (1)(a) whether or not he or she is a member of a local authority.
- (5) The council shall be charged with the duties of advising the board and the Minister on—
  - (a) any matter affecting the distribution of electricity either in Uganda generally or in any part of it;
  - (b) the variation of tariffs; and
  - (c) the provision of new or improved electricity services in Uganda or any part of it,whether any such matter is the subject of a representation to it by consumers or other persons or is a matter to which consideration ought to be given apart from any such representation.
- (6) The council shall where practicable be informed by the board of its general plans and arrangements for performing the functions and duties of the board under this Act.
- (7) The board shall—
  - (a) reimburse the chairperson and other members of the council for any expenses reasonably incurred in, or incidental to or in connection with, the performance of their functions and duties under this section; and
  - (b) provide such other funds as may be reasonably necessary to enable the council to perform its functions and duties under this section.
- (8) The council shall have power to regulate its own proceedings.

## 11. Powers of Minister

- (1) The Minister may, after consultation with the board, give to the board such directions of a general character as to the exercise and performance by the board of its functions under this Act as appear to the Minister to be requisite in the public interest, and the board shall give effect to the directions.
- (2) In carrying out such measures of reorganisation, or such works of development, as involve substantial outlay on capital account and in the exercise and performance of its functions as to training, education and research, the board shall act in accordance with a general program settled from time to time in consultation with the Minister.
- (3) The Minister may, after consultation with the board, give the board directions as to the use or disposal of any assets vested in the board which are not connected with the generation, transmission, distribution or supply of electricity or used by, let to or provided for those of its

servants who are employed in or in connection with such generation, transmission, distribution or supply, and the board shall give effect to the directions.

- (4) The board shall afford to the Minister facilities for obtaining information with respect to the property and activities of the board and furnish the Minister with returns, accounts and other information with respect to the properties and activities, and afford to the Minister facilities for the verification of the information so furnished, in such manner and at such times as the Minister may reasonably require.

## 12. Tariffs and contracts

- (1) The prices to be charged by the board for electricity to be supplied by it shall be so fixed as to enable the board to comply with [section 7](#) and, subject to this section, the prices shall be—
  - (a) in accordance with such tariffs as may from time to time be fixed by the board after consultation with the council; or
  - (b) where the tariffs in force are not appropriate owing to special circumstances, as may be agreed between the board and the consumer to whom the electricity is or is to be supplied.
- (2) Tariffs fixed under subsection (1)—
  - (a) shall be so framed as to show, in addition to the prices to be charged, the principles on which the prices are fixed;
  - (b) shall be published in such manner as in the opinion of the board will secure adequate publicity for them; and
  - (c) may include a rent or other charge in respect of electrical fittings provided by the board on the premises of the consumer.
- (3) The board shall not enter into any contract—
  - (a) to supply electricity to or take electricity from any person outside Uganda; or
  - (b) to provide a licensee with a bulk supply of electricity or to take a bulk supply of electricity from a licensee,unless the Minister has first approved the terms of the contract.
- (4) The board, in fixing tariffs and making agreements under the provisions of this section, shall not show undue preference to any person or class of persons and shall not exercise any undue discrimination against any person or class of persons.
- (5) The board in exercising its powers under subsection (1) shall not fix such tariffs or prices as are likely to result in the creation of reserves unreasonably in excess of those required for the proper discharge by the board of its functions or obligations.

## 13. Funds and investment

- (1) The board shall establish a general fund into which all monies received by the board shall be paid in the first instance, and out of which all payments by the board shall be made, except payments from a reserve fund established under this section.
- (2) The board shall establish, maintain and make contributions to such other funds as may be necessary for the proper and efficient discharge of its functions and duties under this Act, and, in particular, shall establish and maintain and out of its profits make contributions to a reserve fund for the purpose of financing the expansion of its activities.
- (3) The board may, with the approval of the Minister, establish, maintain and make contributions to any other fund which in its opinion is desirable for the proper and efficient discharge of its functions and duties under this Act.

- (4) The board may—
- (a) invest any monies which are in a fund established under this section, and which are not immediately required, in such investments and securities as are allowed by law for the investment of trust funds or, with the permission of the Minister for the time being responsible for finance, in any other investments, securities or loans; and
  - (b) realise any investments, securities or loans under its control in order to finance its operations or for the purpose of reinvestment in accordance with this subsection.

#### **14. Borrowing powers of the board**

- (1) The board may—
- (a) with the consent of the Minister for the time being responsible for finance or in accordance with the terms of any general authority issued by the Minister for the time being responsible for finance, borrow temporarily, by way of bank overdraft or otherwise, such sums as it may require for meeting its obligations or exercising or performing its functions under this Act; and
  - (b) from time to time—
    - (i) raise monies by way of loans; or
    - (ii) issue stock, in such amounts and for such purposes and periods as Parliament may by resolution approve.
- (2) The repayment of monies borrowed by the board and the payment of interest and of all charges connected with the borrowing shall be a liability of the board and shall be charged on its property, assets and revenues.

#### **15. Accounts and annual report**

- (1) The accounts of the board shall be subject to annual audit by an auditor appointed by the board and approved by the Minister.
- (2) A person or firm shall not be appointed to audit the accounts of the board under subsection (1) unless he or she or, in the case of a firm, every partner in the firm—
- (a) is a member of one or more of the professional bodies specified in the Fifth Schedule to the Accountants Act; or
  - (b) is otherwise qualified to audit the accounts of companies incorporated under the Companies Act.
- (3) The board shall as soon as possible after the end of each financial year—
- (a) make to the Minister a report in such form as the Minister may direct on the exercise and performance by it of its functions during that year and on its future policy and programme; and
  - (b) deliver to the Minister a copy of its accounts audited in accordance with subsection (1).
- (4) The Minister shall lay on the table of Parliament a copy of the report and accounts made and delivered to him or her under subsection (3).

#### **16. Board's rights in relation to the generation, etc. of electricity**

- (1) Subject to this section, no person other than the board shall generate electricity or transmit, distribute or supply electricity to any other person.

- (2) The board may, subject to such conditions not inconsistent with this Act and for such period as it thinks fit, grant a licence authorising any person to generate electricity for his or her own use or to generate or supply electricity for some other person's use.
- (3) The conditions which the board may impose under subsection (2) may include conditions providing for—
  - (a) the manner in which electricity may be supplied to any person;
  - (b) the amount to be charged for electricity supplied to any person;
  - (c) the keeping of accounts and their audit; and
  - (d) the keeping of records and statistics.
- (4) The board—
  - (a) may refuse to grant a licence under this section and may revoke a licence so granted; and
  - (b) shall, if requested to do so by the applicant or licensee, as the case may be, inform him or her of the reasons for any refusal or revocation.
- (5) Any licensee or applicant for a licence aggrieved by a decision of the board either because it has revoked or refused to grant a licence or because it has granted a licence subject to conditions which the applicant considers unreasonable may appeal to the Minister against the decision within thirty days of the decision being conveyed to him or her; and the Minister on any such appeal may dismiss the appeal or may direct the board to grant a licence to the appellant subject to such conditions, if any, as the Minister thinks fit.
- (6) The Minister may by statutory order apply to any particular licensee or to licensees generally any provision of this Act which regulates the conduct of or confers a power or imposes a duty on the board, and any provision so applied shall have effect in relation to the licensee to which it is applied as if for references to the board in that provision there were substituted references to the licensee.
- (7) Notwithstanding the other provisions of this section—
  - (a) the board shall not refuse a licence to enable a person to generate electricity for his or her own use for such period as the board is unable to supply electricity to him or her; and
  - (b) subsection (1) shall not apply to a person who generates electricity for his or her own use if—
    - (i) the rated capacity of the generating plant does not exceed ten kilowatts;
    - (ii) the pressure in any part of the system does not exceed one hundred and ten volts in the case of direct current or fifty-five volts in the case of alternating current; and
    - (iii) no part of the system is outside the premises in which the electricity is generated.
- (8) Subject to subsection (7)(b), any person who contravenes subsection (1) or who contravenes any term or condition of a licence granted under subsection (2) commits an offence and is liable on conviction to a fine not exceeding ten thousand shillings.

### **Part III – Supply**

#### **17. Board's duty to supply**

- (1) Subject to this Act, the board, on being required to do so by the owner or occupier of any premises, shall within a reasonable time make and continue to make a supply of electricity available to those premises, unless the premises are situated more than one hundred yards from the nearest distributing main of the board.

- (2) Any requisition made under subsection (1) shall be in writing and shall specify the premises to which it relates and the maximum power required.
- (3) Where electricity is supplied by the board under subsection (1)—
- (a) the board shall provide any electric lines which may be necessary for the purpose of supplying the maximum power with which the consumer is entitled to be supplied under [section 21](#); and
  - (b) the consumer shall, if so required by the board, pay to the board, before it provides any lines of the kind mentioned in subsection (3)(a), a sum equal to the cost, or, where a scale of charges has been approved for the purpose by the Minister, a sum calculated according to that scale to represent the cost of providing any part of those lines which is placed on property owned or occupied by the consumer or more than one hundred feet from the nearest distributing main of the board, but in a case where the board proposes to provide the supply otherwise than from the nearest practicable point of its nearest distributing main, the sum to be paid by the consumer if so required under the provisions of this paragraph shall be equal to the cost, or shall be so calculated to represent the cost, as the case may be, of providing so much of those lines as the Minister, after giving the board and the consumer an opportunity to be heard and having due regard to the interests of the consumer, considers to be just and equitable in the circumstances of the case.
- (4) The Minister may make regulations prescribing the conditions on which the board shall make and continue to make available a supply of electricity if it is required to do so by the owner or occupier of premises situated more than one hundred yards from the nearest distributing main of the board, and, without prejudice to the generality of the foregoing, the regulations may—
- (a) apply generally to all such premises or to a specified class or specified classes of premises; and
  - (b) authorise the board—
    - (i) to require the person to whom electricity is to be supplied to pay to the board a sum representing the capital cost or part of the capital cost of providing the supply; and
    - (ii) to impose other pecuniary conditions on the provision of the supply, but regulations made under this subsection shall not prescribe or authorise the imposition of conditions fixing the price at which electricity is to be supplied or otherwise derogate from the provisions of [section 12](#).
- (5) The board may refuse to give a supply of electricity to any premises if it is reasonably satisfied that —
- (a) the electrical fittings on those premises—
    - (i) are not in good order and condition;
    - (ii) do not conform with this Act; or
    - (iii) are likely to interfere with the efficient supply of electricity by the board to other persons; or
  - (b) the consumer who is to be supplied has not paid all sums (other than sums which are the subject of *bona fide* disputes) due from the consumer to the board under this Act for electricity supplied to the consumer by the board at those or any other premises or otherwise due from the consumer to the board under this Act,

but nothing in this subsection shall be construed as requiring the board to satisfy itself of the matters mentioned in paragraph (a) of this subsection before it gives a supply of electricity to any premises or as implying that the board has so satisfied itself in respect of any premises to which it is giving a supply of electricity.

- (6) Where the board, in order to satisfy itself of the matters mentioned in subsection (5)(a), finds it necessary to inspect the electrical fittings on a consumer's premises on more than one occasion, it may make a reasonable charge for the second or any subsequent inspection of the premises.

### **18. Supply for public lamps, etc.**

- (1) Subject to this section, the board, upon being required to do so by an urban authority exercising jurisdiction in an area in which the board is maintaining a general supply of electricity, shall within a reasonable time supply electricity in such quantities as may be necessary to any public lamps, traffic signals, traffic bollards or other street signs or apparatus maintained or operated by that authority.
- (2) Where a supply of electricity is provided under subsection (1), the urban authority shall refund to the board, to such extent as may be agreed between the authority and the board, or, in case of disagreement, determined by the Minister, the cost of providing such electric lines as may be needed for the purpose of the supply.

### **19. Supply for temporary purposes**

Notwithstanding any other provision of this Act, where the board provides a consumer with a supply of electricity for purposes which are reasonably determined by the board to be temporary purposes, the consumer shall pay to the board the whole cost of providing and removing the electric lines necessary for the purposes of the supply.

### **20. Supply for stand-by purposes, etc.**

- (1) Notwithstanding any other provision of this Act, no person shall be entitled to demand or to continue to receive for the purposes of a stand-by supply only a supply of electricity from the board for any premises having a separate supply of electricity or a supply (in use or ready for use for the purpose for which the stand-by electricity is required) of gas, steam or other form of energy, unless he or she has agreed with the board to pay to it such minimum annual sum as will give it a reasonable return on the capital expenditure incurred by it in providing such stand-by supply and will cover other standing charges incurred by the board in meeting the possible maximum demand for those premises.
- (2) Subsection (1) shall apply to supplies of electricity taken from the board on extraordinary occasions in like manner as it applies to supplies taken for stand-by purposes.
- (3) Any dispute arising between the board and a consumer as to the application of this section to a particular case, or as to the sum to be paid under it, shall be determined by the Minister.

### **21. Maximum power**

- (1) Subject to subsection (2), the maximum power with which any consumer shall be entitled to be supplied shall be of such amount as the consumer may require to be supplied, not exceeding what may reasonably be anticipated as the maximum consumption on the consumer's premises.
- (2) Where any consumer has required the board to supply him or her with maximum power of any specified amount, the consumer shall not be entitled to alter that maximum except upon reasonable notice to the board, and any expenses reasonably incurred by the board in respect of the service lines by which electricity is supplied to the premises of that consumer, or in respect of any electrical plant or electrical fittings of the board upon those premises, consequent upon the alteration, shall be refunded by that consumer to the board.
- (3) Any dispute as to the sum to be refunded by a consumer to the board under subsection (2) shall be determined by the Minister.

## 22. Use of transformers

- (1) If for the purpose of supplying a consumer the board has provided a separate transformer on the premises of the consumer, the board may (unless it is otherwise agreed in writing between the board and the consumer)—
  - (a) substitute for the transformer originally provided a transformer of the same or of a different capacity; and
  - (b) use the transformer originally provided or the substituted transformer, for the purpose of supplying other consumers, so long as such use does not prejudice or interfere with the supply to the consumer on whose premises the transformer is erected.
- (2) Nothing in this section shall authorise the board to install a transformer which will extend beyond the limit of the site provided by the consumer without the consumer's consent.
- (3) In this section, "transformer" includes switchgear, electric lines and ancillary apparatus.

## 23. Special fittings

- (1) The board shall not be entitled to require the use by a consumer of any special form of electrical fittings, except as may be prescribed in regulations made under this Act.
- (2) The provisions of this section shall not prejudice the operation of section [17\(5\)](#) or [32](#).

## 24. Use of meters

- (1) The value of the supply shall, except in cases where—
  - (a) the tariff which applies is of a kind which renders the use of a meter inappropriate; or
  - (b) it is otherwise agreed between the consumer and the board,be ascertained by means of an appropriate meter or appropriate meters fixed and connected with the service lines in such manner as may be prescribed.
- (2) Such meter or meters as may be required for the purpose of ascertaining the value of the supply shall be provided by the board subject to the payment by the consumer of such reasonable charges as may be fixed by the board.
- (3) Every meter shall be of such construction and pattern, and be capable of ascertaining the value of the supply within such limits of error, as may be prescribed.
- (4) Every meter shall be sealed by the board with a seal having its distinguishing brand or mark impressed on it; and the board may, in order to protect the meter, install suitable cutouts or other protective devices on the consumer's premises on the supply side of the meter, and may seal the cutouts or other protective devices with a seal having its distinguishing brand or mark impressed on it.

## 25. Removal, etc. of meters

The board shall not remove, alter, adjust or readjust any meter in any premises unless—

- (a) it does so with the consent of the consumer; or
- (b) it has given at least forty-eight hours' notice of its intention to do so,

but if the consumer has vacated the premises, the board may remove the meter without obtaining that consent or giving that notice.

## 26. Correctness of meters

- (1) Subject to this section, the register of a meter shall be conclusive evidence, in the absence of fraud, of the value of the supply.
- (2) If any dispute arises between the board and a consumer as to the correctness of the register of a meter, that dispute shall be determined on the application of either party to the dispute by an electrical inspector; and the decision of the inspector shall be final and binding on both parties.
- (3) If an electrical inspector in determining a dispute of the kind mentioned in this section finds that the meter with which the dispute is concerned is registering incorrectly, that meter shall (in the absence of proof to the contrary) be deemed to have so registered from the date of the penultimate periodical meter reading which occurred before the dispute arose or, if there was no such reading, since the meter was installed.

## 27. Testing of meters

The board shall—

- (a) establish in such places as may be prescribed testing stations for the purpose of examining, testing and regulating meters;
- (b) equip all testing stations so established with such standard or substandard instruments as may be prescribed; and
- (c) maintain all such instruments in proper working order and cause them to be tested by such methods and at such intervals of time as may be prescribed.

## 28. Special reading of meters

Where at the request of the consumer the board reads a meter at a time other than the time for the normal periodical reading of the meter, the board shall be entitled, in order to defray the cost to itself of the reading, to recover from the consumer such charges (not exceeding a maximum to be prescribed) as it thinks appropriate.

## 29. Notice to be given to the board prior to removal

- (1) Twenty-four hours' notice in writing shall be given to the board by every consumer before he or she quits any premises supplied with electricity by it; and, in default of that notice, the consumer so quitting shall be liable to pay to the board the money due in respect of that supply—
  - (a) up to such time as notice of removal is given;
  - (b) up to the next usual date for ascertaining the register of the meter or otherwise for determining the charges due to the board in respect of the premises; or
  - (c) up to the date from which any subsequent occupier of the premises may require the board to supply electricity to the premises,whichever first occurs.
- (2) Notice of the contents of subsection (1) shall be endorsed upon any demand note for charges for electricity.
- (3) Nothing in this section shall invalidate any agreement entered into between the board and any consumer as to the period for which a supply of electricity shall be taken by the consumer.

### 30. Payments in arrear

Where any person ceases to be a consumer in respect of any premises without paying the electricity charges, meter rent or other charges due by him or her, the board shall not be entitled to require from the next consumer in respect of the premises the payment of the arrears unless the new consumer has undertaken with the former consumer to pay or exonerate that consumer from the payment of the arrears or unless the former consumer is still resident on the premises.

### 31. Security for payment

The board may, before or after it has given a supply of electricity to any premises, by notice in writing require the consumer within seven days after the date of the service of the notice to give to it sufficient security by cash deposit or otherwise for the payment of all monies which may become due to it in respect of the supply, if the consumer has not already given that security or if any security given has become invalid or insufficient.

### 32. Discontinuance of supply

- (1) The board may discontinue the supply of electricity—
  - (a) to a consumer who—
    - (i) fails to pay any sum (not being the subject of a *bona fide* dispute) due from the consumer for electricity supplied to him or her by the board under this Act; but where the consumer has given to the board a deposit as security for a supply of electricity, the board shall not discontinue the supply unless the sum due to it for that supply exceeds the sum so deposited and payment of the sum due has been demanded;
    - (ii) fails to pay any sum (not being the subject of a *bona fide* dispute) due from the consumer to the board under this Act otherwise than for electricity supplied to the consumer;
    - (iii) fails to give any deposit or other security which the consumer is required to give under this Act;
    - (iv) makes any alteration or addition to his or her electrical fittings without notifying the board;
    - (v) fails to give reasonable facilities for meter reading;
    - (vi) fails to give the board or an electrical inspector reasonable facilities to exercise the powers relating to inspection and testing conferred under this Act;
    - (vii) interferes or attempts to interfere with the board's main fuses, apparatus or seals;
    - (viii) uses electricity supplied to him or her by the board so as to interfere with the efficient supply of electricity to any other person;
    - (ix) sells or for other consideration disposes of electricity supplied to the consumer by the board without a licence granted under [section 16](#);
    - (x) fraudulently abstracts, causes to be wasted or diverted, consumes or uses electricity of the board;
    - (xi) in the case of electricity supplied by the board the amount of which is not ascertained by meter, uses the electricity in a way different from, or in an amount greater than, that for which he or she has contracted to pay;
    - (xii) in the case of electricity supplied to the consumer for any specified purpose, use or application, uses the electricity without the consent of the board for another purpose,

- use or application, in respect of which a higher price may be charged by the board, or otherwise improperly uses the electricity; or
- (b) to any premises—
    - (i) where a leakage of electricity is discovered; or
    - (ii) if it is reasonably satisfied that the electrical fittings on the premises are not in good order and condition, or do not conform with this Act, or interfere or are likely to interfere with the efficient supply of electricity by the board to other persons.
- (2) Where the board is by virtue of this section authorised to discontinue a supply of electricity, it may cut or disconnect any electric line through which the supply is provided, and may refuse to reconnect the supply until—
- (a) the matter complained of has been rectified to its satisfaction or the sums due to it have been paid, as the case may be; and
  - (b) there have been paid to it—
    - (i) any expenses incurred by it in cutting off the supply;
    - (ii) any expenses reasonably likely to be incurred by it in reconnecting the supply; and
    - (iii) the prescribed fees, if any.

### 33. Failure to supply

- (1) Subject to this Act—
- (a) where the board makes default in supplying electricity to any consumer to whom it may be and is required to supply electricity under this Act, it is liable in respect of each default to a penalty not exceeding fifty shillings for each day on which the default occurs;
  - (b) where the board makes default in supplying electricity to any public lamps or other apparatus to which it may be and is required to supply electricity under [section 18\(1\)](#), it is liable in respect of each default to a penalty not exceeding fifty shillings for each lamp or other piece of apparatus and for each day on which the default occurs.
- (2) The penalties to be inflicted on the board under this section shall in no case exceed in the aggregate in respect of any defaults, not being wilful defaults on the part of the board, the sum of one thousand five hundred shillings for any one day; and in no case shall any penalty be inflicted in respect of any default if the court is of opinion that the default was caused by inevitable accident or *force majeure* or some other cause beyond the control of the board, or was of so slight or unimportant a character as not materially to affect the value of the supply.
- (3) The board may, without incurring any penalty under this section, interrupt the supply of electricity for such periods as may be necessary for carrying out inspections, tests, repairs, alterations, reconstructions or the making of new connections, subject to the condition that, except in cases of emergency, the board shall give twenty-four hours' notice by advertisement in a local newspaper or otherwise to all consumers whose supply it intends to interrupt and who may reasonably be expected to require a supply during the period of interruption.
- (4) For the purposes of this section, a consumer supplied by the board under the terms of any agreement shall be deemed to be a person to whom the board may be and is required to supply electricity under this Act, and this section shall apply to the supply provided by the board under the agreement.
- (5) Nothing in this section shall—
- (a) deprive any consumer supplied under the terms of any agreement in force at the date of commencement of this Act of any right to which he or she would have been entitled but for this section; and

- (b) apply in relation to any agreement which expressly excludes the application of this section.

### **34. Maps and plans**

- (1) The board shall cause to be made on such a scale or scales as may be prescribed—
  - (a) a map or maps showing the route of all electric lines laid or erected by it for operation at or in excess of thirty-three thousand volts; and
  - (b) plans of every urban area, and of any other area which may be prescribed, in which distributing mains have been laid or erected by it showing—
    - (i) the position of all distributing mains;
    - (ii) the depth below the surface of all underground distributing mains; and
    - (iii) the position and depth below the surface of all underground service lines.
- (2) Where a map or plan is made under the provisions of this section—
  - (a) the board shall cause that map or plan to be duly corrected once in every year so that it is accurate on the date of correction;
  - (b) every such map or plan, or a copy of it, marked with the date when it was made or, if it has been corrected, last corrected shall be kept by the board and shall at all reasonable times be open to inspection by any person;
  - (c) any person who inspects any such map or plan may take a copy of it;
  - (d) the board may demand and take from every person who inspects or copies any such map or plan under the provisions of this subsection a fee not exceeding one shilling in the case of inspection and five shillings in the case of copying; and
  - (e) the board shall, if required to do so by the Minister or a local authority, as the case may be, supply free of charge—
    - (i) to the Minister, a copy of any such map or plan; and
    - (ii) to a local authority, a copy of any such plan which relates to the area of jurisdiction of that local authority.
- (3) If the board makes default in complying with any provision of this section, it is liable for each default to a penalty not exceeding two hundred shillings.

### **35. Entry on premises to ascertain quantity of electricity consumed, etc.**

Subject to [section 54](#), any duly authorised servant or agent of the board may at all reasonable times enter on any premises to which electricity is or has been supplied by the board—

- (a) for the purpose of ascertaining the quantity of electricity consumed or supplied;
- (b) in order to install, inspect, maintain, test or repair meters, electrical plant or electrical fittings; or
- (c) where a supply of electricity is no longer required or where the board is authorised under this Act to discontinue a supply, for the purpose of removing any meters, electrical plant or electrical fittings belonging to the board.

## Part IV – Works

### 36. Wayleaves

- (1) Subject to this Act, the board may—
  - (a) place any electric line below ground across any land, and above ground across any land not covered by buildings;
  - (b) for the purpose of supplying electricity to the occupier of premises which consist of a part and not the whole of a building, place any electric line or meter in, through or across any stair, passage or court providing a common means of access to the building, or elsewhere in or upon the building; and
  - (c) utilise any land, building, wall or bridge for the support of any electric line.
- (2) Before exercising any of the powers mentioned in subsection (1), the board shall serve notice in writing of its intention to do so—
  - (a) in a case where the power is to be exercised on, in or in respect of any land, building, road, wall or bridge occupied, maintained or controlled by an authorised undertaker or a local authority, upon the authorised undertaker or local authority, as the case may be;
  - (b) in a case where the power is to be exercised on, in or in respect of any unalienated public land or any land, building, wall or bridge occupied, maintained or controlled by the Government (not being a case where subsection (2)(a) applies), upon the Uganda Land Commission or the appropriate district land board as the case may be and upon the district commissioner of the place in which the power is to be exercised or upon such other person as the Minister by writing under his or her hand addressed to the board may generally or in any particular case appoint for the purpose;
  - (c) in a case where the power is to be exercised on or in respect of any land of which a person other than the Uganda Land Commission or a district land board is registered as the proprietor under the Registration of Titles Act (not being a case where subsection (2)(a) or (b) applies), upon the person so registered and, if the person so registered is not the occupier of the land, upon the occupier; and
  - (d) in any other case, upon the occupier of the land, building, road, wall or bridge on, in or in respect of which the power is to be exercised, or upon the Uganda Land Commission or the appropriate district land board, whichever holds the land, building, road, wall or bridge.
- (3) Where the board serves a notice on any person under subsection (2), it shall cause a plan to be prepared sufficiently indicating the manner in and extent to which the power to which the notice relates is to be exercised; and any plan so prepared shall, at a place to be specified in the notice, be open to inspection at all reasonable times by or on behalf of any person on whom the notice has been served.
- (4) If a person served with a notice under subsection (2) fails to give his or her consent to the exercise of the power to which the notice relates within fourteen days of the service of the notice upon him or her or attaches to his or her consent any terms or conditions to which the board objects, the district commissioner of the place in which the power is to be exercised, or, where the district commissioner is the person on whom the notice was served, the Minister, may give his or her consent to the exercise of the power, either unconditionally or subject to such terms and conditions (not being pecuniary terms or conditions as to compensation except insofar as the imposition of pecuniary terms or conditions as to compensation may be authorised under [section 55](#)) as he or she thinks fit, and the board may thereupon exercise the power accordingly.
- (5) Where the board under this section places any electric line in, on, over, under, along, across or in the vicinity of any road, railway, watercourse, harbour, lake or airfield, it shall place the electric line

so as not to hinder, obstruct or interfere with the passage along the road or railway, the navigation of the watercourse, harbour or lake or the use of the airfield.

- (6) The Minister may by statutory order declare any buildings or class of buildings not to be buildings within the meaning of subsection (1)(a), and that paragraph shall be interpreted in accordance with any such order which may be in force.

### 37. Power to cut trees, enter on land, etc.

- (1) Subject to this Act, the board by its duly authorised servants or agents may—
- (a) cut, lop, fell, burn or otherwise clear away any tree, shrub, hedge, underwood or grass, and any other kind of vegetation, to such an extent as may be necessary—
    - (i) for the purpose of preventing interference with the construction, erection, placing, maintenance, repair, alteration or removal of any electric line or with the transmission of electricity by any electric line;
    - (ii) for the purpose of preventing damage to any electric line by fire or otherwise, and ensuring access to the line; or
    - (iii) for or in connection with the exercise of any of the powers conferred on the board under the other provisions of this section or of this Part of this Act; and
  - (b) enter on any land or premises and do such other things as may be necessary—
    - (i) for or in connection with the carrying out of any survey or other investigation which is preliminary or incidental to or connected with the exercise or the possible or intended exercise of any of the powers conferred on the board under this Part of this Act, or which is reasonably necessary in order to ascertain the water power resources of Uganda; or
    - (ii) for the purpose of inspecting, maintaining, repairing, altering or removing any of its electric lines or meters; and
    - (iii) for or in connection with the exercise of any power conferred on the board under the other provisions of this section or of this Part of this Act.
- (2) The power to enter on land or premises conferred under paragraph (b) of subsection (1) shall include power to pass over or through any land or premises where it is necessary to do so in order to reach some other land or premises on or in respect of which it is intended to do any thing, carry out any purpose or exercise any power mentioned in subparagraphs (i), (ii) or (iii) of that paragraph.
- (3) The powers conferred under subsection (1)(b) in connection with the carrying out of surveys and investigations shall include power to dig or bore into the subsoil for the purposes of any such survey or investigation.
- (4) Before exercising—
- (a) any power conferred under subsection (1)(a);
  - (b) any power conferred under subsection (1)(b) which is exercised for or in connection with a survey or investigation of the kind mentioned in that paragraph and which involves executing works, digging or boring into the subsoil or carrying out any similar operation affecting the land or premises in respect of which the power is exercised; or
  - (c) any other power conferred under this section which involves the execution of works on or in respect of any land or premises (being works in respect of the execution of which the board is not required to give notice under any other provision of this Part of this Act),

the board shall, except in a case of emergency, serve notice in writing on the person on whom, if the power had been conferred under [section 36](#), the board would have been required to serve notice under that section; and if the person so served fails to give his or her consent to the exercise of the

power to which the notice relates within seven days of the service of the notice upon him or her or attaches to his or her consent any terms or conditions to which the board objects, the district commissioner of the place where the power is to be exercised, or, where the district commissioner is the person on whom the notice was served, the Minister, may give his or her consent to the exercise of the power, either unconditionally or subject to such terms and conditions (not being pecuniary terms or conditions as to compensation except insofar as the imposition of pecuniary terms or conditions as to compensation may be authorised under [section 55](#)) as he or she thinks fit, and the board may thereupon exercise the power accordingly.

- (5) Notwithstanding subsection (4)—
- (a) where a power conferred under subsection (1) is exercised for the purpose of maintaining or repairing any of the board's electric lines or for the purpose of preventing interference with the maintenance or repair of any of the board's electric lines, the provisions of subsection (4) relating to the giving of notice shall not apply if the exercise of the power does not involve the felling or burning of any tree, shrub, hedge, underwood or grass, or any other kind of vegetation, which was in existence at the time of the placing of the electric line on account of which the power is exercised; and
  - (b) where a power conferred under subsection (1) is exercised in a case of the kind described in [section 36\(2\)\(c\)](#) for or in connection with a survey or investigation of the kind described in subsection (1)(b), it shall not be necessary for the board to serve notice of the intended exercise of the power otherwise than upon the occupier of the land or premises on or in respect of which the power is to be exercised.

### 38. Moving of lines, etc.

- (1) The Minister may, if he or she thinks fit, make an order requiring the board to alter the position of any of its electric lines or of any pole, strut or other support for an electric line, which has been placed on or in or affixed to any land, building, wall or bridge.
- (2) An order of the kind mentioned in subsection (1) may—
  - (a) be made either of the Minister's own motion or on the application of the owner, occupier or controlling authority of the land, building, wall or bridge to which it relates;
  - (b) be made subject to such terms and conditions (not, subject to subsection (2)(c), being pecuniary terms or conditions as to compensation) as the Minister thinks fit; and
  - (c) where it is not made of the Minister's own motion, may contain a provision requiring the person on whose application it is made to refund to the board the whole or a specified part of the cost of carrying out the order.

### 39. Power to break up roads, etc.

- (1) Subject to this section and the other provisions of this Act, the board may, for the purpose of constructing, erecting, placing, maintaining, repairing, altering or removing electric lines or apparatus—
  - (a) open and break up the soil and pavement of any road or bridge; and
  - (b) open or break up any sewer, drain or tunnel under such road or bridge.
- (2) The board, before executing any works (not being emergency works or minor works) which necessitate the exercise of any of the powers mentioned in subsection (1), shall—
  - (a) send to the person having the management or control of any road, bridge, sewer, drain or tunnel likely to be affected by the exercise of the power (referred to in this section as the "appropriate authority") notice in writing of its intention to execute the works together with a plan of the works; and

- (b) furnish the appropriate authority with such other information as it may reasonably require in connection with the proposed works.
- (3) Where the appropriate authority—
  - (a) disapproves a plan sent to it under subsection (2);
  - (b) fails to come to a decision on the plan within sixty days of receiving it; or
  - (c) approves the plan subject to modifications or conditions to which the board objects,the Minister may, on the application of the board, approve the plan, subject to such conditions (not being pecuniary conditions or conditions as to compensation) or modifications as he or she thinks fit.
- (4) The board shall not begin any works to which this section applies (other than emergency works) unless—
  - (a) in cases where it is required to furnish the appropriate authority with a plan of the works, the plan has been approved under the provisions of this section by the appropriate authority or the Minister, as the case may be, and the board has, after the approval, given the appropriate authority not less than seven days notice of its intention to begin the works; and
  - (b) in the case of minor works, the board has given the appropriate authority not less than seven days notice of its intention to begin the works.
- (5) Where it executes works to which this section applies, the board shall—
  - (a) execute the works (not being emergency works or minor works) in accordance with the plan approved under the provisions of this section by the appropriate authority or the Minister, as the case may be;
  - (b) carry on and complete the works with all such dispatch as is reasonably practicable;
  - (c) except in the case of emergency works or minor works, afford the appropriate authority reasonable facilities for supervising the opening and breaking up and the reinstatement of roads, bridges, sewers, drains and tunnels;
  - (d) ensure at its own expense that—
    - (i) so long as a road or bridge is open or broken up it is adequately protected and guarded, and lighted in such manner as to give appropriate warning to the public during the hours of darkness;
    - (ii) no greater width or length of a road or bridge than is reasonably necessary is open or broken up at any one time and
    - (iii) there is no greater obstruction of traffic on any road or bridge than is reasonably necessary; and
  - (e) reinstate and make good any road or bridge broken or opened up in connection with the works, and keep it in good repair for three months after reinstatement and making good, and for such further time, if any, not being more than six months in the whole, as the soil broken up shall continue to subside; and
  - (f) reinstate and make good any sewer, drain or tunnel opened or broken up in connection with the works.
- (6) In the case of works to which this section applies being emergency works, the board—
  - (a) may execute the works without submitting a plan of such works to the appropriate authority; and

- (b) shall as soon as may be after the execution furnish the appropriate authority with a plan of the works.
- (7) Where an appropriate authority—
- (a) objects to any works executed by the board which have been executed in contravention of any provision of subsection (2), (3) or (4), or which are emergency works; or
  - (b) complains that the board has failed or is failing to fulfill any obligation imposed upon it under subsection (5),

it may, after giving the board notice of the objection or complaint and an opportunity to enter into an agreement with it for meeting the objection or complaint, refer the matter to the Minister, who may approve the works or dismiss the complaint or give such other directions (including directions for the works to be altered or for reinstatement to be carried out by the board at its own expense or by the appropriate authority at the board's expense) as he or she thinks fit.

#### **40. Alteration of pipes, etc.**

- (1) The board may by notice in writing call upon any authorised undertaker permanently or temporarily to alter at the expense of the board the position of any pipe, wire or drain, except a main drain, controlled by the undertaker which is likely to interfere with the exercise of the board's powers under this Act, and any authorised undertaker may in like manner call upon the board permanently or temporarily to alter at the expense of the authorised undertaker the position of any electric line or apparatus of the board which may interfere with the exercise of the lawful powers of the undertaker.
- (2) Where the party on which a notice of the kind mentioned in this section has been served does not within a reasonable time agree to carry out the alteration called for by the notice, the Minister on the application of the party serving the notice may, if he or she thinks fit and subject to such terms and conditions (not being pecuniary terms or conditions as to compensation) as he or she thinks fit, authorise the party serving the notice to make the alteration at its own expense.
- (3) If the Minister is satisfied that as a result of the exercise by an authorised undertaker of his or her lawful powers it is necessary for the board to move any of its electric lines or apparatus, he or she may on the application of the board require the authorised undertaker to defray the cost of the removal.
- (4) In this section, "main drain" means a sewer or drain used for the drainage of two or more buildings which are not in the same curtilage.

#### **41. Works which affect other lawful works**

- (1) Where in the exercise of its powers under this Act the board's works are likely to affect any lawfully placed sewer, drain, pipe or wire belonging to or controlled by an authorised undertaker, or where in the exercise of any lawful powers in relation to the laying of a sewer, drain, pipe or wire the works of any authorised undertaker are likely to affect any lawfully placed electric line or apparatus belonging to the board, then, subject to this section, the party executing the works (referred to in this section as "the operator") shall—
  - (a) not begin any works until he or she has given to the party controlling or owning the sewer, drain, pipe, wire, line or apparatus likely to be affected by the works (hereafter in this section referred to as "the owner") notice of his or her intention to execute the works, including a plan showing the nature of the works and the place where he or she intends to execute them, and until seven days have expired from the date on which notice was given;
  - (b) during the execution of any works give to the owner reasonable facilities for supervising the execution of the works;

- (c) in the execution of any works comply with any requirement as to the nature of the works or as to the things to be done or avoided in the execution of the works which is made by the owner and compliance with which is reasonably necessary for the protection of any sewer, drain, pipe, wire, line or apparatus or for access to it and is reasonably practicable having regard to the time when the requirement is made;
  - (d) in the case of any works which include tunnelling or boring under any sewer, drain, pipe, wire, line or apparatus secure that there is proper temporary support for the sewer, drain, pipe, wire, line or apparatus during the execution of the works and that a permanent foundation is provided for it;
  - (e) in the case where the operator is the board and the works include the laying of an electric line crossing or near any sewer, drain, pipe or wire, secure that the electric line is so laid as not to be capable of touching the sewer, drain, pipe or wire and is effectively insulated from it; and
  - (f) in the case where the operator is an authorised undertaker and the works include the laying of a sewer, drain, pipe or wire across or near any electric line, secure that the sewer, drain, pipe or wire is so laid as not to be capable of touching the electric line, and is effectively insulated from it.
- (2) Subsection (1)(a), (b) and (c) shall not apply in the case of minor works.
- (3) In the case of emergency works the operator shall be deemed to have complied with the requirements of subsection (1) if—
- (a) he or she takes all such steps towards satisfying those requirements as it is reasonably practicable for the operator to take consistent with meeting the circumstances for which those works are required; and
  - (b) he or she supplies the owner as soon as may be with information reasonably sufficient to indicate the nature of the works which he or she has executed.
- (4) Where the owner complains that the operator has failed or is failing to fulfill any obligation imposed upon the operator under this section, he or she may, after giving the operator notice of the complaint and an opportunity to enter into an agreement with him or her for meeting it, refer the matter to the Minister who may dismiss the complaint or give such directions on it (including directions for works to be executed or for works already executed to be altered either by the operator at the operator's own expense or by the owner at the operator's expense) as the Minister thinks fit.

## 42. Emergencies

Subject to sections [39](#) and [41](#), the servants or agents of the board may, in a case of emergency, enter on any land or enter any premises without giving notice to any person and by force if need be and there execute such emergency works as may be necessary in the circumstances.

## Part V – Inspection, testing, etc.

### 43. Electrical inspectors

- (1) The Minister may, by notice in the *Gazette*, appoint such persons as the Minister thinks fit to be electrical inspectors for the purposes of this Act.
- (2) Subject to any regulations which may be made under [section 58](#), it shall be the duty of an electrical inspector—
  - (a) to inspect and test, whenever he or she thinks fit, the board's electrical plant and test instruments and the supply of electricity given by the board; and

- (b) to perform such other duties as may be imposed on him or her under this Act.
- (3) An electrical inspector may charge in connection with the performance of his or her duties such fees as may be prescribed, and any such fee received by an electrical inspector shall be paid into the Consolidated Fund.
- (4) A written report of an inspection or test carried out by an electrical inspector under this Act which purports to be signed by the inspector shall be presumed, until the contrary is shown, to have been made by the inspector and may be used in any legal proceedings as *prima facie* evidence of the result of the inspection or test; but where any report is so used the court may, if it thinks fit, cause its maker to be summoned to give oral evidence before it as to the subject matter of the report.

#### 44. Testing of board's electrical plant

Where an electrical inspector tests any of the board's electrical plant—

- (a) he or she shall give to the board reasonable notice of his or her intention to carry out the test, together with a sufficient indication of the nature and scope of the test;
- (b) he or she shall carry out the test at such hours as will in his or her opinion least interfere with the supply of electricity by the board;
- (c) he or she shall not without the written authority of the Minister be entitled to have access to or interfere with the board's mains at any points other than those at which the board has reserved for itself access to those mains;
- (d) the board shall not be held responsible for any interruption in the supply of electricity which may be occasioned by or required by the electrical inspector for the purpose of the test; and
- (e) he or she shall not without the written authority of the Minister test any particular portion of electrical plant more than once in any period of three months.

#### 45. Testing on consumer's premises

- (1) An electrical inspector, if and when required to do so by any consumer, shall, on payment by the consumer of such fee as may be prescribed, test the variation of voltage at which electricity is supplied by the board to the consumer or make such other inspection and testing of the electrical plant of the board upon the consumer's premises as may be necessary for the purpose of determining whether the board has complied with this Act.
- (2) Where an electrical inspector carries out a test under this section, he or she shall as soon as may be after the completion of the test make and deliver a written report of the results of that testing to the person by whom he or she was required to make the test, and to the board.
- (3) If the board or any person to whom a report has been delivered under subsection (2) is dissatisfied with the report, it or he or she may appeal to the Minister against the report, and thereupon the Minister shall inquire into and decide upon the matter of the appeal, and the Minister's decision shall be final and binding on all parties.
- (4) If a report made under this section or the Minister's decision on it shows that the board was guilty of any default or negligence in respect of the matter to which the report relates, the board shall pay to the person on whose requisition the test was made a sum equal to the fee paid by the person for the test.

#### 46. Test instruments

- (1) On such of its supply premises as may be prescribed, the board shall set up and keep such suitable and proper instruments of such pattern and construction as may be approved by the Minister, and shall take and keep recorded such observations as may be prescribed.

- (2) On such of its supply premises as are not for the time being prescribed under subsection (1), the board shall provide and maintain proper facilities for setting up and connecting instruments of the kind mentioned in that subsection.
- (3) The board shall keep in efficient working order all instruments which it is required under this section to place, set up or keep on its supply premises, and any electrical inspector may examine and record the readings of those instruments.
- (4) Any record made by the board or an electrical inspector under the provisions of subsection (1) or (3) shall be receivable in any proceedings as evidence of the observations and readings recorded in it, and any observations and readings so recorded shall be presumed to be correct until the contrary is shown.
- (5) In this section, "supply premises" means premises from which the board supplies electricity by any distributing mains.

#### **47. Inspector's power of entry, etc.**

- (1) Subject to [section 54](#), an electrical inspector may at all reasonable times in the execution of his or her duty under this Act enter the premises of any consumer and enter on any land across which any electric line of the board has been placed.
- (2) An electrical inspector shall have the right to have access at all reasonable times to the premises of the board for the purpose of testing the electrical plant and test instruments of the board, and ascertaining if they are in order, and in case they are not in order the inspector may require the board forthwith to have them put in order.
- (3) The board may be represented by its servants or agents whenever an electrical inspector inspects or tests its electrical plant or test instruments under this Act, but those servants or agents shall not interfere with the inspection or testing.

#### **48. Board to give facilities for testing**

The board shall afford all facilities for the proper execution of the provisions of this Act relating to inspection and testing and the readings and inspections of instruments and shall comply with all the requirements of this Act in that behalf; and in case the board makes default in complying with any of the provisions of this section, it is liable in respect of each default to a penalty not exceeding five hundred shillings, and to a penalty not exceeding fifty shillings for each day on which the default continues.

#### **49. Accidents**

- (1) As soon as may be after the occurrence of any accident, or of any loss of life or personal injury caused by such accident, becomes known to the board, the board shall give notice in writing thereof to the Minister.
- (2) The Minister may appoint any electrical inspector, or any other person the Minister thinks fit, to inquire and report as to the cause of any accident (whether or not he or she has received notice of the accident from the board) or as to the manner and extent in and to which the provisions of this Act have been complied with in matters relating to and connected with the accident.
- (3) Any person appointed under subsection (2) who is not an electrical inspector shall for the purposes of the appointment have the powers of an electrical inspector.
- (4) If the board makes default in complying with subsection (1), it is liable for each default to a penalty not exceeding five hundred shillings.

- (5) In this section, "accident" means accident by explosion or fire, and any other kind of accident likely to cause loss of life or personal injury, which—
- (a) has occurred in or in connection with any electrical plant or electrical fittings of the board, or in or in connection with any buildings, machinery, engines, works, matters or things of whatever description used by the board to generate, transmit, distribute or supply electricity or to carry into effect the powers and duties conferred and imposed on it under this Act; or
  - (b) has occurred on the premises of a consumer and is occasioned by or attributable to electrical plant or electrical fittings on those premises which are not the property of the board.

#### **50. Defective plant, etc.**

- (1) If at any time it is established to the satisfaction of the Minister that—
- (a) any electrical plant of the board is defective so as not to be in accordance with this Act;
  - (b) the board is supplying electricity otherwise than in accordance with this Act; or
  - (c) the board is carrying out any work, or generating, transmitting, distributing or supplying electricity, in a manner which is or is likely to be dangerous to the public safety, the Minister may, by

notice in writing, specify the matter complained of and require the board to abate or discontinue it within a specified period; and if the board makes default in complying with any such requisition, it is liable to a penalty not exceeding one thousand shillings for every day during which the default continues.

- (2) The Minister may, in any notice of the kind mentioned in subsection (1), forbid the use of any electrical plant from a specified date until the requisition contained in that notice has been complied with; and if the board makes use of any such electrical plant when its use is so forbidden, it is liable to a penalty not exceeding five thousand shillings for each day during which the use continues.

### **Part VI – Miscellaneous and supplemental**

#### **51. Offences and penalties**

- (1) If any person without lawful excuse (the proof of which shall lie on him or her) wilfully—
- (a) interferes with any electrical plant used for or in connection with the generation, transmission, distribution or supply of electricity by the board; or
  - (b) does or causes to be done anything which is calculated to interfere with or damage any such electrical plant,

he or she commits an offence and is liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

- (2) If any person without the authority of the board, wilfully breaks or detaches any seal or locking device attached by the board to any meter or cutout under this Act, he or she commits an offence and is liable on conviction to a fine not exceeding one thousand shillings or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

**52. Board's lines not subject to distress, etc.**

- (1) Notwithstanding any law to the contrary, any electrical plant or electrical fittings belonging to the board which are placed in or upon any premises not in the possession of the board for the purpose of supplying electricity under this Act—
  - (a) shall not be subject to distress or to the landlord's remedy for rent of the premises where they may be, nor be taken in execution under any process of any court or under any proceedings in bankruptcy against the person in whose possession they may be; and
  - (b) shall at all times continue to be the property of and removable by the board, whether or not they are fixed or fastened to any part of the premises in or upon which they are placed or to the soil under the premises.
- (2) Nothing in this section shall affect the amount of the assessment for rating of any premises on which any electrical plant or electrical fittings belonging to the board are fixed.
- (3) The fact that a consumer has paid to the board the cost, or a sum representing the cost, of providing any electric line or has otherwise paid any sum to the board to meet the capital cost or part of the capital cost of providing him or her with a supply of electricity shall not confer upon the consumer any right of property or ownership in any electrical plant or electrical fittings of the board.

**53. Protection of certain persons from personal liability**

No matter or thing done by the chairperson or any other member of the board, by an officer or servant of the board or by an officer of the Government (including a Minister) shall, if the matter or thing is done in good faith for the purpose of carrying out any of the provisions of this Act, render the chairperson or the member, servant or officer, or any person acting under and in accordance with his or her directions personally liable to any civil action, civil suit or other civil proceedings in respect of it.

**54. Restriction on right of entry to premises**

- (1) No right of entry to premises conferred by this Act shall be exercisable except—
  - (a) with consent given by or on behalf of the occupier of the premises to which entry is sought; or
  - (b) under the authority of a warrant granted under this section,but this subsection shall not apply where entry is sought in a case of emergency, or to the right of access to the premises of the board conferred on an electrical inspector by [section 47\(2\)](#).
- (2) Where a person satisfies a magistrate by affidavit or oral evidence on oath that he or she is seeking to exercise a right of entry to premises which, but for subsection (1) he or she would be entitled to exercise under this Act and that either—
  - (a) the occupier of the premises has refused his or her consent to the entry after not less than twenty-four hours' notice thereof had been given to him or her;
  - (b) the premises are unoccupied; or
  - (c) an application for admission to the premises would defeat the object of the entry,the magistrate may by warrant under his or her hand authorise that person to enter those premises, if need be by force.
- (3) Every warrant granted under this section shall continue in force until the purpose for which the entry authorised by the warrant is required has been satisfied.

- (4) Any person who in the exercise of a right of entry conferred by this Act enters any premises which are unoccupied, or any premises of which the occupier is temporarily absent, shall leave those premises as effectually secured against trespassers as he or she found them.
- (5) Any person who obstructs the lawful exercise of a right of entry conferred by this Act commits an offence and is liable on conviction to a fine not exceeding five hundred shillings or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (6) In this section, "premises" means a building or part of a building.

## 55. Compensation, settlement of disputes, etc.

- (1) The board's servants or agents in the exercise of the powers conferred under [section 35](#) and under Part IV of this Act, and an electrical inspector in the exercise of the powers conferred under [section 47](#), shall do as little damage as possible; and where any damage is so caused to any person, an action or suit shall not lie but that person shall be entitled to be paid compensation for the damages by the board, or, where the damage is caused by an electrical inspector, by the Government, in accordance with this section; but—
  - (a) nothing in this subsection shall be so construed as to entitle any person to be paid compensation by the board for any damage suffered as a result of the use of any electrical plant, electrical fittings or other works authorised under this Act where the damage does not result from negligence by the board's servants or agents in such use; and
  - (b) no compensation shall be payable by the board to any person in respect of any tree, shrub, hedge, underwood or grass, or any other kind of vegetation cut, lopped, felled, burnt or cleared away by the board under this Act where that tree, shrub, hedge, underwood or grass, or other kind of vegetation, was not in existence at the time of the placing of the electric line on account of which the cutting, lopping, felling, burning or clearing away was carried out.
- (2) When the board does any act in exercise of the powers conferred under [section 36\(1\)\(a\)](#), (b) or (c), it shall, if required to do so by any person who would be entitled to claim a rent or other payment in respect of the act if it had not been done under those provisions, make to that person a sufficient payment by way of rent or otherwise in respect of the act.
- (3) Any dispute as to—
  - (a) the liability of the board to pay compensation under subsection (1), or the amount of the compensation; or
  - (b) the liability of the board to make any payment under subsection (2), or the amount of the payment,shall, if the Government is not a party to the dispute, be determined by the district commissioner exercising authority in the area where the damage is alleged to have been caused or the act giving rise to the claim for payment is alleged to have been done, as the case may be; but if any party to the dispute within seven days of being informed of the district commissioner's decision on it gives notice to the district commissioner that he or she does not accept it, the dispute shall be determined by the Minister.
- (4) Any dispute between the board and any person as to the meaning in any particular case of the words "reasonable" and "reasonably" when used in this Act shall, if the Government is not a party to the dispute, be determined by the Minister.
- (5) Any dispute as to the liability of the Government to pay compensation under this section or as to the amount of the compensation, and any dispute of the kind mentioned in subsection (3) or (4) to which the Government is a party, shall be referred to two arbitrators, one to be appointed by the Minister on behalf of the Government and the other by the other party to the dispute.

- (6) The following provisions shall apply to a reference to arbitration under subsection (5)—
- (a) if either party fails to appoint an arbitrator within twenty-one days after being requested by the other party to do so in writing, then the arbitrator appointed by the other party shall alone conduct the arbitration and his or her decision shall be final and binding on both parties;
  - (b) if the arbitrators fail to agree upon the matter referred to them within sixty days of the matter having been so referred, then the matter so referred shall be decided by an umpire to be appointed by the arbitrators, or if the arbitrators are unable to agree as to the umpire, to an umpire to be appointed by the Chief Justice, whose decision shall be final and binding between the parties;
  - (c) every arbitration shall be conducted in the manner prescribed by any law relating to arbitration for the time being in force and be subject to that law in the same manner as if reference to arbitration had been made by consent of parties under a written agreement; and
  - (d) each party shall pay his or her costs of any reference, and any costs incidental to the appointment of an umpire shall be paid equally by the parties to the arbitration.
- (7) The Minister in determining any dispute or deciding any question or other matter which he or she is required to determine or decide under this section or the other provisions of this Act, and a district commissioner in determining any dispute which he or she is required to determine under this section, may be advised by any person qualified in the opinion of the Minister or the district commissioner, as the case may be, to advise on the matter to be determined or decided.

## 56. Recovery of debts and penalties

- (1) Any sum due to the board for electricity supplied by the board under this Act (including electricity supplied to premises occupied by the Government) and any other sum due to or from the board under this Act shall, where the claim for its recovery is not a claim to which [section 55](#) applies, be recoverable by civil proceedings in the same way as any civil debt of a like amount is recoverable and, if that sum is less than three hundred shillings and is not alleged to be due from the Government, it shall be a civil debt recoverable summarily.
- (2) Any penalty which the board is liable to pay under this Act, either from any default or from the use of electrical plant in the circumstances mentioned in [section 50\(2\)](#), shall be recoverable by civil proceedings brought against the board by the Government or, where any person claims to have suffered damage from the default or use to which the penalty relates, by that person or by the Government.
- (3) Any penalty recovered by proceedings of the kind mentioned in subsection (2) shall be paid into the Consolidated Fund; except that the court before which the proceedings are brought may, if it thinks fit, order the penalty or a part of it to be paid as compensation to any person who appears to it to have suffered damage as a result of the default or use to which the penalty relates.

## 57. Service of documents

Without prejudice to any other method of service, any written notice or other document required or authorised to be given or served under this Act may be served by post or, if it relates to land or premises and it is not practicable after using due diligence to serve it on the person on whom it should be served, by delivering it to some person on the land or premises to which it relates or, if there is no person on the land or premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of that land or premises.

## 58. Regulations

- (1) The Minister may make regulations—
  - (a) for securing that the distribution and supply of electricity under this Act are regular, safe and efficient;
  - (b) for protecting the public insofar as practicable from any personal injury, fire or other dangers arising from the use of electricity supplied under this Act;
  - (c) prescribing anything (including fees) to be prescribed under this Act;
  - (d) defining or limiting the nature and scope of the duties of electrical inspectors, imposing additional duties on electrical inspectors and regulating the manner in which electrical inspectors shall carry out their duties;
  - (e) prohibiting, controlling or restricting the importation, disposal, sale or exposure for sale of defective or dangerous electrical fittings;
  - (f) providing for the registration and control of wiremen; and
  - (g) providing for matters incidental to and connected with the matters mentioned in paragraphs (a) to (f) of this subsection.
- (2) Without prejudice to the generality of subsection (1)—
  - (a) regulations made under subsection (1)(c) and (d) may prescribe a fee to be charged by an electrical inspector for inspecting electrical plant in connection with an application for or the grant of a licence, and may authorise such inspection;
  - (b) regulations made under subsection (1)(d) may empower an electrical inspector to require the board to discontinue the supply of electricity to a consumer whose electrical plant or electrical fittings are in the opinion of the electrical inspector defective or dangerous;
  - (c) regulations made under subsection (1)(e) may—
    - (i) prohibit, control or restrict the importation, disposal, sale or exposure for sale of any electrical fitting unless it conforms with such standards or descriptions as are specified in the regulations; and
    - (ii) empower a court to seize and dispose of any electrical fitting in respect of which any person has been convicted of an offence under those regulations; and
  - (d) regulations made under subsection (1)(f) may contain provision for—
    - (i) establishing a register of wiremen and a registrar of wiremen;
    - (ii) admitting persons to and removing persons from the register;
    - (iii) prohibiting unregistered persons from working as wiremen;
    - (iv) issuing licences to registered wiremen; and
    - (v) charging fees for admission to the register and the issue of a licence.
- (3) In this section, "wiremen" means any persons, other than the board's servants or agents, who install, maintain or repair electrical plant or electrical fittings on the premises of consumers or licensees.

## 59. Wayleaves, etc. not required to be registered

- (1) Where the board exercises under this Act the right to have any electric line placed across any land or premises, it shall for the purposes of the Registration of Titles Act be deemed to do so in pursuance of a licence or other authority within the meaning of section 64(2) of that Act, and where

the board exercises by agreement with the registered proprietor the right to have any electric line placed across any land or premises, the right shall for the purposes of that Act be deemed to be an easement affecting such land or premises within the meaning of that proviso; and it is declared accordingly that any such land or premises included in a certificate of title or registered instrument under that Act shall be deemed to be subject to any such right notwithstanding the fact that it is not specially notified as an incumbrance on the certificate or instrument.

- (2) For the purposes of this section—
- (a) any of the board's electric lines which have been placed across any land or premises by the former board under any Ordinance repealed by this Act shall be deemed to have been so placed by the board under this Act; and
  - (b) any of the board's electric lines which have been placed across any land or premises by the former board by agreement with the registered proprietor shall be deemed to have been so placed by the board.
- (3) In this section—
- (a) "former board" has the meaning ascribed to it in [section 2](#);
  - (b) "registered proprietor" means a person registered as a proprietor within the meaning of the Registration of Titles Act.

## 60. Effect on certain Acts

Nothing in this Act, apart from [section 42](#), shall derogate from or prejudice the operation of—

- (a) the Town and Country Planning Act; or
- (b) the Uganda Wildlife Act.

## 61. Repeal and savings

- (1) The Electricity Ordinance and the Uganda Electricity Board Ordinance are repealed.
- (2) The transitional provisions in the Schedule to this Act shall have effect notwithstanding subsection (1).
- (3) Any reference to the Ordinances repealed by this section which occurs in any Act other than this Act shall, unless the context otherwise requires, be deemed to be a reference to this Act.

## Schedule (Section 2)

### Transitional provisions

- 1. The Electricity (Inspection Fees) Rules shall, except for rule 3, remain in force as if they had been made in relation to electrical inspectors under this Act, until they are revoked by rules made by the Minister for the purpose of such revocation.
- 2. The Minister may from time to time by statutory order apply any or all of the former rules, subject to such modifications, if any, as he or she thinks fit, to consumers, to the board or to any licensee, and may vary or revoke any order by a subsequent statutory order.
- 3. The Minister may make rules revoking the former rules, and until the revocation takes effect (but not thereafter) the former rules, insofar as they are applied by an order of the kind mentioned in paragraph 4 of this Schedule, shall have effect as if they had been made under this Act.
- 4. In this Schedule, "former rules" means those provisions of the Electricity Rules made under the Electricity Ordinance (repealed by this Act) which were in force on the 14th January, 1948.