

# **ELECTRICITY LAWYER LEGAL AND REGULATORY SERIES:**



**LEGAL AND REGULATORY SERIES**

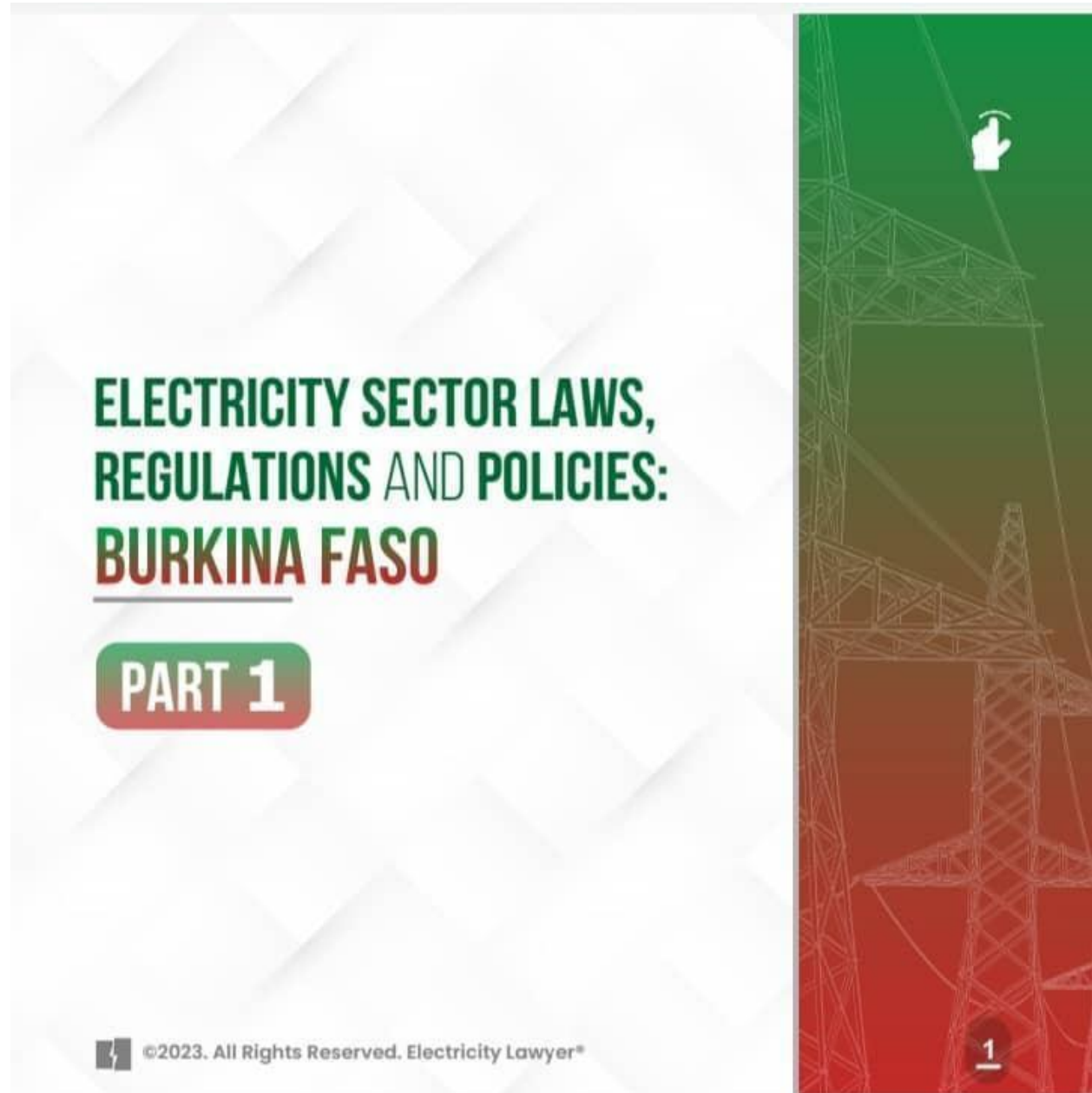
**BURKINA FASO**



**ELECTRICITY LAWYER**  
**LEGAL AND REGULATORY SERIES:**  
**BURKINA FASO**

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## **BURKINA FASO PART 1**



This legal and regulatory series considers the salient laws, regulations and policies that govern Burkina Faso's power sector. The overview of Burkina Faso's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Burkina Faso's

power sector laws, Part 2 focuses on power sector regulations and part 3 focuses on policies and plans.

The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Burkina Faso and our simplified guide on the electricity law in Burkina Faso, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **THE ELECTRICITY LAW NO. 014-2017/AN**

- The Electricity Law no. 014-2017/AN led to the implementation of Decree no. 2017/1016 on the attributions, organisation and function of the Autorité de Régulation du Sous-Secteur de l'Electricité (ARSE), introducing progressive changes to the structure of ARSE and made it a separate legal entity.
- The law called for the establishment of a regulatory body known as the Autorité de Régulation du Sous-Secteur de l'Electricité (ARSE). Under this law, ARSE is mandated to regulate the operators of the sector, protect electricity users' interests, settle disputes between the various actors and ensure fair competition.
- ARSE's duties include, among others: (i) regulating the production, exploitation, transport, distribution, import, export, and sales of electricity; (ii) fostering competition and the growth of the electricity sector; expanding public access to electricity; (iii) prescribing policies to ensure that the population receives electricity services; and (iv) managing the sector's participants.
- The Electricity Law of 2017 contributes to liberalising the electricity sector through the creation of a competitive wholesale market and the abolition of SONABEL's single buyer arrangement.
- Under the law, the ARSE's revenues are separate from the State Budget, controlled by auditors and submitted to the Court of Accounts and the Prime Minister.
- The Electricity Law of 2017 is a significant step towards reforming the sector, as it introduces important innovations, including ARSE's power to regulate the entire energy sector.
- This law incorporates major innovations such as: (i) a comprehensive framework for the management and regulation of the entire energy sector, establishing the liberalization of the electricity subsector and defining the role of private operators in the production and distribution of electricity; (ii) a provision for the promotion of renewable energies and energy efficiency, with the creation of a dedicated entity (the

National Agency for Renewable Energies and Energy Efficiency, or ANEREE) and; (iii) the reorganization of the Ministry of Energy into three DirectoratesGeneral to better support the evolution of the sector.

- In addition, the law extends the powers of the regulator to the entire energy sector.

### **LAW NO. 006-2013 (ON THE CODE FOR THE ENVIRONMENT)**

- The Code for the Environment sets the basic rules that govern the environment in Burkina Faso.
- Title II of the law focuses on climate change, the maintenance of ecological balances and improving the living environment.
- Article 17 stipulates that the government must take action on the adverse effects of climate change.
- Article 24 states that the government must take the necessary measures to adapt the occupation of the national territory to the requirements of climate change, the maintenance of ecological balances and the improvement of the living environment.

### **LAW NO. 008-2014/AN (CONCERNING FRAMEWORK LAW ON SUSTAINABLE DEVELOPMENT)**

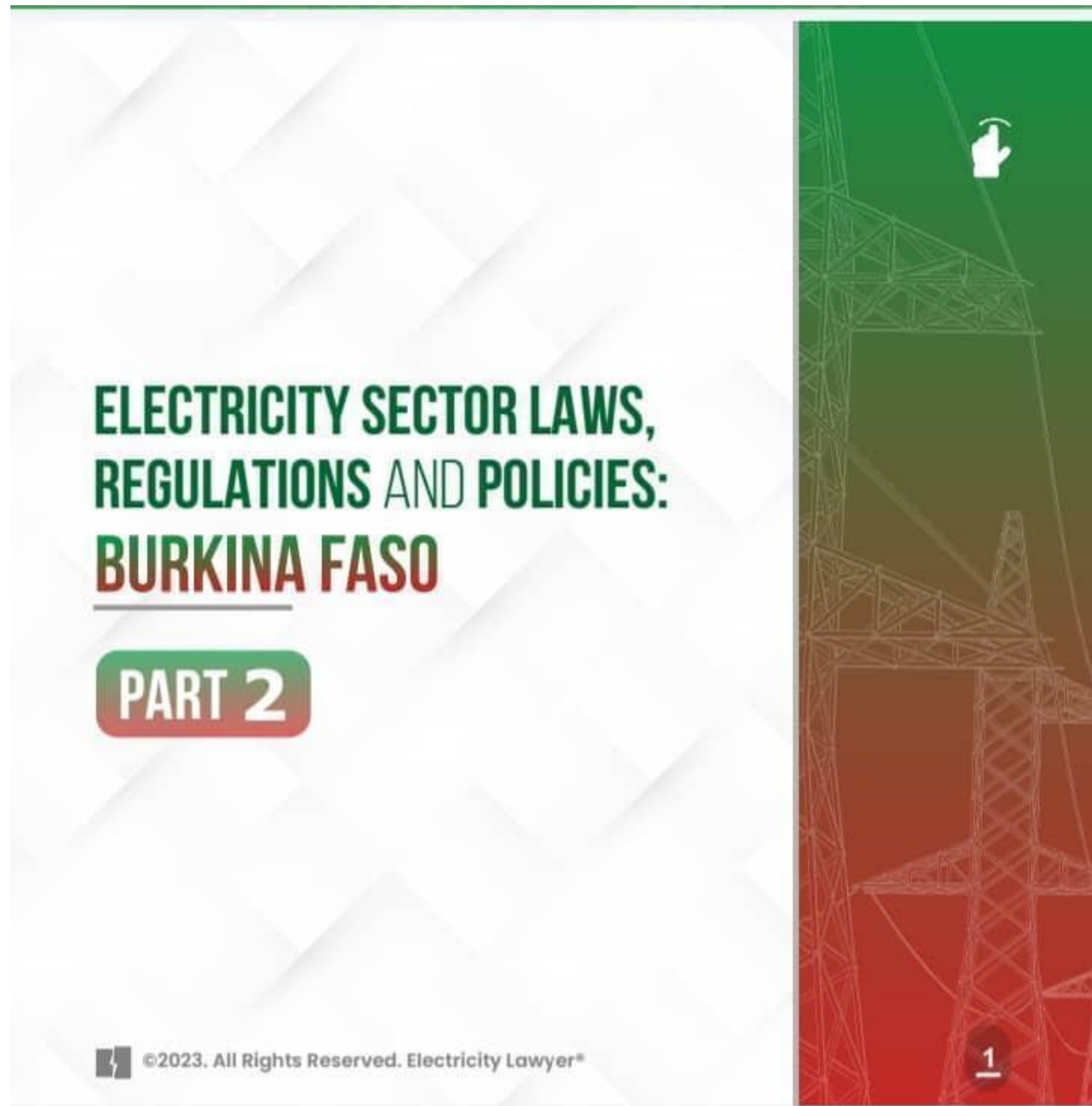
- Decree no 2014-343/PRES promulgates the law n ° 008-2014 / AN of the 08 April 2014 bearing the law of orientation on the sustainable development in Burkina Faso.
- The purpose of the law is to set the general rules for guiding the implementation of sustainable development in Burkina Faso.
- The law sets core principles of sustainable development to follow, and determines the rules upon which actions by public and private actors have to be respected.
- Sustainable development is understood here as a development model that focuses on economic efficiency, environmental sustainability, and social equity that can meet the needs of present generations, without compromising the ability of future generations to meet their own needs.

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## **PART 2: BURKINA FASO**



This Legal and Regulatory series focused on salient laws in Burkina Faso’s power sector is the second Part of a 3 Part series on Burkina Faso’s Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Burkina Faso. Part 2 of this series considers salient regulations that govern the Power Sector of Burkina Faso.

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#### **DECREE NO. 2017-1014**

- This decree establishes energy efficiency standards and requirements applicable to facilities and equipment used by stakeholders in the power sector for generation, transmission, and distribution of electricity.
- The decree also provides relevant guidelines towards the proper and safe utilization of electricity equipment by workers in the power sector.

#### **DECREE NO. 2019-0902**

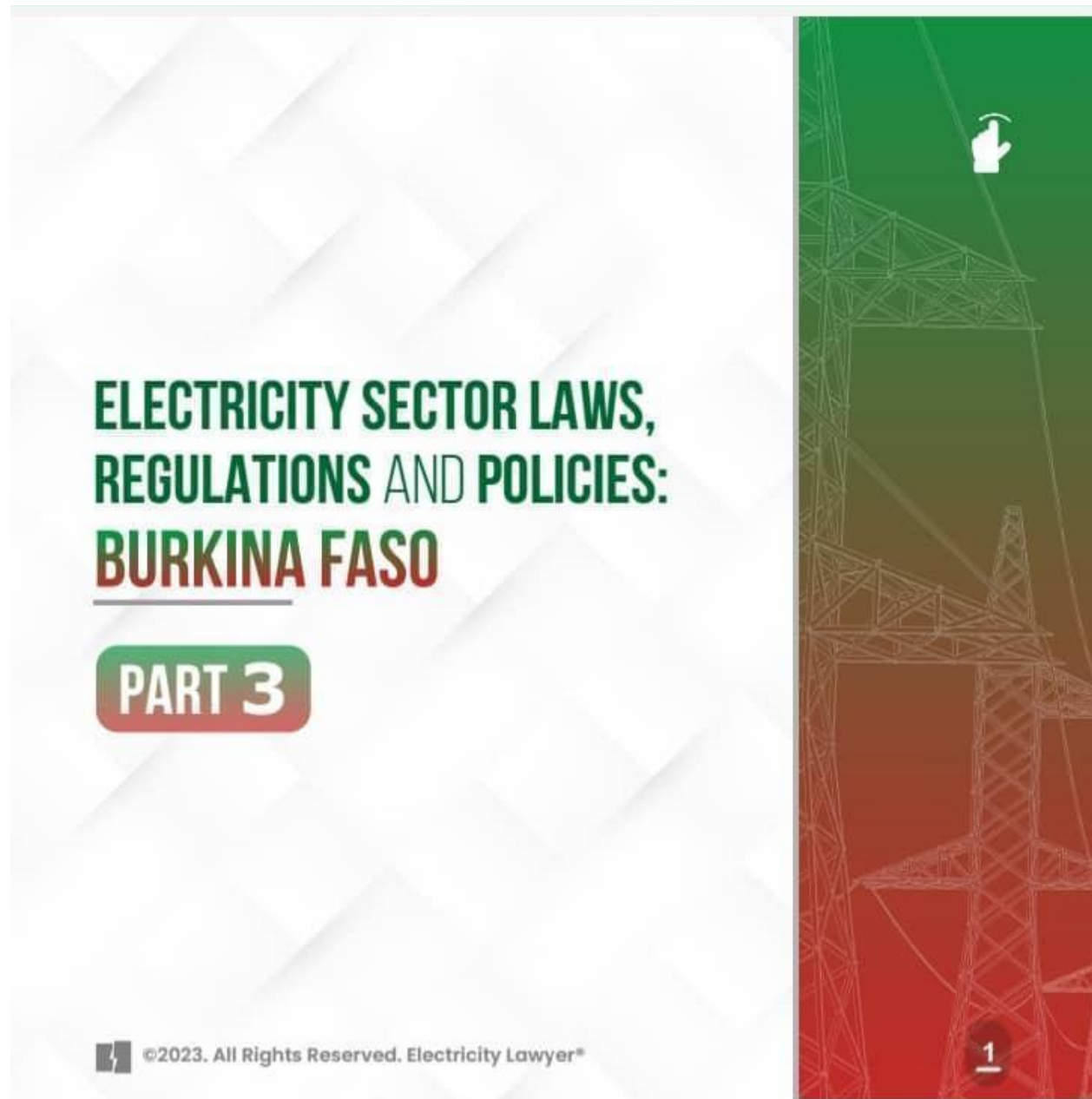
- This decree establishes the modalities of access for renewable energy auto-producers to the electricity network and the conditions and processes to be followed by relevant stakeholders in the power sector for purchasing excess energy from such auto-producers.

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## **PART 3: BURKINA FASO**



### **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Burkina Faso's power sector is the last of a 3 Part series on Burkina Faso's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Burkina Faso Power Sector. Part 2 highlighted salient regulations and standards that are in operation in the Power Sector of Burkina Faso. In this document, Part 3 of this series considers policies and plans in the Power Sector of Burkina Faso.

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### **THE 2015–2030 NATIONAL RENEWABLE ENERGY ACTION PLAN (PANER)**

- The 2015–2030 National Renewable Energy Action Plan (PANER), was adopted in 2015 with three major objectives: (i) to ensure universal access to modern energy services; (ii) double the rate of improvement of energy efficiency; and (iii) double the share of renewable energy in the energy mix.
- In addition, in the context of the formulation of the second compact 2020– 2025, financed by the American Government through the Millennium Challenge Corporation (MCC), the Government of Burkina Faso has given priority to the energy sector.
- In this context, three projects have been proposed to the MCC by the Burkinabè government, namely electricity efficiency improvement projects (PREDEL), increased electricity supply (PADOEL) and networks and access to electricity (PRADEL).

### **BURKINA FASO NAP (NATIONAL ADAPTATION PLAN), 2019**

- The vision of the Burkina Faso NAP (National Adaptation Plan) reads as follows: "Burkina Faso intends to manage its economic and social development more efficiently by implementing planning mechanisms and measures, taking account of resilience and adaptation to climate change between now and 2050".
- The long-term adaptation objectives based on the vision are to: protect accelerated growth pillars; ensure sustainable food and nutrition security; preserve water resources and improve access to sanitation; protect persons and goods from extreme climate events and natural disasters; protect and improve the functioning of natural ecosystems; and protect and improve public health. There is plan to implement the National Adaptation Plan based on a strategy comprising five (5) axes:
  - Strategic axis 1: Build long-term capacities of institutions involved in climate change adaptation
  - Strategic axis 2: Improve information systems
  - Strategic axis 3: Implement efficient and sustainable financing mechanisms
  - Strategic axis 4: Reduce the country's overall vulnerability to climate change

- Strategic axis 5: Systematically integrate climate change adaptation into development policies and strategies

### **NATIONAL STRATEGY IN THE ENERGY SECTOR 2014–2025 (POSEN)**

- The National Strategy in the Energy Sector 2014–2025 (POSEN) supports the Government’s vision for the development of its energy potential.
- The Government’s vision in this regard is essentially based on (i) the diversification of the energy mix through the increase in the share of renewable energy production, with particular emphasis on solar energy, (ii) strengthening of conventional energy generation, (iii) promoting energy efficiency; and (iv) strengthening regional cooperation through the development of interconnections.
- In order to achieve the desired objectives, the plan is to increase investments in the energy sector through the active participation of private sector through Public–Private Partnerships (PPPs).

### **ENERGY SECTOR POLICY LETTER OF 2016–2020 (LPSE)**

- The Energy Sector Policy Letter of 2016–2020 (LPSE) was adopted in 2016 with the main objective of making energy accessible and available through the energy mix, the promotion of energy efficiency and the strengthening of the conventional energy generation fleet. The sector policy letter articulates the approach of the elected government to achieving the overall targets of the national strategy in the energy sector. The policy letter sets priorities in terms of investments, energy mix, and private sector participation in the energy sector to shift towards more affordable electricity and increased access.
- It relies on the following six pillars: (i) develop electricity supply from renewable sources; (ii) develop firm baseload capacity, required to develop further solar PV plants; (iii) increase access to modern energy services; (iv) promote energy efficiency; (v) develop regional integration; and (vi) ensure availability of petroleum products.
- Private sector participation is expected to play a major role in increasing electricity supply over the next five years.
- A Steering Committee is established with the responsibility of monitoring the POSEN 2014–2025 and the LPSE 2016. The Minister of Energy presides over the Steering Committee. The evaluation is conducted through annual performance measurement

reports in addition to sectoral and regional reviews. The implementation scheme comprises organs and bodies, such as the Cooperative Associations, the Rural Electrification Agency (ABER) and the State-owned power utility, SONABEL. All three play a significant role in rural electrification.

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**CHAD**



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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
CHAD**

**PART 1**



## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Chad's power sector. The overview of Chad's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Chad's power sector laws; Part 2 focuses on Chad's power sector regulations and part 3 focuses on policies and plans in Chad's power sector.
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## **ELECTRICITY LAW NO. 036/PR/2019**

- This Law amended Act. No. 14/PR/99 of Chad and established a complete and transparent institutional and legal framework to facilitate internal private investments on one hand, and to arouse the interest of international investments on the other hand.
- Chad promulgated Law No. 36/PR/2019 for the electricity sector, which repeals all previous contrary provisions, in particular the provisions of Law No. 99-014 of 6 June 1999 on electricity production, transmission and distribution.
- Furthermore, Law No. 036/PR/2019 fundamentally modified the normative and institutional framework governing Chad's electricity sector, ranging from the introduction of licensing regimes, to enhancing the role of the regulatory authority and consumer protection.
- The law promotes the liberalisation of electricity production and distribution, which, until recently, was monopolised by the State through the Société Nationale de l'Electricité (SNE).
- The law also aims to expand access to electricity in line with the Government's objective of electrifying 50% of the population by 2030 and promoting renewable energy, by ensuring the viability of companies operating in the sector.

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
CHAD**

**PART 2**



## **INTRODUCTION**

- This Legal and Regulatory series focused on salient laws in Chad's power sector is the second Part of a 3 Part series on Chad's Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Chad. Part 2 of this series considers salient regulations that govern the Power Sector of Chad.
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## **NATIONAL STRATEGY TO COMBAT CLIMATE CHANGE IN CHAD (2017)**

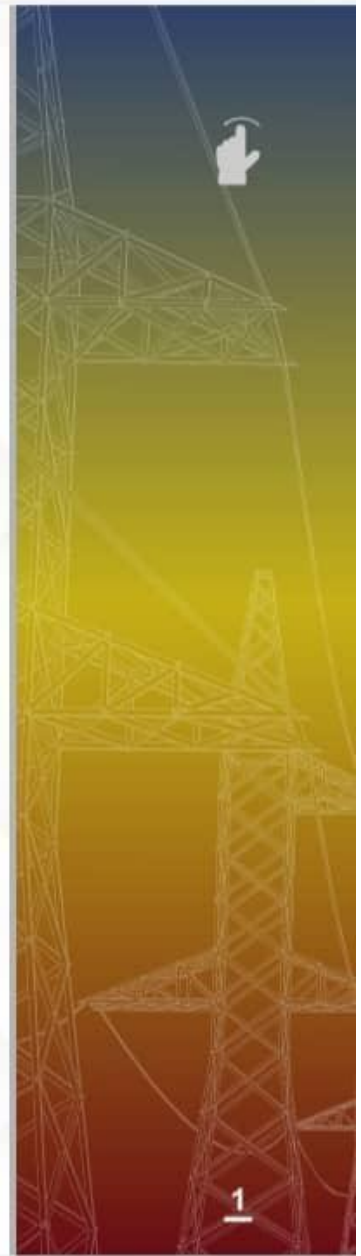
- The strategy is aimed at sustainably integrating climate change adaptation and mitigation issues into national development policies, and effectively coordinating the convergence of climate initiatives in the country. It sets five goals: 1. strengthen the resilience of agro-sylvo-pastoral production systems; 2. promote climate change mitigation actions; 3. prevent risks and manage extreme climatic phenomena; 4. build the institutional, technical, scientific and decision-making capacities of institutions and actors in the fight against climate change; and 5. strengthen instruments and capacities for mobilising climate-related financing

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
CHAD**

**PART 3**



## **INTRODUCTION**

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## **ENERGY MASTERPLAN (2009)**

- The Energy Master Plan significantly notes that Chad has a good potential for renewable energy.
- Particularly, there are solar resources throughout the country, good wind potential resources in the north and a good biomass potential in the southern zone.
- The Master Plan highlights the need for rural electrification with great utilization of renewable energy sources.
- Chad's strategy in terms of renewable energy include: (i) Setting up an institution for coordinating the activities of renewable energy development; (ii) Developing a plan and initiating the training of qualified human resources in the field of renewable energies;
- Designing the legal framework for the renewable energy sector;
- Developing a national plan for the development of renewable energy;
- Developing a wind atlas for Chad to exploit wind energy

## **THE LETTER OF POLICY AND STRATEGY FOR THE ELECTRICITY SUB-SECTOR (2002-2006)**

- This policy letter sought to fulfill the objectives of meeting the energy needs of the entire population in Chad, in particular electricity needs; at an affordable rate and to expand access to energy for both industrial and agricultural production.

## **MASTER PLAN FOR THE DEPLOYMENT OF RENEWABLE ENERGY IN CHAD (2018)**

- This document lays out the government's plan to develop renewable energy in Chad, based on a range of studies regarding the potential for renewable energy development in the country.
- The document focuses on off-grid systems and on larger scale power plants, in addition to hybrid systems, coupled with batteries or diesel generators

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**GHANA**



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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
GHANA**

**PART 1**



## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Ghana's power sector. The overview of Ghana's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Ghana's power sector laws, part 2 considers the power sector regulations in Ghana and part 3 focuses on policies and plans.
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## **THE RENEWABLE ENERGY (AMENDMENT) ACT, 2020 (ACT 1045)**

- The Renewable Energy (Amendment) Act, 2020 (Act 1045) was enacted to amend the Renewable Energy Act to enable consumers of electricity benefit from reduced cost of electricity generation from renewable energy sources through competitive procurement as opposed to the feed-in tariff scheme. Additionally, the amendment established a net-metering scheme to encourage the self-generation of electricity using renewable energy sources on a power cost reduction or climate change mitigation basis and not for income generation.
- The Renewable Energy Act established the framework for, among others, the development management, utilisation and supply of renewable energy for power generation. It also vests the Energy Commission with the authority to regulate the renewable energy sector and the market participants within the renewable energy supply industry.

## **PUBLIC UTILITIES REGULATORY COMMISSION ACT 1997 (ACT 538) ("PURC ACT")**

- The PURC Act established the Public Utility Regulatory Commission (PURC).
- The PURC is primarily responsible for monitoring and regulating rates charged by utility services in Ghana. It is also mandated to promote fair competition among public utilities and to protect the interest of consumers and providers of utility services. Further, the Renewable Energy Act vests the PURC with the authority to approve rates chargeable for the purchase of electricity from renewable energy sources by public



utilities, charges for grid connection and rates chargeable for wheeling of electricity from renewable energy sources.

### **BUI POWER AUTHORITY (AMENDMENT) ACT 2020 (ACT 1046)**

- Bui Power Authority (Amendment) Act 2020 (Act 1046) grants the Bui Power Authority the mandate to execute renewable energy projects on behalf of the state, undertake its own renewable energy activities and undertake clean energy alternatives in the country.

### **GHANA INVESTMENT PROMOTION CENTRE ACT, 2013 (ACT 865) (THE GIPC ACT)**

- The GIPC Act, among others, is aimed at promoting investments in Ghana, in addition to providing an attractive framework and a transparent, predictable and facilitating environment for investments into various sectors (including the energy sector) in Ghana.
- Foreign investors must register with the Ghana Investment Promotion Centre (the GIPC) before commencement of business operations in Ghana.
- Post registration, a foreign investor is entitled to receive investment support from the GIPC and benefit from the available investment incentives enumerated in the GIPC Act.

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
GHANA**

**PART 2**



## INTRODUCTION

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- **ELECTRICITY SUPPLY AND DISTRIBUTION (STANDARDS OF PERFORMANCE) REGULATIONS, 2008, L.I 1935** • This Regulation provides for performance benchmarks for electricity supply and distribution in conformity with the Ghana's Electricity Supply and Distribution (Technical and Operational) Rules, 2005 (LI 1816).
- The Regulation applies to the electricity supply and distribution utilities licensed by Ghana's Energy Commission.
- A supplier of electricity is expected to process a customer's application for connection to electricity services in accordance with the requirements specified in rule 2 of the Electricity Supply and Distribution (Technical and Operational) Rules, 2005 L.I.1816.
- A supplier is also expected, subject to the Regulations, to pay the customer the sum prescribed in the Schedule where (a) that supplier fails to provide the applicant with an estimate and charges for the connection service within (i) five working days, if the connection is to be made from an existing supply line; or (ii) two weeks, if the connection requires a line extension. (b) that supplier fails to provide the connection service to a customer after that customer has paid the required charges for the connection service within (i) five working days if the connection is to be made from an existing supply line; or (ii) one month if the connection requires a line extension

## **ELECTRICITY REGULATIONS, 2008 (LI. 1937)**

- The purpose of this Regulation is to provide for (a) the planning, expansion, safety criteria, reliability and cost effectiveness of the national interconnected transmission system; (b) the regulation of a wholesale electricity market; (c) the market operations of the electricity transmission utility; (d) the technical operations of the electricity transmission utility; (e) minimum standards and procedures for the construction and maintenance of facilities and installations; (f) the protection of the mains and

electrical installations and services; (g) the protection of life and property and the general safety of the public in respect of electricity services; (h) minimum reserve margins to satisfy demand; and (t) the development and implementation of programmes for the conservation of electricity.

### **ENERGY COMMISSION (LOCAL CONTENT AND LOCAL PARTICIPATION) (ELECTRICITY SUPPLY INDUSTRY) REGULATIONS, 2017**

- The Regulation was established in line with the policy objectives under the Renewable Energy Act.
- The Regulation seeks to attain an increase in employment opportunities in the energy sector for Ghanaians and the build-up of human capital in Ghana's sectoral management, comprising majorly Ghanaians.

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
GHANA**

**PART 3**



## **INTRODUCTION**

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## **THE NATIONAL ENERGY POLICY (NEP), 2010**

- The NEP guides governmental actions and strategies in the power sector. Generally, the goal of the government is to attain the status of a major exporter of power in the West African sub-region by 2015. The NEP envisages the achievement of this through capacity addition and, modernisation of the transmission and distribution infrastructure. The policy also focuses on institutional and regulatory reforms intended to create competitive electricity markets.
- The objective of the government under the National Energy Policy was to increase installed generation capacity from about 2,000MW to 5,000MW by 2015 and to achieve universal access by 2020.
- The policy objectives include the promotion of competition in the generation of electricity through the development of a wholesale electricity market; the creation of a retail competition friendly environment in the electricity market, facilitate the entry of independent power producers (IPPs), and ensure improved performance of electricity utility companies.

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**SIERRA LEONE**



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**ELECTRICITY SECTOR LAWS,  
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SIERRA LEONE**

**PART 1**



**1**

## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Sierra Leone's power sector. The overview of Sierra Leone's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Sierra Leone's power sector laws; Part 2 focuses on power sector regulations and part 3 focuses on policies and plans.
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## **ELECTRICITY LAW NO. 036/PR/2019**

- This Act established the Electricity Generation and Transmission Company (EGTC) and established the Electricity Distribution and Supply Authority (EDSA).
- The Act enables the participation of Independent Power Producers (IPPs) in power generation and distribution of electricity and establishes a basis for Power Purchase Agreements between relevant parties.
- The Act itemizes diversion of electricity, stealing of electric cables, dishonestly abstracting electricity, negligent use of installation, willful tampering or adjustment of installations, damaging meters, damaging supply lines, etc., as offences with respective stipulated penalties.

## **SIERRA LEONE ELECTRICITY AND WATER REGULATORY COMMISSION ACT, 2011 (NO. 13 OF 2011)**

- This Act provides for the establishment of the Sierra Leone Electricity and Water Regulatory Commission (SLEWRC). The object of the Commission is to regulate and monitor water and electricity supply services. The Act established that the Commission shall, among other things, issue licences, protect consumer interests and maintain a register of public utilities.
- The object for which the Commission is established is to regulate the provision of the highest quality of electricity and water services to consumers in Sierra Leone.

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**PART 2: SIERRA LEONE**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
SIERRA LEONE**

**PART 2**



**1**

## **INTRODUCTION**

- This Legal and Regulatory series focused on salient laws in Sierra Leone’s power sector is the second Part of a 3 Part series on Sierra Leone’s Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Sierra Leone. Part 2 of this series considers salient regulations that govern the Power Sector of Sierra Leone.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Sierra Leone, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **MINI GRID REGULATIONS, 2019**

- The Regulations apply to all mini-grids, licensees, developers, operators and users of the mini-grids and all other private or public stakeholders including main-grid utilities or any institution or agency that interacts with mini-grid developers, basic or full mini-grid licensees and or mini-grid consumers in Sierra Leone.
- By virtue of the regulations, a mini-grid is required to have a generation facility in its network which may be operated by the mini-grid licensee or a third party.
- The regulation(s) however, do not apply to solar home systems or to generators supplying single or multiple water pumps with electricity.

## **ELECTRICITY DISTRIBUTION AND SUPPLY (CONSUMER SERVICE) REGULATIONS, 2019**

- The regulations apply to electricity distribution and supply utilities.
- According to the regulations, each licensee is expected to provide consumers with the following information – (a) the consumer’s right to information about tariffs and terms of service and how to obtain such information; (b) the consumer’s right to have his meter checked and how the consumer can exercise such right; (c) the time allowed to pay outstanding bills; (d) any amount outstanding on a consumer’s bill, and the time remaining before disconnection; (e) any minimum payment or action needed to be taken by a consumer in order to avoid disconnection of service; etc.
- A licensee is expected to provide, install and maintain the necessary equipment required for the supply and sale of electricity to consumers.
- If a consumer is dissatisfied with the quality of service provided by a licensee, he may complain in writing or verbally to have the complaint resolved.

- The licensee is also expected to investigate every complaint submitted by a consumer and advise the complainant in writing of the results of its investigations.

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
SIERRA LEONE**

**PART 3**



**1**

## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Sierra Leone's power sector is the last of a 3 Part series on Sierra Leone's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Sierra Leone Power Sector. Part 2 highlighted salient regulations and standards that are in operation in the Power Sector of Sierra Leone. In this document, Part 3 of this series considers policies and plans in the Power Sector of Sierra Leone.
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## **NATIONAL ENERGY POLICY, 2009**

- In recognition of the fact that access to modern energy is a prerequisite for achieving development goals, the policy objective and goal of the Government of Sierra Leone is to ensure the provision of modern energy services for increased productivity, wealth creation and improved quality of life for all Sierra Leoneans.
- The energy supply sub-sectors covered by this policy are electricity, petroleum and renewable energy, including hydropower. In these subsectors, the focus is on increasing the supply of modern energy supply for Sierra Leone.
- In order to address the problem of limited access to electricity in the country, the policy is also geared towards increasing energy supplies, through a comprehensive reform of the power sector, including liberalization of the sub-sector, attracting private investments and involvement and putting in place more effective mechanisms for monitoring and control.
- The upstream of the petroleum sub-sector focuses on oil exploration, while the downstream addresses measures to reduce costs, while ensuring security of supply.
- For renewable energy, the policy is aimed at further exploiting the vast renewable energy potential in hydropower and solar energy, and in using agricultural wastes to provide much needed modern energy.



## **RENEWABLE ENERGY POLICY, 2016**

- This policy is intended to promote renewable energy; the policy envisages a range of measures to bring about integration of renewable energies into the mainstream energy economy.
- To achieve this, the government of Sierra Leone set a target of 4,703 Ktoe/annum (79.7%) and 8,950 Ktoe/ annum (84%) of renewable energy contribution to final energy consumption by 2020 and 2030 respectively, to be produced mainly from biomass, solar, hydro and wind. The renewable energy is to be utilized for power generation and non-electric technologies such as solar water heating and bio-fuels.
- Some of the main benefits of the policy will be renewable energy for rural communities located far from the national electricity grid, remote schools and clinics, energy for rural water supply and desalination, and solar passive designed housing and also solar water heating for households in urban and rural settings and commercial applications. Large-scale utilization of renewable energy will also reduce the emissions of carbon dioxide, thus contributing to an improved environment both locally and globally.
- It is for this reason that the Government of Sierra Leone is also introducing decentralized mini-grids and hybrid systems in rural areas that will also promote the development of small, medium and micro enterprises (SMMEs) through the involvement of the private sector.

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## **ENERGY EFFICIENCY POLICY, 2016**

- All the core essentials of the Sierra Leone's energy policy will likely be attainable if led by strong energy efficiency policy(ies).
- The energy efficiency policy examines specific challenges and the opportunities involved in energy savings when used individually or as part of a system.
- The policy is informed by a series of workshops held and meetings with government officials and with donor partners. The policy is a response to the global call for sustainable energy initiatives and will be an important reference tool for investors, implementers and end users involved with energy.
- The Energy Efficiency Policy therefore aims to enhance energy access while transforming the energy sector towards greater sustainability, considering the recent government's Agenda for Prosperity's (AfP), calling for the need of Sierra Leone to

expand its energy supply and to increase the current rate of access to electricity, which is at 13%, and power system operations efficiency rated at 55%.

- It mandates timely adoption of key regulations including other major pressing issues for the new regulator, like access, affordability, willingness to pay and commercialization of the required energy, to have a more potent energy efficiency policy.

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# **SUDAN**



## **ELECTRICITY LAWYER LEGAL AND REGULATORY SERIES: SUDAN**

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**PART 1: SUDAN**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
SUDAN**

**PART 1**



## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Sudan's power sector. The overview of Sudan's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Sudan's power sector laws, Part 2 focuses on power sector policies and plans.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Sudan and our simplified guide on the electricity law in Sudan, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **ELECTRICITY ACT, 2001**

- S. 3(1) of the Electricity Act states that anybody, or person licensed in accordance with the provisions of the Act, may generate electric energy, and construct generation stations. S. 3(2) provides that any person, or body may generate electric energy and construct for his own purposes generation stations, in accordance with the prescribed bases and safeguards.
- By virtue of S. 4 of the Act, the National Electricity Corporation (the Corporation), that was established under the National Electricity Corporation Act of 2001 is responsible, for the transmission and management of electric energy, through the national grid; and the Corporation shall permit the companies, licensed to generate electric energy, to use the national grid, in accordance with the prescriptions and safeguards.
- S. 5(1) of the Act provides that the Minister may, in Consultation with the Corporation, license anybody, or person, to distribute electric energy, in the areas in which the corporation distributes the same; and based on S. 5(2), anybody, or person may be licensed to distribute electric energy, in areas, where distribution of electricity is not licensed.
- Furthermore, application for and grant of licence are made to and decided by the Minister, whom upon the recommendation of the Organ, may grant the licences, pertaining to generation of the electric energy, or distribution thereof, inside Sudan.
- Electricity related activities and services for the purposes of generation, transmission or distribution of electricity shall be regulated by contracts, or agreements, to be concluded, in accordance with the provision of the Act.

## **NATIONAL INVESTMENT ENCOURAGEMENT (NIE) ACT OF 2013**

- The NIE Act was promulgated by the National Council pursuant to the Transitional Constitution of the Republic of Sudan 2005. The aim of the Act is to encourage investment in projects that achieve the national strategy, development plans and investment initiatives of Sudanese and nonSudanese private sector, and co-operative, mixed and public sector, rehabilitation, and expansion in investment projects. • The NIE Act encourages investment at national level with the purpose of achieving the targets of development and investment in different fields as prescribed by the regulations. S. 2(2) provides that notwithstanding the provisions of Article (1) all bylaws, orders, decrees, licenses, concessions, guarantees and exemptions issued, and proceedings taken under the rules of the Act stated in Article (1), shall remain valid till repealed or amended pursuant to the provisions of the NIE Act. S. 4 provides that the provisions of the NIE Act shall prevail in case of its contradiction with the provisions of any other law to the extent necessary to remedy the contradiction.
- S. 8 of the NIE Act bars discrimination between Sudanese and nonSudanese investors, or as being public, private sector, co-operative or joint sector. Furthermore, by virtue of subsection 2, no discrimination shall be made between similar projects in similar areas in respect of granting concessions and guarantees.
- By S. 9 of the NIE Act, A Council named “The Higher Council for the Investment “shall be constituted by a decree issued by the President of the Republic under his presidency and membership of persons representing the concerned authorities.

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## **PART 2: SUDAN**

# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: SUDAN

## PART 2



### **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Sudan’s power sector is the last of a 2 Part series on Sudan’s Power Sector laws, policies and plans. Part 1 highlighted salient laws that are in operation in the Power Sector of Sudan. In this document, Part 2 of this series considers policies and plans in the Power Sector of Sudan.

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### **NATIONAL ENERGY EFFICIENCY STRATEGY, 2021**

- The Climate change Strategy is rapidly becoming one of the most important policy issues worldwide and it is no different for Sudan. With increasing temperatures and higher electrification rates, the demand for air conditioning, refrigeration, and lighting will steadily increase. As a member party to the Paris Agreement, Sudan also has an obligation to reach climate targets, i.e., net GHG neutrality latest by the middle of this century.
- The Energy Efficiency Strategy aims at an effective action plan that tackles energy efficiency and related GHG emissions with coherent policies.
- According to the Strategy, the country saving assessment for Sudan released in October 2020 by United for Efficiency (U4E), a United Nations Environment Program initiative, estimated the annual electricity savings by 2030 from minimum ambition scenario of energy efficiency policies on lighting, cooling, industrial motors and distribution transformers at two terawatt hours (TWh).

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### **TANZANIA**





**ELECTRICITY LAWYER**  
**LEGAL AND REGULATORY SERIES:**  
**TANZANIA**

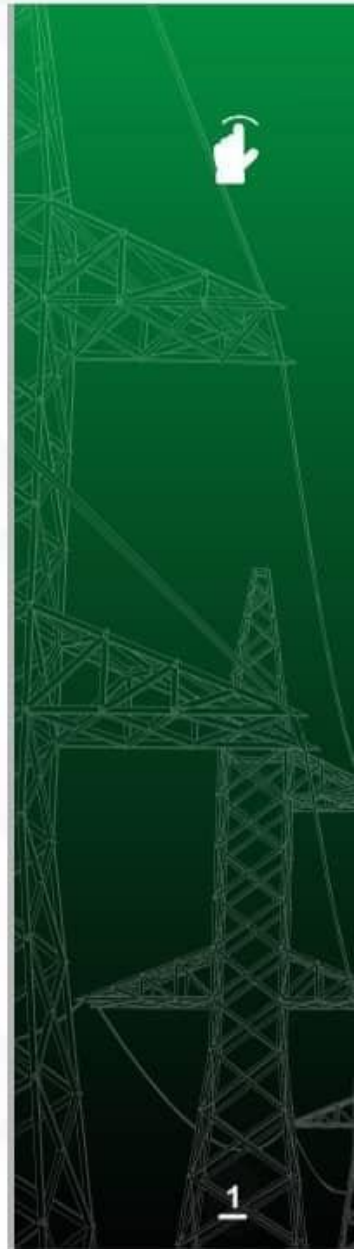
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**PART I: TANZANIA**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
TANZANIA**

**PART 1**

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## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Tanzania's power sector. The overview of Tanzania's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Tanzania's power sector laws, Part 2 focuses on power sector regulations and part 3 focuses on policies and plans.
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## **THE ELECTRICITY ACT, 2008**

- The Act provides a general framework for the Ministry of Energy and Minerals (MEM) and Energy and Water Utilities Regulatory Authority (EWURA) established under the Act.
- Key parameters for EWURA are defined with regards to – tariff-setting criteria and procedures, criteria for awarding provisional and permanent licenses, monitoring and enforcement activities, requirements for ministerial plans and strategies for rural electrification, dispute resolution procedures, process for determining the possible future reorganization of the electricity sector.
- The Act further focuses on cross-country electricity trading and rural electrification.
- According to the Act, the Minister shall develop, in collaboration with the Rural Energy Agency, a Rural Electrification Plan and Strategy. Licences for the generation, transmission, supply, etc. of electricity shall be granted by EWURA. The Act also makes provision for the compulsory access to land and the compulsory acquisition of land by licensees.

## **RURAL ENERGY ACT, 2005**

- The Act is responsible for promoting improved access to modern energy services in rural areas of mainland Tanzania, providing grants to developers of rural energy projects and to Tanzania Electric Supply Company Limited (TANESCO) for rural grid distribution and investments.

- Through a fund within the Agency Board as created, the Act makes provision to provide for grants and subsidies to developers of rural energy projects and for related and consequential matters.
- The Act seeks to improve modern energy supply in rural areas, to promote economic growth, sustainable development and social welfare in such areas.
- The Act establishes the Rural Energy Board Rural Energy Agency and the defines responsibilities of the Minister, the Agency and the Board.
- The Act also establishes a Rural Energy Fund for which management rules are set out in the Schedule.

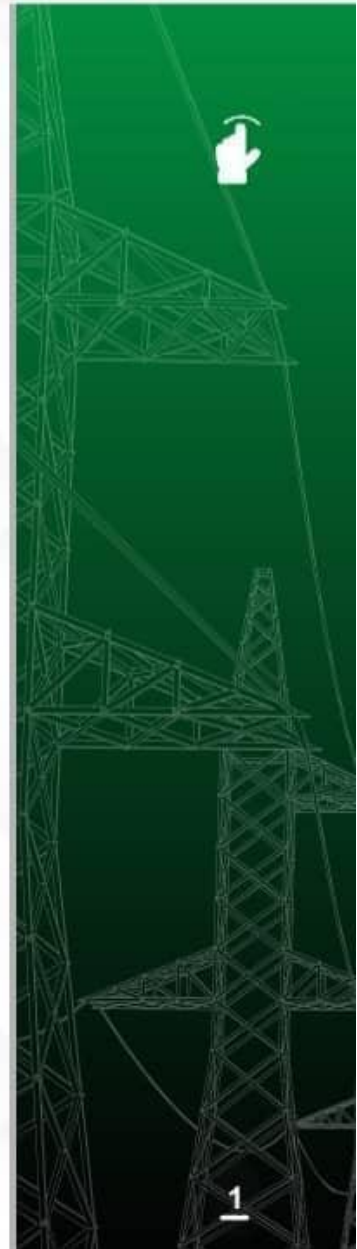
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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
TANZANIA**

**PART 2**

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## **INTRODUCTION**

- This Legal and Regulatory series focused on salient laws in Tanzania's power sector is the second Part of a 3 Part series on Tanzania's Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Tanzania. Part 2 of this series considers salient regulations that govern the Power Sector of Tanzania.
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## **DEVELOPMENT OF SMALL POWER PRODUCERS (DSPP) RULES, 2019**

- The DSPP Rules repealed the Electricity (Development of Small Power Projects) Rules (the DSPP 2018 Rules) and governs the regulatory and procedural matters relating to DSPPs in Tanzania.
- These relate to the development of small power projects (SPPs), generation, transmission and distribution activities along with supply services.
- The new rules attempt to address some of the challenges contained in the previous (repealed) rules by providing less procedural requirements.
- A Small Power Producer (SPP) developer shall not develop a small power project in areas other than those declared to be of strategic nature; or where the proposed total installed capacity of a project exceeds the maximum demand of the local distribution network. An area is deemed to be of strategic nature if it offers technical benefits to a Distribution Network Operator (DNO).
- The rules also makes provision for Very Small Power Producers (VSPP). A VSPP is only developed in a remote area where the Ministry has certified a letter of support that the area is suitable for development. A VSPP developer is prohibited from developing a VSPP without first applying and obtaining a letter of support from the Ministry.

## **THE GENERATION, TRANSMISSION AND DISTRIBUTION ACTIVITIES (GTDA) RULES, 2019**

- The GTDA Rules repealed the Electricity (Generation, Transmission and Distribution Activities) Rules 2018 (the GTDA 2018 Rules).
- The application of the new GTDA Rules have been extended to cover cross border trade in electricity activities in Mainland Tanzania.
- The GTDA Rules also govern the regulatory matters related to eligible customers.
- The GTDA Rules list the accompanying documents for a cross-border electricity trade licence. Rule 5(2)(d) provides that an application for cross-border electricity trade licence has to be accompanied by: • Power Purchase Agreement (PPA);
- Bilateral Agreement between states, (if any); and
- Wheeling Agreement (where applicable).

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
TANZANIA**

**PART 3**

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## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Tanzania 's power sector is the last of a 3 Part series on Tanzania's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Tanzania Power Sector. Part 2 highlighted salient regulations and standards that are in operation in the Power Sector of Tanzania. In this document, Part 3 of this series considers policies and plans in the Power Sector of Tanzania.
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## **THE NATIONAL ENERGY POLICY, 2015**

- This National Energy Policy is a nationwide sectoral document aimed at: (i) guiding sustainable development and utilization of energy resources to ensure optimal benefits to Tanzanians and contribute towards the transformation of the national economy; (ii) enhancing the provision of adequate, reliable, and affordable modern energy services to Tanzanians; (iii) providing comprehensive legal, regulatory, and institutional frameworks for petroleum, electricity, renewable energies, energy efficiency to achieve the Vision of a vibrant Energy Sector that contributes significantly to economic growth and improved quality of life for Tanzanians.
- The policy focuses on the following specific areas: (i) electricity generation, transmission, distribution, interconnection, power trading, and rural electrification; (ii) petroleum and gas upstream, midstream, and downstream activities; (iii) renewable energy, energy conservation, and energy efficiency including Feed-in-tariff; and (iv) cross-cutting issues including subsidies, institutional, legal, regulatory and also monitoring and evaluation frameworks.

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**TOGO**



**ELECTRICITY LAWYER**  
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**TOGO**

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
TOGO**

**PART 1**



## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Togo's power sector. The overview of Togo's power sector laws, regulations and policies will be in 3 parts. Part 1 focuses on Togo's power sector laws, Part 2 focuses on power sector codes and Part 3 focuses on policies and plans.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Togo and our simplified guide on the electricity law in Togo, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **ORDINANCE NO.63 – 12 OF 20 MARCH 1963**

- This ordinance established the Togo Electricity Company (CEET) for the generation, transmission and distribution of electrical power in Togo. At inception of CEB in 1968, the activities of CEET were redefined to focus on the distribution of electrical power in Togo.
- The process of procuring a thermal power plant started in October 2006 with the signing of a 25-year concession agreement between Togo and Contour Global Togo SA. This was followed by a power purchase agreement concluded with CEET on 5 June 2007.

## **LAW 2018-010 ON THE PROMOTION OF ELECTRICITY GENERATION FROM RENEWABLE SOURCES**

- This aim of the law was to enable the country to enjoy 50 % of renewable sources in its mix of electricity supply by 2030, in line with its electrification strategy spanning the period 2018 to 2030 (Horizon 2030).
- The law puts in place a legal framework to attract investors in the production and commercialisation areas. Solar and hydro sources are prioritised, while micro generation by citizens is also encouraged.
- The law seeks to promote, through fiscal incentives, the development of new power generation projects using renewable energy resources and projects in operation that increase the installed generating capacity from renewable sources, and power generation projects that use biomass and or biogas in a sustainable manner.

- The Law defines renewable sources as those that exist in nature, and can be extracted in a sustainable way and are capable of producing electricity. The renewable sources include: hydro, wind, solar, geothermal, bioenergy and others. In the case of biomass It refers to all organic resources that can be used for energy production and are produced indigenously and sustainably.
- The Law equally established the legal framework governing the equipment/materials, installations, and other necessary infrastructure for the production, storage, transport, distribution, marketing, and consumption of electricity based on renewable energy sources.
- In its Title II, Law No. 2018-010 highlights in articles 16 and 17 the three (3) legal regimes for electricity production projects based on renewable energy sources.
- However, the system of declaration and freedom is applied to the activities of production of electrical energy based on renewable energy sources intended for the needs of clean consumption without injection into the national electricity grid.
- The Togolese government also grants tax and customs exemptions of up to 10 years for projects to build power plants and infrastructure based on renewable energy sources used for their own needs or for the sale of electricity.

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
TOGO**

**PART 1**



## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Togo's power sector is the second of a 3 Part series on Togo's Power Sector laws, codes, and policies and plans. Part 1 highlighted salient laws that are in operation in the Power Sector of Togo. In this document, Part 2 of this series considers the power sector code in Togo.
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## **BENIN-TOGOLESE ELECTRICITY CODE, 2003**

- The Benin-Togolese Electricity Code was incorporated into the revised International Agreement on Electricity Code between Togo and Benin.
- The purpose of the Benin-Togolese Electricity Code is to define the legal, regulatory and technical framework within which the production, transmission and distribution activities as well as the activities of import and export of electrical energy on all of the territories of the Republic of Benin and the Togolese Republic; the institutions and other actors intervening in the sector on all the territories of the two States, their attributions and responsibilities as well as the modalities of their intervention; the goals, organization, missions, powers, rights and obligations of the Benin Electricity Community (CEB), a common instrument set up by the two States as specified in the International Agreement.
- The electric power sector in the territory of the two States includes the production, transmission and distribution activities and all other related activities.
- The activities of production, transport, distribution and import of electrical energy for the needs of the public on all the territories of the two States constitute a public service mission placed under the exclusive responsibility of the two States. These activities may be entrusted by these States to any person under public or private law by means of an agreement or agreement (concession or other) under the conditions set out in the code.
- The Electricity Community of Benin (CEB) was instituted by the International Agreement of July 27, 1968. The aims, missions, organization and powers of CEB are restructured by the Benin-Togo code. The CEB has 'exclusivity to exercise the activities



of transport, import, single buyer for the needs of the two States throughout the territories of the two States.

- On an exceptional and derogatory basis, the Electricity Community of Benin (CEB) may delegate locally and for a fixed period, its exclusive right to transmission of electrical energy to any person under public or private law. The beneficiary of this delegation is called the delegate carrier.
- The role of single buyer conferred by the States on the Electricity Community of Benin (CEB) and the powers attached thereto imply the following non-exhaustive provisions: (a) the Electricity Community of Benin (CEB) purchases and transports power connected to its electrical network to meet the needs of both States; (b) the Electricity Community of Benin (CEB) is the only energy supplier of electricity to the distribution networks. However, for reasons of technical or economic opportunity, energy exchanges can be carried out between distributors in particular across the borders of the two States. In this last case, an energy balance whose periodicity will be fixed by the Electric Community of Benin (CEB) will be supplied to it by the distributors concerned.
- S. 1 of the Code provides that the production, transport, distribution, import and export of electrical energy and all related activities on the territories of the Republic of Benin and the Togolese Republic are subject to the provisions of the Benin-Togolese electricity code and the provisions of national electrical codes of both states.
- The code provides that the provisions of the code takes precedence over national electrical codes in everything that may be contrary.
- S. 2 (Art. 2) of the Code excludes the production, transport and the distribution of electrical energy intended for telecommunications from the scope of the code, leaving these subject-matters under the regulatory authority of each country's own laws.

### **THE AGREEMENT ON THE INTERNATIONAL CODE OF BENIN-TOGO ELECTRICITY OF 23 DECEMBER, 2003**

- The International Agreement on Electricity Code between Togo and Benin in July 1968 revised in 2003 is one of the legal frameworks governing the electricity sector of Togo.
- The International Agreement established Authority of Electricity Sector (ARSE) Community of Benin (CEB), as an international organization with a public nature which in its inception, received a monopoly on generation and transmission of electric energy and the monopoly on installations associated. The Code initially attributed to

the CEB on the territories of the two countries, the exclusive carrier to exercise the activities of importer and buyer for the needs of Togo and Benin.

- Upon revision of the code in 2003, the code opened the segment of production to independent power producers, resulting in the installation of the Contour Global Togo (CGT) through a Public Private Partnership.

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
TOGO**

**PART 3**



## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Togo's power sector is the last of a 3 Part series on Togo's Power Sector laws, policies and plans. Part 1 highlighted salient laws that are in operation in the Power Sector of Togo, Part 2 considered some Codes applicable in the power sector of Togo. In this document, Part 3 of this series considers policies and plans in the Power Sector of Togo.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Togo, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **ENERGY POLICY AND STRATEGY, 2012**

- Togo's Energy Policy and Strategy, 2012 was developed by the Ministry of Mines and Energy (MME) and encompasses a diagnostic of Togo's energy situation at the time it was published and recommendations.
- The proposed new energy policy calls for: (a) a diversification of the energy mix with the objective of increasing energy security. This would be obtained by modifying the electricity supply mix, bringing new energies to substitute for imported petroleum products such as natural gas, and by promoting Togo's sedimentary basins (for oil and gas exploration); (b) a special emphasis on the energy mix in rural areas, and the development of rural electrification, and of renewable energies; (d) an increased participation of the private sector, as the public sector (which had so far been the main financier of the electricity sub-sector) will not be able to finance the increasing requirements for energy infrastructure. This would however require an adequate environment and investment framework for private sector investment (see Chapter III); (e) updating the regulatory framework and the implementing regulations; (f) strengthening the coordination amongst the various entities (public and private and national, bi-national and regional) involved in Togo's energy sector; and ensuring the availability of reliable energy data through continued support to the Energy Information System (SIE – Systeme d'Information sur l'Energie).

## **DISCLAIMER**

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# ZIMBABWE



## ELECTRICITY LAWYER LEGAL AND REGULATORY SERIES: ZIMBABWE

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
ZIMBABWE**

**PART 1**



## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Zimbabwe's power sector. The overview of Zimbabwe's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Zimbabwe's power sector laws, Part 2 focuses on power sector regulations and part 3 focuses on policies and plans.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Zimbabwe our simplified guide on the electricity law in Zimbabwe, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **ELECTRICITY ACT, 2005**

- The Electricity Act was enacted to provide for the establishment of the Zimbabwe Electricity Regulatory Commission; to provide for its functions and management; to provide for the licensing and regulation of the generation, transmission, distribution and supply of electricity; to provide for the repeal of the Electricity Act and to provide for matters incidental to or connected with the foregoing.
- The Electricity Act in furtherance of this purpose established the Commission to be known as the Electricity Regulatory Commission.
- The principal object of the Commission is to create, promote, and preserve efficient energy industry and market structures for the provision of electricity services, and to ensure the optimal utilization for the provision of such services; to maximise access to electricity by promoting and facilitating consumer connections to distribution systems in both rural and urban area; to ensure that an adequate supply of electricity is available to consumers; to ensure that the prices charged by licensees are fair in light of the need for prices to be sufficient to allow licensees to finance their activities and obtain reasonable earnings for their efficient operation.
- The Electricity Act provides that no person, except in terms of the appropriate licence issued under the Act, shall in Zimbabwe operate an electricity undertaking which generates, transmit, distributes, or supplies electricity in excess of 100 kilowatts (kW), or such other amounts as the Commission may from time to time prescribe by notice in a statutory instrument.
- The Commission may also issue a temporary licence to any person for a period not exceeding one year if it determines that it is necessary in the public interest to do so.



- A licensee is expected to comply with the provisions of the licence, and regulations made in terms of s. 65 and any grid code, code of conduct and other requirements issued by the commission from time to time.
- S. 65 enables the Minister to make regulations where necessary to give effect to the Electricity Act and after consultation with Commission.
- The licensees have the duty to provide its licenced services efficiently, including the planning, development, and maintenance of an efficient and economical power system.
- The Act provides for generation licence, transmission and bulk supply licences and, distribution and retail supply licences.
- Electricity tariffs and prices in connection with the provision of an electricity service or operation of a power system by a licensee or proposed licencees shall have effect only when approved by the Commission and in the case of service determined by the Commission, only after approved by the Commission after consultation with the Minister.

### **RURAL ELECTRIFICATION FUND ACT, 2005**

- The Act was enacted to establish the rural electrification fund to provide for its objects, management and control; to provide for the Rural Electrification Fund Board and its functions; to provide for the imposition and payment of a levy on electricity; to provide for the collection of the levy; to provide for the allocation and disbursement of money from the Fund; and to provide for matters connected with or incidental to the foregoing.
- The Fund shall consist of levies; together with any interest or surcharge payable thereon; and any moneys that may be payable to it from moneys appropriated for the purpose by Act of Parliament; and any loans, donations and grants made to the Fund by any person or authority or by any government of any country, and any other moneys that may accrue to it, whether in terms of the Act or otherwise.
- The Act established the Rural Electrification Fund with the objective of; playing a promotional role in rural development, identifying rural electrification projects and finding or advertising for projects sponsors to take these up; assisting and training projects promoters to ensure that rural electrification projects are implemented cost effectively and efficiently; be a centre of information and excellence on rural electrification in Zimbabwe, through collecting information about rural electrification practice, carrying out research and keeping abreast of technological developments

in rural electrification worldwide and giving particular attention to off-grid, standalone technologies for the supply of electricity to rural communities.

- The Rural Electrification fund Board shall be responsible for collecting levies and any other revenue in terms of the Act; prescribing the criteria for the giving of financial assistance to rural electrification projects; allocating money from the fund in accordance with a master plan; ensuring that disbursed funds are used properly and in accordance with the Act or any other law; generally manage the Fund in accordance with regulations and laid down procedures; recommending to the Minister the levels of levies to be imposed in terms of the Act and performing any other function that may be conferred or imposed on the Board in terms of this Act or any other enactment.

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**PART 2: ZIMBABWE**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
ZIMBABWE**

**PART 2**



## **INTRODUCTION**

- This Legal and Regulatory series focused on salient laws in Zimbabwe's power sector is the second Part of a 3 Part series on Zimbabwe's Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Zimbabwe. Part 2 of this series considers salient regulations that govern the Power Sector in Zimbabwe.
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## **ELECTRICITY SOLAR WATER HEATING REGULATIONS, 2019**

- These regulations apply to all property developers, architects, engineers and users of electricity and users of hot water and existing premises with electrical geysers.
- The regulation provides for standardization stating as follows;
- A person shall not use or employ for the purposes of or in connection with a solar heating system, any mode, material or apparatus other than that which complies with the Zimbabwean Standards specified in the Second Schedule.
- The regulation provides that an owner of the premises, architect and an engineer engaged in the design, construction, extension or alteration of the premises or shall incorporate solar water heating systems in all new premises designs and extensions or alterations or retrofitting to existing premises.
- An owner or occupier of premises that has a solar water heating system shall use and carry out the necessary operational maintenance and repairs required to keep the installation in good and efficient working condition.
- An electric power distributor or supplier shall not provide electricity supply to premises where a solar water heating system has not been installed in accordance with the regulations.
- An owner or occupier to whom these regulations apply may investigate the inclusion of the relevant solar water heating system into a project to be registered under any carbon finance mechanism that may be established from time-to-time including the Clean Development Mechanism (CDM).

## **ELECTRICITY (LICENCING REGULATIONS, 2008 (AS AMENDED BY SI 55/2015 JSI 101/2021)**

- This Regulation provides that every electricity undertaking which generates, transmits, distributes or supplies electricity in excess of 100 kilowatts (kW), including every deemed licensee, shall apply for any one or more of the following licences as are applicable to its undertaking; (a) generation licence; or (b) a distribution and bulk supply licence; or (c) a distribution and retail licence

### **NATIONAL TRANSMISSION GRID CODE (2020)**

- The electricity grid code stipulates rules and regulations that various players in the electricity production chain are expected to follow for efficient operation of the system.
- The electricity grid code outlines the required behaviour of a connected generator during system disturbances, such as voltage regulation, power factor limits and response to a system fault among others.
- The code is expected to accelerate development and absorption of the additional capacity to avoid any losses or additional payments to generators in the event that all power produced is not fully utilised.
- Every electricity undertaking which maintains a transmission facility independently of a primary transmission licence; or operates or proposes to operate an independent power exchange referred to in section 43(1)(c) of the Act independently or a primary transmission licensee; or being an electricity licensee, or an applicant for an electricity licence, is required by the Commission in terms of section 43(2) of the Act to obtain an independent transmission and bulk supply licence in addition to its other electricity licence.
- Every electricity undertaking which maintains or proposes to maintain a distribution facility independently or primary distribution licensee; or purchase or proposes to purchase electric power in bulk for supply and distribution to customers shall apply for an independent distribution and retail licence.
- Every electricity undertaking whose sole or primary business is the distribution, exchange or retail of electric power in excess of 100 kilowatts (kW) that is saved by means of any device which (a) is installed at consumer's premises; and (b) returns the power thus saved to a grid for distribution, exchange or retail; shall apply for an undertaking (demand side management) licence.

### **NET METERING REGULATION, 2018**

- The Regulation provides that where the generating capacity of a customer's generator – a. in the case of a residential premise, does not exceed the main electricity supply

circuit breaker current rating; or b. in the case of an industrial or commercial premise does not exceed one hundred kilowatts (100kW); such customer can apply to the licensee to be a participant of net metering.

- The licensee shall no later than 21 working days after receiving an application for a certificate satisfy himself or herself that the prescribed form has been properly completed, and if so satisfied shall, within that period, make a decision on the application by notifying the applicant by remitting to the applicant a copy of the application whereon it shall be indicated the licensee's decision.
- All applications must be on a non-discriminatory basis.

### **ELECTRICITY (GRID CODE) REGULATIONS, 2017**

- The Grid code is intended to establish the reciprocal obligations of industry participants around the use of the National Transmission System (NTS) and operate of the Interconnected Power System (IPS).
- The responsibility of the service provider under this Grid code shall be (a) to show no interest in whose product is being transported; (b) to ensure that investments in the NTS are made within the requirements of the Grid Code; (c) to provide Third Party Access, on agreed standard terms, to all parties wishing to connect to or use the NTS.
- Transmission service providers shall ensure that transmission agreements concluded with end-use customers or distributors shall include an obligation to comply with the Grid Code provisions

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## **PART 3: ZIMBABWE**

# **ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: ZIMBABWE**

## **PART 3**



1

### **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Zimbabwe's power sector is the last of a 3 Part series on Zimbabwe's Power Sector laws, regulations and policies. Part 1 highlighted salient laws that are in operation in the Power Sector of

Zimbabwe. Part 2 highlighted the regulations that govern the Zimbabwe's Power Sector. In this document, Part 3 of this series considers policies and plans in the Power Sector of Zimbabwe.

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### **NATIONAL ENERGY POLICY (NEP), 2012**

- The NEP identifies the key challenges in the exploitation, distribution and utilization of different energy resources, and provides broad policy objectives and strategies to address those challenges.
- The policy framework of the NEP is based on generally accepted principles that can be summarized by the following: Applicability, Acceptability, Affordability, Accountability and Availability
- The principle of Applicability ensures the responsiveness of energy policies and programmes to stakeholder needs and expectations.
- The Principle of Acceptability ensures that the production and use of energy services is in accordance with acceptable standards.
- Affordability addresses the gap between policy rhetoric and reality.
- Accountability addresses the need for every policy and programme to have someone accountable for development, monitoring and implementation.
- Availability addresses the key energy policy outcome, which is to reduce dependency on traditional energy services by increasing the availability of modern energy services.
- The goals and objectives of the policy is to provide a framework for the exploitation, distribution and utilization of energy resources in fulfilment of the following broad policy objectives and principles; a. Increase the access of all sectors of the economy to affordable energy services through the optimal use of energy resources and the diversification of supply options. b. Stimulate sustainable economic growth by promoting competition, efficiency and investment in the sector. c. Improve the institutional framework and governance in the energy sector to enhance efficiency and the delivery of energy services. d. Promote research and development in the energy sector. e. Develop the use of other renewable sources of energy to complement conventional sources of energy.



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## **BENIN REPUBLIC**



**ELECTRICITY LAWYER**  
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**PART 1: BENIN REPUBLIC**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
BENIN REPUBLIC**

**PART 1**



**INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern the power sector of Benin Republic (Benin). The overview of Benin's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Benin's power sector laws; Part 2 focuses on Benin's power sector regulations and part 3 focuses on policies and plans in Benin's power sector.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Benin and our simplified guide on the electricity law in Benin, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **ELECTRICITY REGULATORY AUTHORITY DECREE, 2009**

- This Decree establishes the Autorité de Régulation d'Electricité (ARE) (Electricity Regulatory Authority) and vests it with the functions of ensuring compliance with production standards, transmission, and distribution of electrical energy; providing opinion(s) on the production master plan of electricity; advising the authorities on policy orientations in the electricity sector; and ensuring overall efficiency of all operators in the electricity sector

### **OFF-GRID DECREE, 2018**

- The Republic of Benin has implemented Decree No. 2018-415 on 12 September 2018, which requires all off-grid providers to obtain an operating license. Providers of mini-grids or standalone systems that exceed a capacity of 500 kVA are subject to a concession framework, while those smaller than 500 kVA only require authorization from the Benin Agency for Rural Electrification and Energy. Control (ABERME). It is expected that all off-grid operators comply with appropriate technical standards. However, there is uncertainty regarding the continued enforcement of this decree in its current form, as it was issued within the framework of the repealed 2007 Electricity Code. As of May 2020, no updates have been made.

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
BENIN REPUBLIC**

**PART 2**



## **INTRODUCTION**

- This Legal and Regulatory series focused on salient laws in Benin's power sector is the second Part of a 3 Part series on Benin Republic's Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Benin Republic. Part 2 of this series considers salient regulations that govern the Power Sector of Benin Republic.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Benin Republic, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **ELECTRICITY CODE, 2020**

- The Electricity Code of Benin was enacted in 2020 as a new law that governs the electricity sector with peculiar provisions relating to orientations of the policy and the general principles of organization, operation and development of the electricity sector, rules concerning the activities of production, transport, distribution, marketing, transit, import and export of electrical energy, etc.
- The new code aims to put an end to the monopoly of the utility company Societe Beninoise d'Energie Electrique (SBEE) in the domains of energy generation, transmission, distribution, and marketing. It encourages private sector involvement in these areas and establishes three regulatory regimes: declaration, authorization, and public service delegation contracts.
- The National Energy Strategy also calls for improving the institutional, legal and regulatory framework for the energy sector, with due consideration being given to the environmental impacts associated with energy development and utilisation.
- Electrical installations intended for personal use with an installed capacity below a certain level, which will be determined by decree, must follow the declaration regime. The authorization regime applies to electricity generation, distribution, and marketing for public interest, eligible customers, off-grid areas, and self-generation above a certain installed capacity threshold, which will also be determined by decree. Finally, the public service delegation contract regime applies to electricity generation above an installed capacity threshold, transmission, and distribution and marketing activities that are not covered by the aforementioned regimes.

- Furthermore, the law distinguishes between two off-grid electrification regimes: the concession regime, which applies to systems larger than 500 kVA, and the authorization regime, which applies to systems smaller than 500 Kva

#### **ORDER NO. 2020-006**

- The order specifies the fees payable for license, concession, and authorization applications, and for submitting declarations of system installations. The fees are distinguished by installed capacity.

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#### **BURUNDI**





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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
BURUNDI**

**PART 1**

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## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Burundi's power sector. The overview of Burundi's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Burundi's power sector laws; and Part 2 focuses on policies and plans in Burundi's power sector.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Burundi and our simplified guide on the electricity law in Burundi, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **BURUNDI ELECTRICITY COMPANY (PROPRIETARY) LIMITED (ESTABLISHMENT AND VESTING) ACT NO.2 OF 2006**

- The Act liberalizes and provides for the regulation of the public services of water and electricity.
- The law sets out a framework to support private sector engagement in the provision of drinking water and energy, including a regulatory body and development fund.
- Law No. 1/014 also eliminated Régie de Production et de Distribution de l'Eau et de l'Electricité (REGIDESO)'s monopoly over the provision of drinking water and energy and provides that it is a delegated public service provider operating under a to-be-established regulatory body.

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**PART 2: BURUNDI**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
BURUNDI**

**PART 2**

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## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Burundi's power sector is the last of a 2 Part series on Burundi's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Burundi Power Sector. In this document, Part 2 of this series considers policies and plans in the Power Sector of Burundi.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Burundi, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **BURUNDI ENERGY STRATEGY AND ACTION PLAN 2011**

- This Policy sets Burundi's energy strategy and implementation actions.
- It states that main capacity additions will come from hydropower and other renewable resources.
- Priority is given to the electrification of social infrastructure (schools, hospitals, health centres, pumping stations, local administration offices) in remote, off-grid areas. In the medium to long-term perspective, Burundi's electrical grid will be connected to solar power stations.
- The policy further aims to increase energy efficiency of biomass use.

## **ENERGY POLICY LETTER 2011 (LETTRE DE POLITIQUE ENERGETIQUE)**

- The National Energy Policy Letter (LPEN) draws attention to the important and recognized link between the availability or otherwise of energy and Gross Domestic Product (GDP) growth, the trade balance and inflation.
- The policy letter recognizes that efficient and sustainable management of the production, supply and accessibility of modern energy services requires the implementation of energy policies which constitutes the coherent framework of interventions, enabling the Government to orient and coordinate the actions in the sector, while also serving as a reference for the various actors and development partners wishing to support Burundi in its reconstruction efforts.

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## **COMOROS**



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# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: **COMOROS**

**PART 1**





- This legal and regulatory series considers the salient laws, regulations and policies that govern the power sector in Comoros. The overview of the power sector laws, regulations and policies will be in two parts. Part 1 focuses on the power sector laws in Comoros; Part 2 focuses on policies and plans in the power sector of Comoros.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Comoros and our simplified guide on the electricity law in Comoros, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **ELECTRICITY CODE 1994**

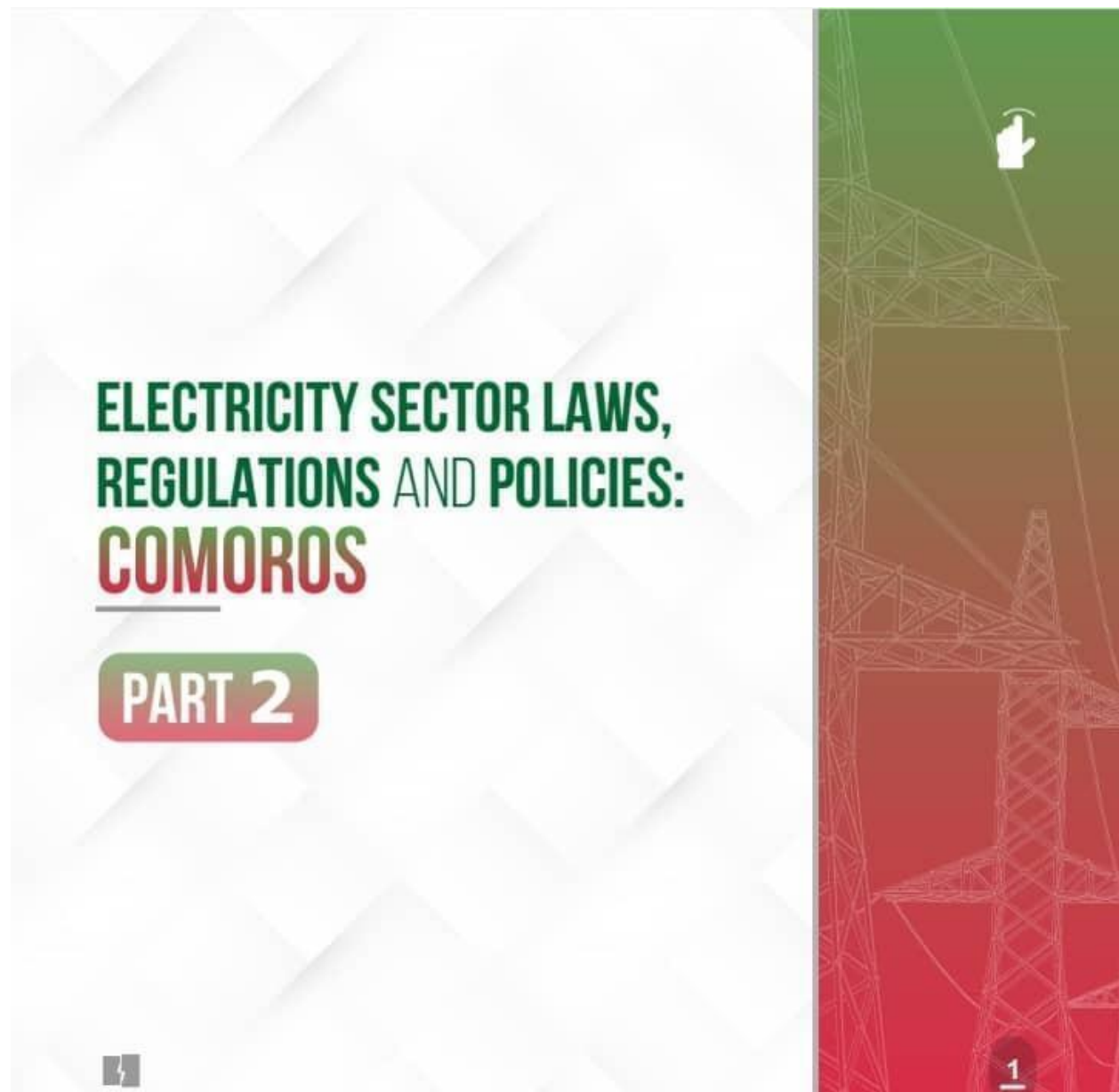
- Law No. 94-036 of 21 December 1994 established an Electricity Code that regulates electricity generation, transmission and distribution in the Comoros.
- The law entrusts the Ministry of Energy with the responsibility to, among others, define energy policy, undertake an inventory of all energy resources in the country, undertake forecasting of energy needs for matching with sources of supply to meet the demand, prepare development plans, etc.
- The law also delegates the responsibility of providing electricity (and water) services to the population to the Electricity and Water Company of Comoros (EEDC - Entreprise Electricité et Eau des Comores).
- In June 1997, EEDC was renamed Société Comorienne de l'Eau et de l'Electricité (CEE – Water and Electricity Authority of Comoros) before changing its name again in June 2003 to Gestion de l'Eau et de l'Electricité aux Comores (MAMWE).
- In addition, the Electricity Code indicates that in the public interest, EEDC (the predecessor of MAMWE) may conclude agreements with selfproducers for the supply of excess electricity to the grid.
- Hence, the Electricity Code already allows private sector promoters to generate and sell electricity to the MAMWE grid, but there has been little or no uptake in either electricity generation or distribution by the private sector.

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## **PART 2: COMOROS**



## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in the power sector of Comoros, is the last of a 2 Part series on Power Sector laws, regulations and policies in Comoros. Part 1 highlighted the laws that govern the Power Sector of Comoros. Part 2 of this series considers policies and plans in the Power Sector of Comoros.
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## **NATIONAL ENERGY STRATEGY 2013**

- In the absence of a National Energy Policy, the Government solicited the support of the European Union to prepare a National Energy Strategy for the next 20 years. This document entitled “Elaboration d’une stratégie sectorielle nationale Energie aux Comores – Strategie Sectorielle à 20 ans” was issued in January 2013 and covers the period 2013 - 2032.
- It is a comprehensive document that deals with the various energy subsectors, viz. traditional energy (wood and charcoal, as they relate to forestry management), fossil fuels, electricity generation and supply, and energy management. It also outlines the main parameters that should constitute a National Energy Strategy and defines its main and operational level specific objectives.
- The main objective of the National Energy Strategy is to “contribute to the country’s sustainable development path through the provision of energy services that are affordable to a larger segment of the population, at least cost and that promote socio-economic activities”.
- At the operational level, the specific objectives are, among others, to (i) reduce the country’s dependence on imported fossil fuels for electricity generation and transport and (ii) provide access to energy services”.
- The National Energy Strategy also calls for improving the institutional, legal and regulatory framework for the energy sector, with due consideration being given to the environmental impacts associated with energy development and utilisation.

## **STRATÉGIE DE CROISSANCE ACCÉLÉRÉE ET DE DÉVELOPPEMENT DURABLE (SCA2D – ACCELERATED GROWTH AND SUSTAINABLE DEVELOPMENT STRATEGY) 2014**

- In January 2014, the Government launched the formulation of the Accelerated Growth and Sustainable Development Strategy (SCA2D) designed to be a comprehensive framework that would encompass all initiatives related to development and poverty reduction.
- The SCA2D process was based on the lessons learned from implementing the Growth and Poverty Reduction Strategy (Document de Stratégie de Croissance et de Réduction de la Pauvreté - DSCR) 2010 – 2014.
- With regard to the energy sector, SCA2D underscored the Government’s commitment to “In the short term, develop an 18-MW power station to operate on heavy fuel to meet the country’s needs for stable and accessible electricity services (pending a more permanent solution that would include renewable energy in the country’s energy mix) and to refurbish the diesel power stations operated by MAMWE”.
- For the medium term, SCA2D will promote a “transitional” energy strategy aimed at reducing costs, dependence on imported fuel and promotion of locally-available energy resources”.

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### **DJIBOUTI**



**ELECTRICITY LAWYER**  
**LEGAL AND REGULATORY SERIES:**  
**DJIBOUTI**

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**PART 1: DJIBOUTI**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
DJIBOUTI**

**PART 1**



## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Djibouti's power sector. The overview of Djibouti's power sector laws, regulations and policies will be in one part. This part focuses on Djibouti's power sector laws and regulations.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Djibouti and our simplified guide on the electricity law in Djibouti, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **LAW N°88/AN/15/7TH**

- The law n°88/AN/15/7th, promulgated on March 03, 2015, allows independent power producers to participate in the production of energy via a purchase contract negotiated with Electricité de Djibouti (EDD) (a vertically-integrated state-owned electricity utility company responsible for the generation, transmission, distribution and sale of electricity in Djibouti).
- Law n°88/AN/15/7th was adopted with a view to reduce the cost of electricity; favour the production of electricity from renewable energy sources; ensure a production that is adequate as regards volume, frequency and quality; and ensure the energy independence of Djibouti.
- DECREE N° 2019-013/PR/MERN
- The Decree renders law n°88/AN/15/7th operational by freeing up the production of electricity and imposes the principles and the rules of application. It will be added to by several orders and model conventions that ensure flexibility and adaptability of the system.
- The Decree specifies the missions for organization, regulation and control attributed to bodies responsible for the application of the law (Minister of Energy and Natural Resources, Djibouti Electricity, Department for Regulation of the Energy Service).
- The Decree also specifies the conditions and method(s) of application by/to IEPs (Independent Electricity Producers) of the three principles of public service (continuity, equality and mutability)
- The Decree provides the institutional and legal framework with the attendant information regarding roles and responsibilities and time limits for the various activities within the sector.

- This Decree, under ten (10) sections, provides notably for the skills and missions of the regulation department, purchase tariffs and tariff rules, the levels of installed power, the basic rules of the purchase contract with Djibouti Electricity, the granting of licenses or concessions, the regime for the requests for a license or a concession, and the attendant procedure(s), the mechanisms for the resolution of disputes, etc.
- The Decree that complements the law also defines clearly the functions of the authority that grants the mining titles necessary for the installation and the management of an independent electricity production unit, which is the Ministry of Energy and its Energy Department.

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**DRC**



**ELECTRICITY LAWYER**  
**LEGAL AND REGULATORY SERIES:**  
**DEMOCRATIC REPUBLIC**  
**OF CONGO (DRC)**

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**PART I: DRC**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
DEMOCRATIC REPUBLIC  
OF CONGO (DRC)**

**PART 1**

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## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern the Democratic Republic of Congo's power sector. The overview of Democratic Republic of Congo's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Democratic Republic of Congo's power sector laws; and Part 2 focuses on policies and plans in the power sector of the Democratic Republic of Congo.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Democratic Republic of Congo and our simplified guide on the electricity law in Democratic Republic of Congo (DRC), visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **LAW NO. 14/011 (ELECTRICITY SECTOR)**

- The main goals of this legislation are to combine existing laws regarding electricity generation, transmission, distribution, trading, and usage, while also encouraging fair competition in the industry.
- The law also aims to promote environmentally friendly practices and energy efficiency, while seeking to improve access to electricity in rural communities and small cities.
- The law equally aims to increase access to energy in rural areas and secondary cities.
- In addition, the law enables the energy sector welcome more independent power producers from traditional and renewable energy sources. As a result, many universities and academic institutions in the DRC have founded centers for the research and development of renewable energies such as solar energy and biodiesel.
- Furthermore, the Electricity Law of 2014 seeks to encourage private participation in the power sector. The law provides for diversification in the energy mix of DRC, and it opened the sector to independent power producers.
- In general, the Law applies to the production, transmission, distribution, importation, exportation, and marketing activities of any electricity industry operator.
- The law has established the National Electrification Agency (AGENA) and National Electrification Fund (FONEL) to increase access to energy in rural areas and secondary cities.
- The law also indicates that renewable energy-based systems are suited for use in rural areas and remote population centres far from the grid.

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**PART 2: DRC**

**ELECTRICITY SECTOR LAWS,  
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DEMOCRATIC REPUBLIC  
OF CONGO (DRC)**

**PART 2**

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## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in DRC's power sector is the last of a 2 Part series on DRC's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Democratic Republic of Congo Power Sector. In this document, Part 2 of this series considers policies and plans in the Power Sector of Democratic Republic of Congo.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Democratic Republic of Congo, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **ENERGY SECTOR POLICY LETTER OF 2009**

- The Ministry of Energy supported by the European Union Energy Initiative Partnership Dialogue Facility (EUEI-PDF) created the Energy Sector Policy Letter.
- The letter focuses on separating the functions of the state and encouraging private-sector participation in the energy sector in DRC. The policy further expands the pragmatic service of the electricity sector, and it promotes the regional integration of energy networks.
- The policy further promotes the regional integration of energy networks

## **NATIONAL STRATEGIC DEVELOPMENT PLAN (PNSD) 2019- 2023**

- The government of DRC developed the PNSD for facilitating development and focusing on reducing poverty in the country. It has a section devoted to the development of the electricity sector.

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## **LESOTHO**



## **ELECTRICITY LAWYER LEGAL AND REGULATORY SERIES: LESOTHO**

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
LESOTHO**

**PART 1**

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## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Lesotho's power sector. The overview of Lesotho's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Lesotho's power sector laws; Part 2 focuses on Lesotho's power sector regulations; and Part 3 focuses on policies and plans in Lesotho's power sector.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Lesotho and our simplified guide on the electricity law in Lesotho, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **LESOTHO ELECTRICITY AUTHORITY (AMENDMENT) ACT, 2011 (NO. 6 OF 2011).**

- This Act amends the Lesotho Electricity Authority Act 2002, which is now known as the Lesotho Electricity and Water Authority Act.
- The Act provides that the Authority shall have sole and exclusive power to regulate the electricity sector and the water sewerage services subsector, fees and tariffs charged and standards of services to be provided by water services and sewerage providers.
- The Act further provides for reporting on the progress of the electrification, water supply and sewerage services programmes all over the country; offences for non-compliance with electricity and water service rules and regulations; duties of water supply and sewerage companies; transitional provisions to accommodate those water supply and sewerage services who operated before the coming into effect of the Act.
- The Act sets out duties of water and sewerage services providers licensed under the Act.
- The Act further provides guidelines on tariff and price setting under the Act, reporting on activities of the sub-sectors and ensuring compliance with electricity and water rules in the country.

## **LESOTHO ELECTRICITY COMPANY (PROPRIETARY) LIMITED (ESTABLISHMENT AND VESTING) ACT NO.2 OF 2006**

- This Act establishes the Lesotho Electricity (Proprietary) limited whose sole shareholder is the government of Lesotho. The assets, liabilities, rights and obligations of its predecessor, the Lesotho Electricity Corporation, automatically dissolve into the new company. The company is by the Act designed to be limited by shares.
- With effect from the vesting date, all the assets, liabilities, rights and obligations of the corporation excluding the regulatory functions will be deemed to vest in the company.
- The regulatory functions have been taken over by the Lesotho Electricity Authority. The Act also provides for the privatization of the company in accordance with the provisions of the Privatisation Act of 1995.

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## **PART 2: LESOTHO**

# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: **LESOTHO**

## **PART 2**

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### **INTRODUCTION**

- This Legal and Regulatory series focused on salient laws in Lesotho's power sector is the second Part of a 3 Part series on Lesotho's Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Lesotho. Part 2 of this series considers salient regulations that govern the Power Sector of Lesotho.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Lesotho, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **LESOTHO ELECTRICITY AND WATER AUTHORITY (ELECTRICITY SUPPLY) REGULATIONS 2019**

- The regulation applies to any generator, distributor, transmitter, and supplier of electrical energy in the country.
- The provisions of the regulation regulate the operations of electricity generation, transmission, distribution, and supply and provides guidelines and conditions that persons who engage in the above-mentioned operations are required to comply with.
- The regulations also provide sanctions and penalties in the event of any breach of the stipulated requirements.

### **LESOTHO GRID CODE 2015**

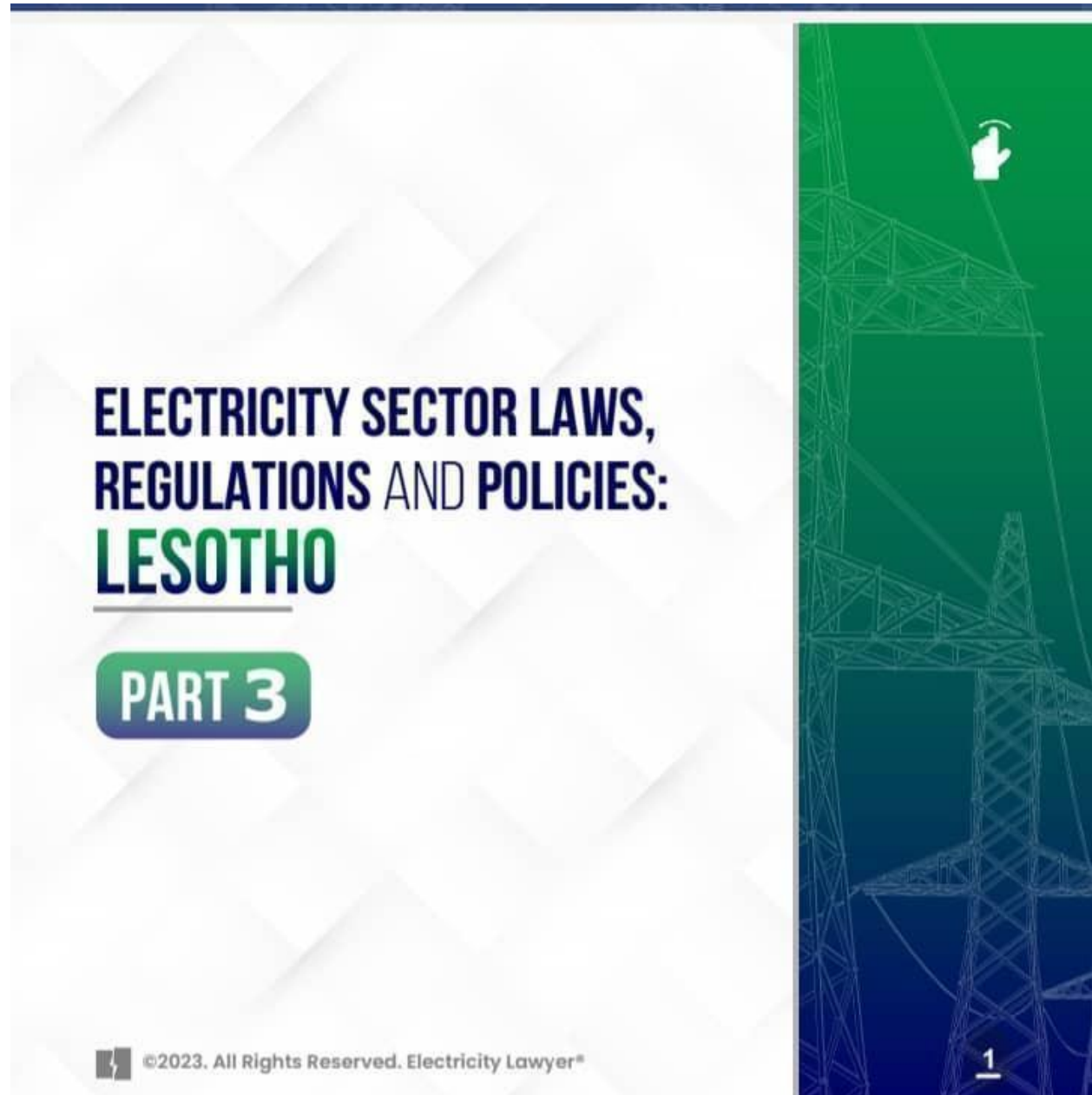
- The Grid Code is a document approved by the Lesotho Electricity And Water Authority (LEWA) and formulated to ensure efficient coordinated operation and maintenance of the electricity Grid.
- The objective of the Grid code is to promote sound planning, operation, and connection standards, in a bid to provide for reliable, secure, economic and coordinated operation of the Transmission System Operator (TSO) Grid

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### **PART 3: LESOTHO**





## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Lesotho's power sector is the last of a 3 Part series on Lesotho Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Lesotho Power Sector. Part 2 highlighted salient regulations and standards that are in operation in the Power Sector of Lesotho. In this document, Part 3 of this series considers policies and plans in the Power Sector of Lesotho.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Lesotho, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **LESOTHO ENERGY POLICY 2015–2025**

- This Policy aims at providing Lesotho's citizens with an affordable, reliable and environmentally-friendly energy supply.
- Bioenergy, renewable energy sources, energy efficiency are main objectives laid out by the document, which details how the government intends to foster the resources.
- This Lesotho Energy Policy 2015–2025 is made with the vision that energy shall be universally accessible and affordable in a sustainable manner, with minimal negative impact on the environment. The Policy is aimed at contributing towards the improvement of livelihoods, contributing towards economic growth and investment, ensuring security of supply and contributing towards the protection of the environment.
- The Policy makes the following statements, and creates specific objectives and strategies for their realization, including; government will introduce appropriate institutional and regulatory framework for the management and development of the energy sector; government will ensure that sufficient information and data on all energy resources become available and are regularly updated; government will ensure sustainable supply of bioenergy resources; government will improve access to renewable energy services and technologies; government will promote energy efficient practices and equipment in all sectors of the economy; government will ensure the security of electricity supply in the country; government will develop and sustain a reliable and efficient transmission network in order to avoid interruptions in the power supply; etc.

- The Policy includes a graphical proposed model for the energy sector and roles of the institutions in the energy sector.

### **LESOTHO RENEWABLE ENERGY POLICY 2013**

- The Government of Lesotho holds the belief that renewable energy could play an increased role in the country's energy mix, augmenting hydro power generation and providing energy solutions in rural Lesotho where 74% people currently live without access to modern forms of energy.
- The objectives of the Lesotho Renewable Energy Policy are: 1. to enhance the energy security of Lesotho by reducing reliance on fossil fuels and imported electricity; 2. to enhance the access to modern energy for rural and decentralised areas of Lesotho; 3. to ensure protection of the environment through reduction of Greenhouse Gas (GhG) emissions from energy sector in Lesotho, and prevent other related environmental damages;
- The target of the policy is to enable Lesotho:
  - add additional renewable energy generation capacity of 200 MW by 2030 ; and
  - achieve 75% household electrification by 2030, primarily through renewable energy
- Under the policy, all renewable electricity generators will have guaranteed access to the Electricity grid in Lesotho.
- Renewable Energy Generators of less than 500 kW will have guaranteed access to the distribution network and those above 500 kW will have guaranteed access to the transmission network.
- Renewable Electricity Generators of a size of less than 500 kW will be offered a net-metering scheme where the customer will only pay for the net energy consumption.

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applicable in the power sector in Lesotho, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

**SENEGAL**



**ELECTRICITY LAWYER  
LEGAL AND REGULATORY SERIES:  
SENEGAL**

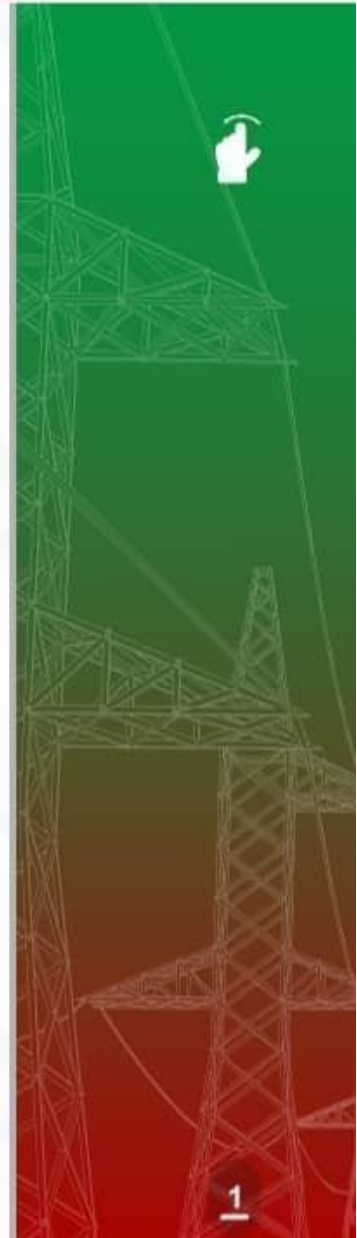
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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
SENEGAL**

**PART 1**



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## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Senegal's power sector. The overview of Senegal's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Senegal's power sector laws; Part 2 considers salient regulations that govern the Power Sector of Senegal and part 3 focuses on policies and plans in Senegal's power sector.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Senegal and our simplified guide on the electricity law in Senegal, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **RENEWABLE ENERGY LAW (NO. 2010-21)**

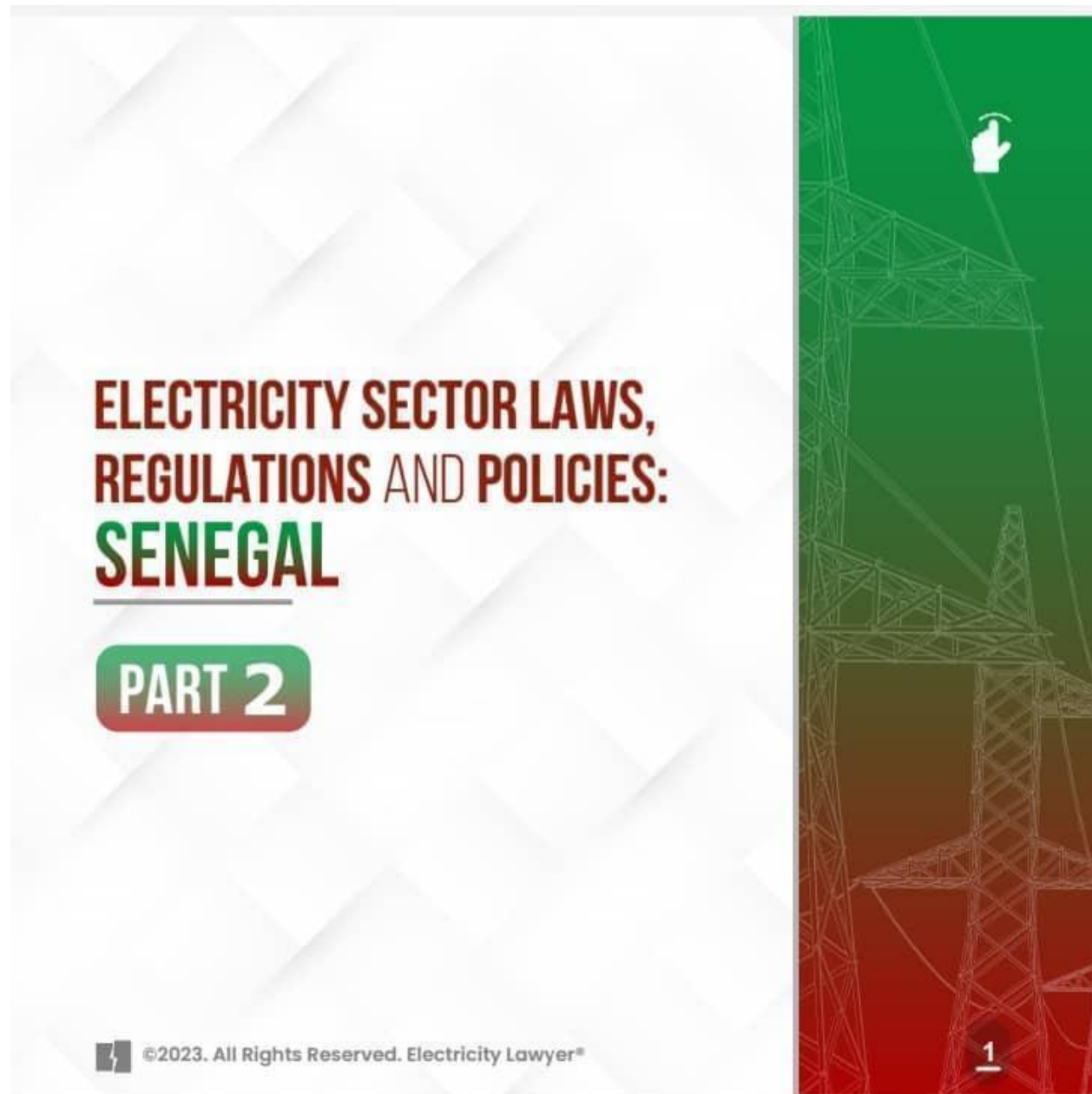
- This legislation governs the renewable energy industry by setting targets, creating a feed-in-tariff program, and offering tax benefits for growth. The primary goal of the law is to provide a legal framework for sustainable renewable energy development.
- The legislation aims to reduce reliance on non-renewable energy sources, promote energy mix diversity, decrease greenhouse gas emissions, and encourage domestic energy production.
- The Ministry of Renewable Energies is responsible for developing and managing incentive programs for renewable energy development.
- These programs include tax exemptions for purchasing equipment used for renewable energy generation for domestic use and tax relief for renewable energy research. The legislation also mandates that electricity network operators connect renewable energy generation facilities to the grid.

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applicable in the power sector of Senegal, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **PART 2: SENEGAL**



## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Senegal's power sector is the second part of a 3 Part series on Senegal Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Power Sector of Senegal. In this document. Part 2 of this series considers salient regulations that govern the Power Sector of Senegal.
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## **ELECTRICITY CODE, 2022**

- The Senegalese legal framework was completely revamped by Law No. 2021-31 of 9 July 2021. The Law created an Electricity Code which replaced the preceding Law No 98-29 on the electricity sector. The objectives of the code include :
- To improve access to electricity for the population, particularly by allowing off-grid production in rural areas;
- To aid the planning of the electricity sector with the implementation of a future integrated plan at lower cost ("Plan intégré à moindre coût", PIMC), a five-year strategy for the planning of the sector by segment of activity and, pursuant to this plan, a national program for the production of electricity from renewable energy sources.
- The eventual introduction of competition in the wholesale sale and purchase of electricity, which will entail the end of Senelec's monopoly in the latter area and the splitting of Senelec into three subsidiaries, one for production, one for transport and one for distribution and sale, headed by a holding company by December 2023;
- Enable free access to the transport and distribution networks for producers, subject to public tariffs, to supply eligible customers or new independent retailers; and
- The development of renewable energy.

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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
SENEGAL**

**PART 3**

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## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Senegal's power sector is the last of a 2 Part series on Senegal Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Power Sector of Senegal. Part 2 considered salient regulations that govern the Power Sector of Senegal. Part 3 of this series considers policies and plans in the Power Sector of Senegal.
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## **ENERGY SECTOR DEVELOPMENT POLICY LETTER, 2012**

- This is the primary policy for the energy sector which was first established in 1997, but was later reviewed in 2002, 2008 and 2012.
- The policy majorly recognizes the significance of renewable energy for the sustenance of the energy sector and as such, in its 2008 version, contained provisions which served as the foundation for the promulgation of the Renewable Energy Law of 2010.
- Some of the objectives stated in the policy include the consolidation of energy security and increasing energy access for all; the development of an energy mix combining thermal generation, bioenergy, and renewables; the encouragement of independent production and institutional reform; and increased competitiveness in the power sector.

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## **SOUTH SUDAN**



**ELECTRICITY LAWYER  
LEGAL AND REGULATORY SERIES:  
SOUTH SUDAN**

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**PART 1: SOUTH SUDAN**

# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: SOUTH SUDAN

**PART 1**



## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern South Sudan's power sector. The overview of South Sudan's power sector laws, regulations and policies will be in two parts. Part 1 focuses on South Sudan's power sector laws; Part 2 focuses on South Sudan's power sector policies and plans.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of South Sudan and our simplified guide on the electricity law in South Sudan, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **NATIONAL ELECTRICITY BILL, 2015**

- The purpose of the Bill in question is to establish a regulatory framework and define the objectives and functions of various entities within the electricity sector. Among these are the establishment of a separate regulator, licensing requirements for service providers, and specification of the Ministry of Energy and Mineral Development's functions with respect to rural electrification. However, there have been significant delays in the ratification of the Bill since its initial draft was created in 2015. As of November 2021, a revised version of the Bill has been presented to both Parliament and the President for ratification and assent into law.

## **SOUTH SUDAN ELECTRICITY CORPORATION ACT 2011**

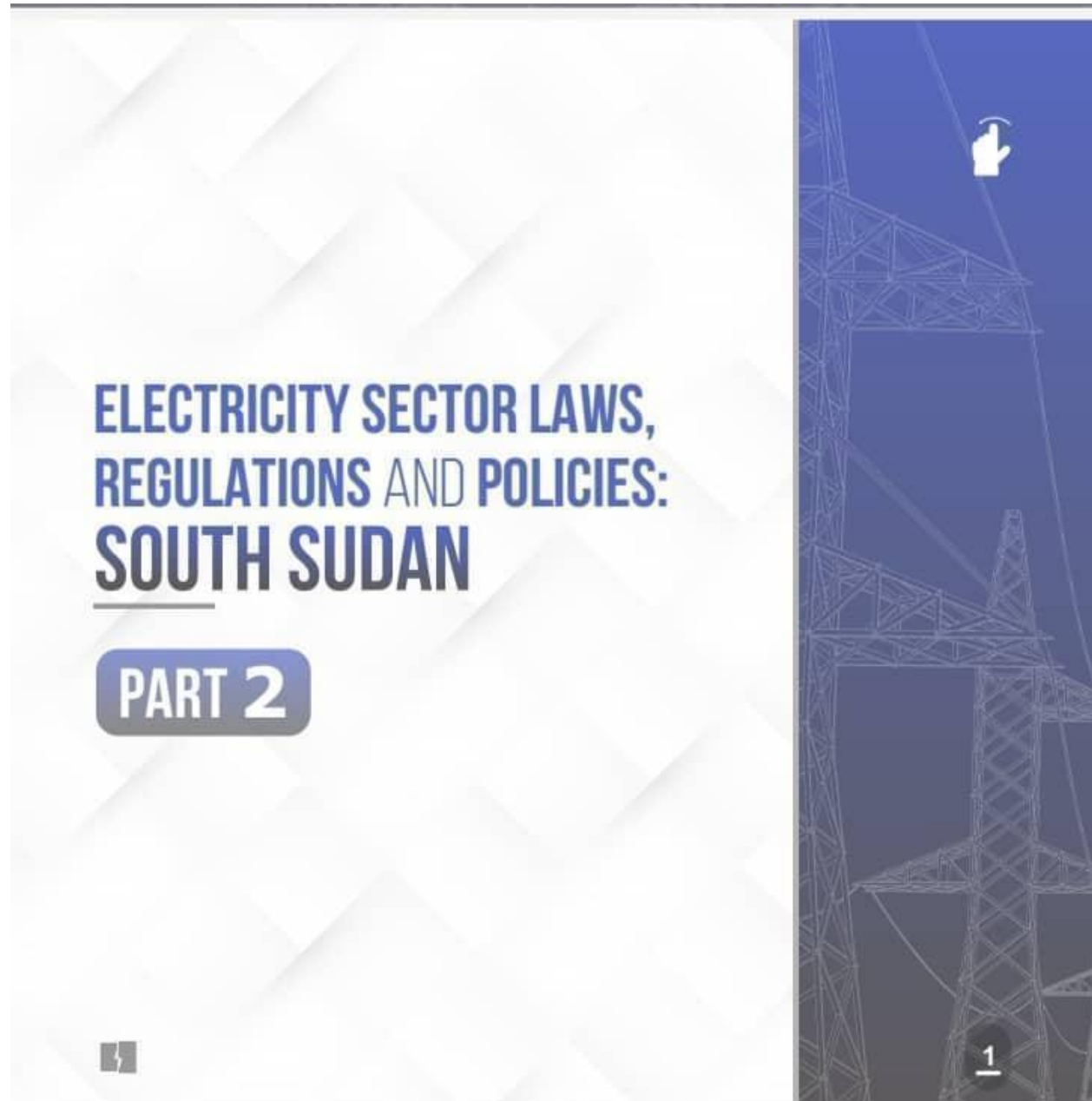
- The South Sudan Electricity Corporation was established by the Act and has been tasked with handling various responsibilities in the electricity sector. The Act provides SSEC with the power to create medium- and long-term plans for power generation and transmission, and to oversee the operation of the grid, including generation, transmission, and distribution.

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## **PART 2: SOUTH SUDAN**



## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in South Sudan's power sector is the last of a 2 Part series on south Sudan's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the South Sudan Power Sector. In this document, Part 2 of this series considers policies and plans in the Power Sector of South Sudan.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of South Sudan, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

## **SOUTH SUDAN NATIONAL ENVIRONMENT POLICY PAPER (2010)**

- The South Sudan National Environment Policy Paper is currently in draft form.
- The primary objective of the South Sudan National Environment Policy is to ensure the protection and conservation of the environment, and the sustainable management of renewable natural resources, to meet the present and future needs of the population. To achieve this goal, the policy outlines the following measures: (i) the enactment of legislations and regulations pertaining to environmental management to implement the policy (ii) the definition of responsibilities at different levels of governance, including those of private sector institutions (iii) Ensuring that environmental legal frameworks developed at various levels of government align with one another and with best practices in environmental management (iv) Ensuring that sector-specific environmental legal frameworks conform to environmental management requirements (v) Incorporating relevant provisions of multilateral agreements into domestic legislation; and (vi) Establishing environmental standards, guidelines, and indicators. These measures will help to ensure that activities are aligned with global environmental goals and that the country is doing its part to protect our planet.

### **SOUTH SUDAN ELECTRICITY SECTOR POLICY, 2013**

- The Policy was implemented in 2013 with the explicit objective of establishing fundamental relationships between sector agencies, their respective roles and responsibilities, and the regulation of the power sector in South Sudan. The Policy designated the Ministry of Energy and Dams (MoED) as the primary regulatory authority responsible for maintaining a balance between consumer and electricity service provider interests, and proposed funding mechanisms to finance power sector investments. Additionally, the Policy recognized the existence of both public and private sector service providers engaged in the generation, transmission, and distribution of electricity. MoED, through the South Sudan Electricity Corporation (SSEC), was also tasked with defining licensing procedures, tariff setting processes, operating standards, and procedures required for the efficient operation of the power sector

### **SOUTH SUDAN DEVELOPMENT PLAN (2011-2013, 2016)**

- The South Sudan Development Plan (SSDP) for the years 2011-2013 emphasizes the importance of developing the energy, mineral, and mining sectors, particularly in terms of oil and electricity. The SSDP was extended until 2016, during which time an economic development pillar was introduced to promote growth through a significant investment of 700 million dollars in the electricity sector. Such investment was identified as a key driver for economic progress

### **DISCLAIMER**

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**COTE D'IVOIRE**



**ELECTRICITY LAWYER  
LEGAL AND REGULATORY SERIES:  
COTE D'IVOIRE**

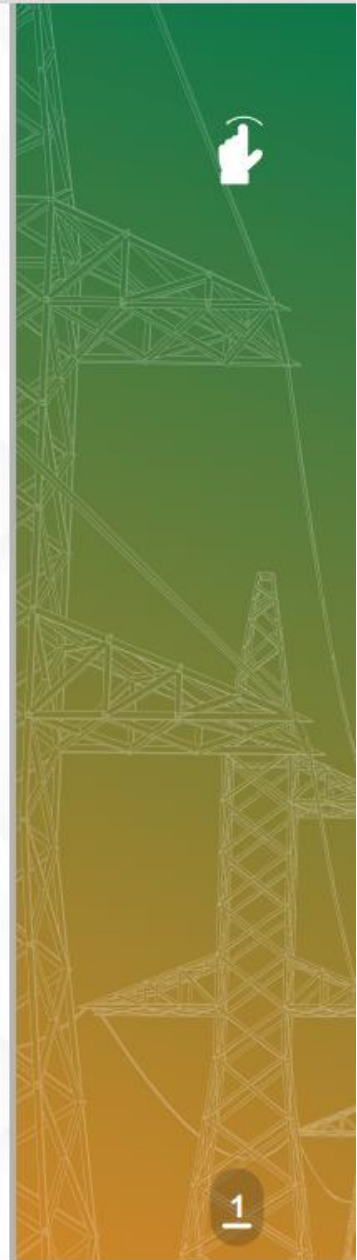
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**PART 1: COTE D'IVOIRE**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
COTE D'IVOIRE**

**PART 1**



## **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern the power sector of Cote D'Ivoire. The series will be in three parts. Part 1 focuses on Cote D'Ivoire's power sector laws, Part 2 focuses on power sector regulations and part 3 focuses on policies and plans.
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## **LAW NO. 2014-132 RELATING TO THE CODE OF ELECTRICITY**

- This law defines the general principles of organization, operation and development and sets specific rules for the electricity sector. It notably aims at 1) guaranteeing energy independence and security of electricity supply; 2) promoting the development of new and renewable energies; 3) developing electrical energy and promoting access to energy; 4) promoting energy management; 5) creating the economic conditions allowing for the return on investment; 6) promoting consumer rights; and 7) promoting competition and the rights of operators.
- Art. 30 states that the conclusion of an agreement and the issuance of a prior authorization for the exercise of activities in the field of renewable energies must take into account in particular: 1) the social well-being of the populations; 2) national economic development; 3) coverage of national electricity needs; 4) national food security.

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- The Decree stipulates the conditions for the sale of electricity produced by an IPP or surplus electricity produced by a self-producer. It states that IPPs wishing to sell to third parties ("eligible customers") must obtain permission from the regulator. This is not required for generators selling to the state.
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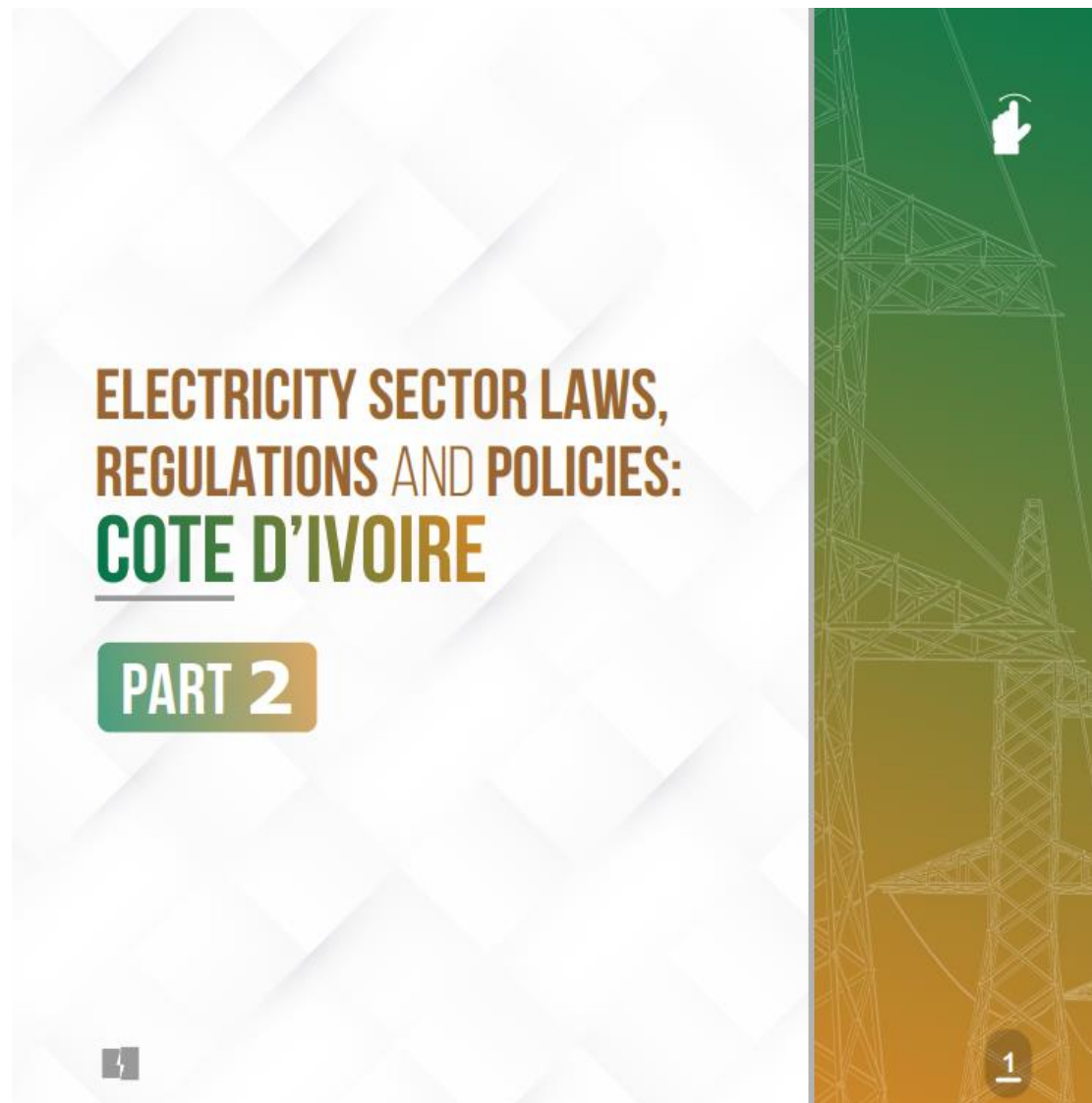
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## **PART 2: COTE D'IVOIRE**



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- The Order stipulates the penalties for non-compliance to performance indicators by concessionnaires involved in the generation, distribution and retailing of electricity via mini-grids and/or standalone systems.
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- It also elaborates on different standalone PV systems.
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### **PART 3: COTE D'IVOIRE**



### **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Cote D'Ivoire's power sector is the last of a 3 Part series on Cote D'Ivoire's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Cote D'Ivoire's Power Sector. Part 2 highlighted salient regulations and standards that are in operation in the Power Sector of Cote D'Ivoire. In this document, Part 3 of this series considers policies and plans in the Power Sector of Cote D'Ivoire.
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- Provides for baseline data on the state of energy efficiency development, and provide achievable energy efficiency targets, including Gender Indicators, based on potential national and socio-economic assessments.
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### **NATIONAL ENERGY ACTION PLAN RENEWABLES (PANER) 2016–2030**

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## **EQUATORIAL GUINEA**



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## **PART 1: EQUATORIAL GUINEA**

# **ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: EQUATORIAL GUINEA**

## **PART 1**



### **INTRODUCTION**

- This legal and regulatory series considers the salient laws, regulations and policies that govern Equatorial Guinea's power sector. The overview of Equatorial Guinea's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Equatorial Guinea's power sector laws and part 2 considers the power sector regulations in Equatorial Guinea.
- The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of

Equatorial Guinea and our simplified guide on the electricity law in Equatorial Guinea, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **DECREE NO. 03/2002**

- This law dictates electricity tariffs for all users in the electricity industry and it establishes the framework for identifying the costs of producing electricity from different sources such as: natural gas, hydro dams and fuel oil or diesel.
- It is considered as the most important piece of legislation governing the power sector of the country.

### **LAW DECREE NO. 20/2005**

- This Law makes electricity a cornerstone for the government's 2020 economic objectives to modernize the entire country of Equatorial Guinea.
- The Law sets out certain rules for using electricity on a national scale and the law serves as the basis for reforms in the electricity sector, by allowing for the transformation of the electricity sector.

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## **PART 2: EQUATORIAL GUINEA**

# **ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: EQUATORIAL GUINEA**

## **PART 2**



### **INTRODUCTION**

- This Legal and Regulatory series focused on salient laws in Equatorial Guinea's power sector is the second Part of a 2 Part series on Equatorial Guinea's Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Equatorial Guinea. Part 2 of this series considers salient regulations that govern the Power Sector in Equatorial Guinea.

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### **REGULATION 02/24**

- This Regulation provides conditions under the 2002 Law for high-priority projects to gain approval and regulates the approval of cross-border projects serving Equatorial Guinea's neighbors in the Central African Economic and Monetary Union (CEMAC) economic area.

### **MINISTERIAL ORDER NO 04/2013 - PETROLEUM OPERATIONS REGULATIONS**

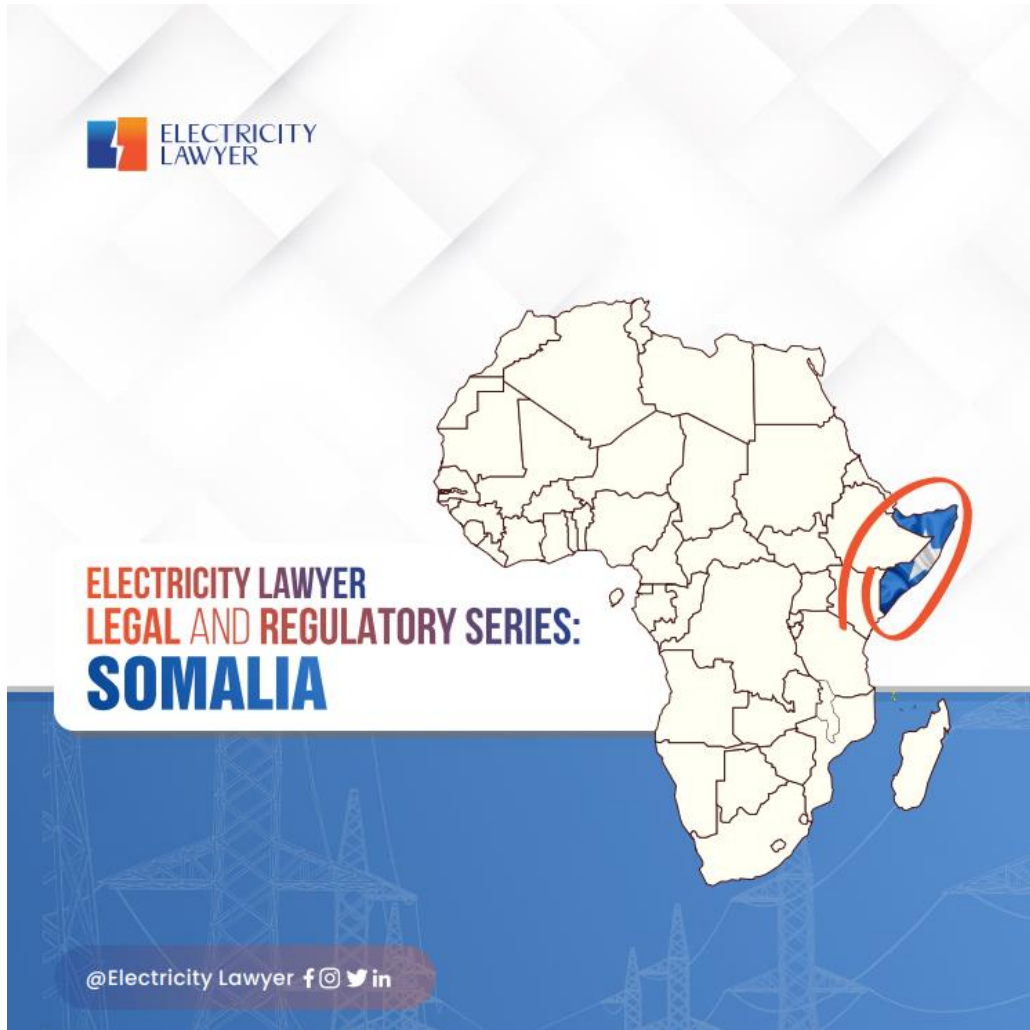
- This Regulation defines and establishes procedures and performance standards pertaining to petroleum operations in Equatorial Guinea, including exploration, evaluation, development, transportation, distribution, storage, refining, commercialisation and other related activities.
- This regulation also has provisions regarding inspection powers, the possibility of enacting technical standards, due metering and record keeping, calibration and certification requirements, royalties and taxes, gas pricing procedures, the need to present data and information upon request, and applicable penalties and sanctions.

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**Part 1 Somalia (2024-04-26)**

**SOMALIA**



# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: SOMALIA

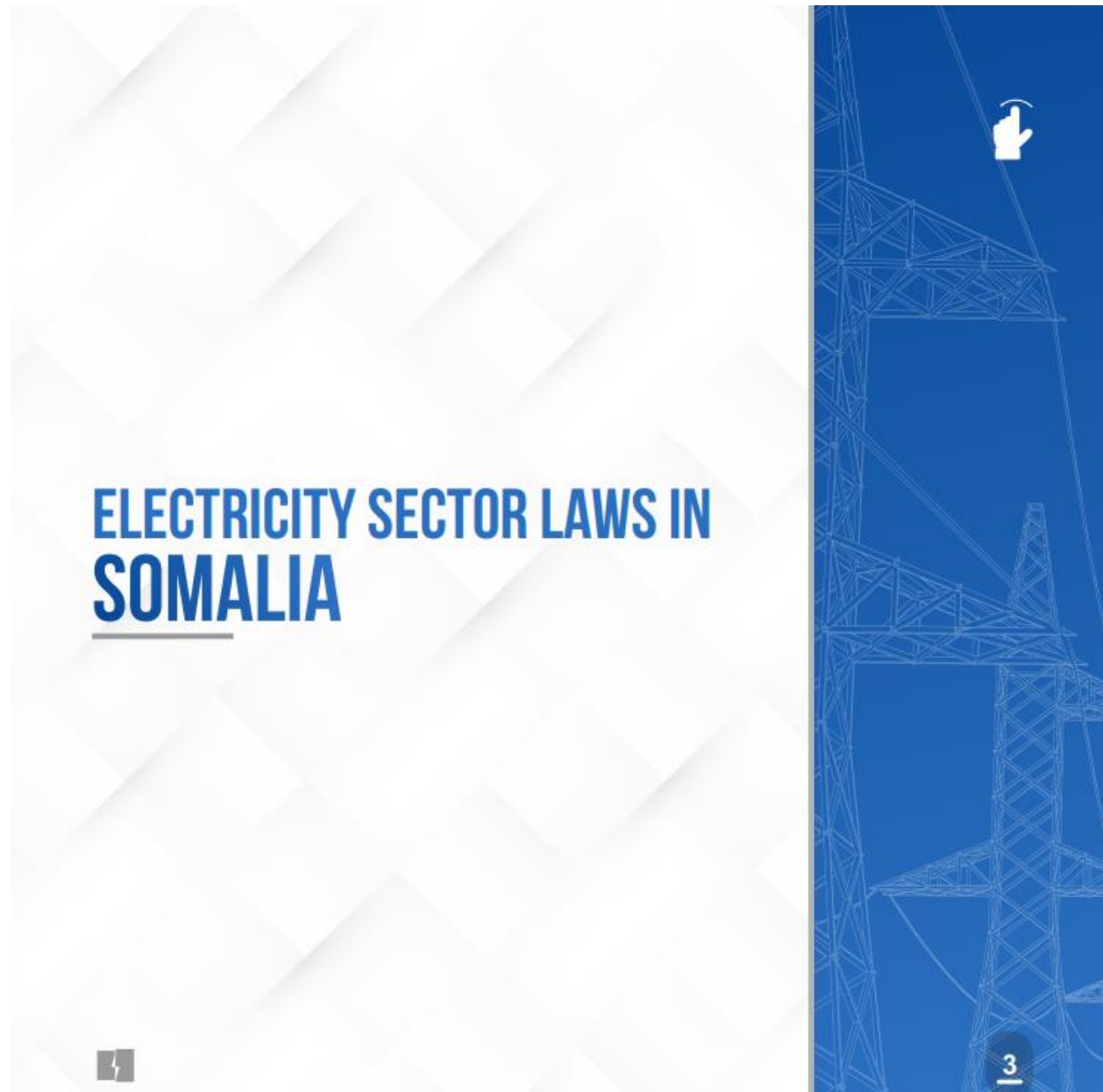
## PART 1



### INTRODUCTION

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Somalia and our simplified guide on the electricity law in Somalia, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)



### **NATIONAL ELECTRICITY ACT 2023**

- The recently enacted National Electricity Act 2023 of Somalia lays the foundation for a comprehensive overhaul of the Somali electricity industry. It is poised to significantly transform how energy is generated, transmitted, distributed, and consumed, ensuring



that electricity becomes more reliable, affordable, and accessible to people and businesses across the nation.

- The legislation introduces measures for: a. Establishing the National Electricity Authority, which will serve as the regulatory body to operationalize the Act, ensuring compliance, and promoting the use of renewable energy sources. b. Encouraging private sector participation and foreign investment by providing a clear and stable legal environment. c. Implementing national standards for service quality and environmental protection. d. Developing rural electrification programs to bridge the gap between urban and rural communities.
- The Act will fast track the establishment of The National Electricity Authority (NEA) which will operationalize the approved electricity act and ensure that its provisions are enacted efficiently and transparently.
- The NEA will be instrumental in licensing electricity service providers, setting tariffs, managing subsidies, and spearheading rural electrification initiatives.

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**PART 2: SOMALIA**



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# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: SOMALIA

## PART 2



### **TARIFFS & LICENSING REGULATION 2023**

- This regulation applies to all new and existing Electricity Service Providers in Somalia, in addition to any private and public company involved in:
  1. Generating, trading, importing or exporting, transmitting or distributing electrical energy, or
  2. Distribution of electrical energy to consumers
  3. Electrical transmission power management activities.

- The regulation provides that any licensee must demonstrate the ability to organize the required personnel in each of the following aspects before being granted a license, namely:
  1. Planning, engineering, construction, and management of fire generation and distribution facilities;
  2. Operations and maintenance of generation and distribution facilities;
  3. Customer relations
  4. Business administration, including audits, invoices, invoices, invoices,
  5. Administration, finance, management, rules and regulations, and accounting.
  6. Environment, health and safety;
  
- The regulations also provide that the licensor/regulatory agency may on its own or when it receives a complaint or information from a user, or customer association; initiate an investigation into the practices or activities of any Licensee and cancel/withdraw such license where Necessary.

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**PART 3: SOMALIA**



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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
SOMALIA**

**PART 3**



## **INTRODUCTION**

This Legal and Regulatory series focused on the policies and plans in Somalia’s power sector is the last of a 3-part series on Somalia Power Sector laws, regulations, and policies. Part 1 highlighted the laws that govern the Somalia Power Sector. Part 2 highlighted salient regulations and standards that are in operation in the Power Sector of Somalia. In this document, Part 3 of this series considers policies and plans in the Power Sector of Somalia.

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## **NATIONAL DEVELOPMENT PLAN (NDP9) 2020–2024**

- The NDP9 is a comprehensive and nationally owned strategy for poverty reduction and inclusive growth informed by a detailed analysis of the drivers of poverty, which include political fragility, conflict, insecurity and lawlessness, and climatic shocks.
- It aims at promoting human development, boost economic recovery, strengthening governance, establishing peace and security and making politics more inclusive.
- The NDP9 strategic interventions focus on four pillars:
  - a. Inclusive and Accountable Politics;
  - b. Improved Security and the Rule of Law;
  - c. Inclusive Economic Growth (including increased employment); and
  - d. Improved Social Development.
- Each pillar integrates cross-cutting policy priorities of:
  - a. gender, human rights and other kinds of social equity;
  - b. resilience of households, communities and the government;
  - c. durable solutions to long term displacement;
  - d. interface between humanitarian and development planning; and
  - e. governance.

## **THE SOMALILAND NDP II 2017–2021**

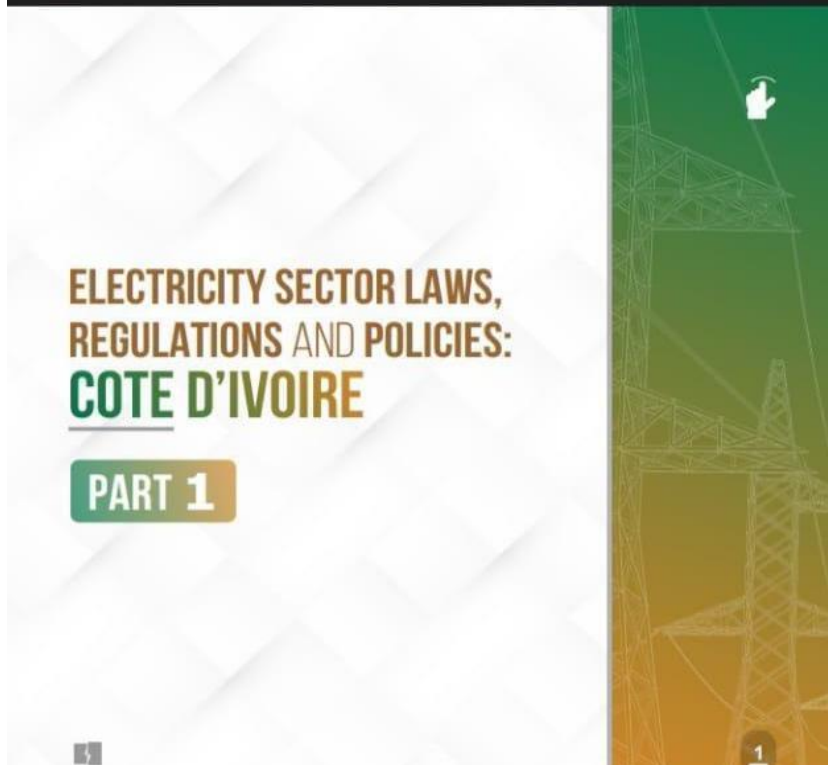
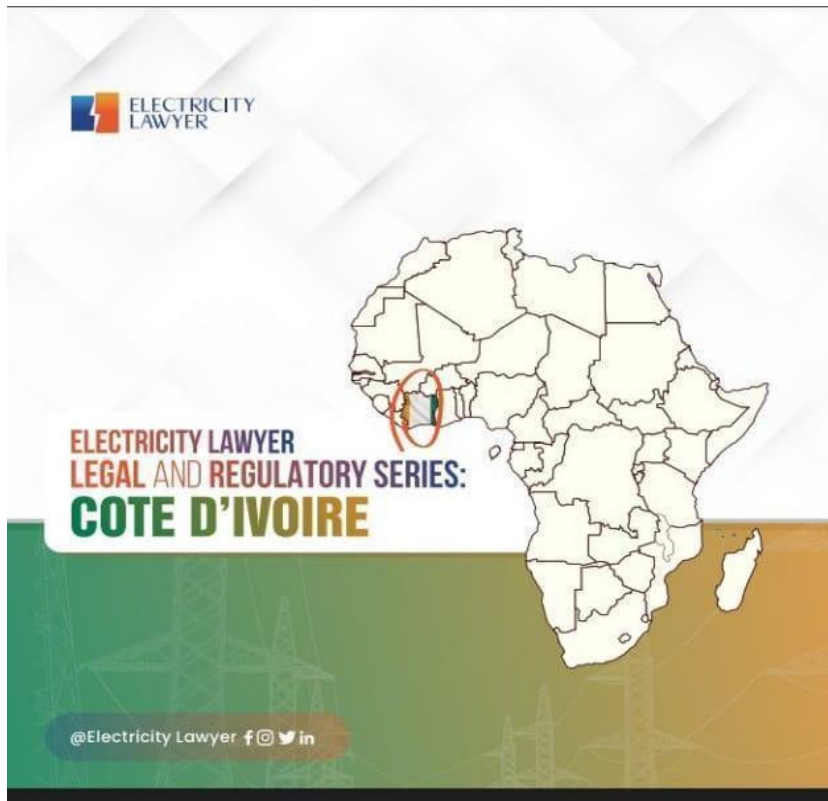
- The plan sets out the following goals:
  - a. To raise access to electricity to at least 85 percent and 25 percent Of Somaliland urban and rural households respectively;

- b. 10 percent of national energy generation to be provided by Renewable energy sources;
  - c. 30 percent reduction in the average tariff;
  - d. Increased investment in renewable energy technology,
- Infrastructure and research;
    - a. A reduction of system losses for energy service providers; and
    - b. Additional generation of 30 MW.

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## COTE D'IVOIRE

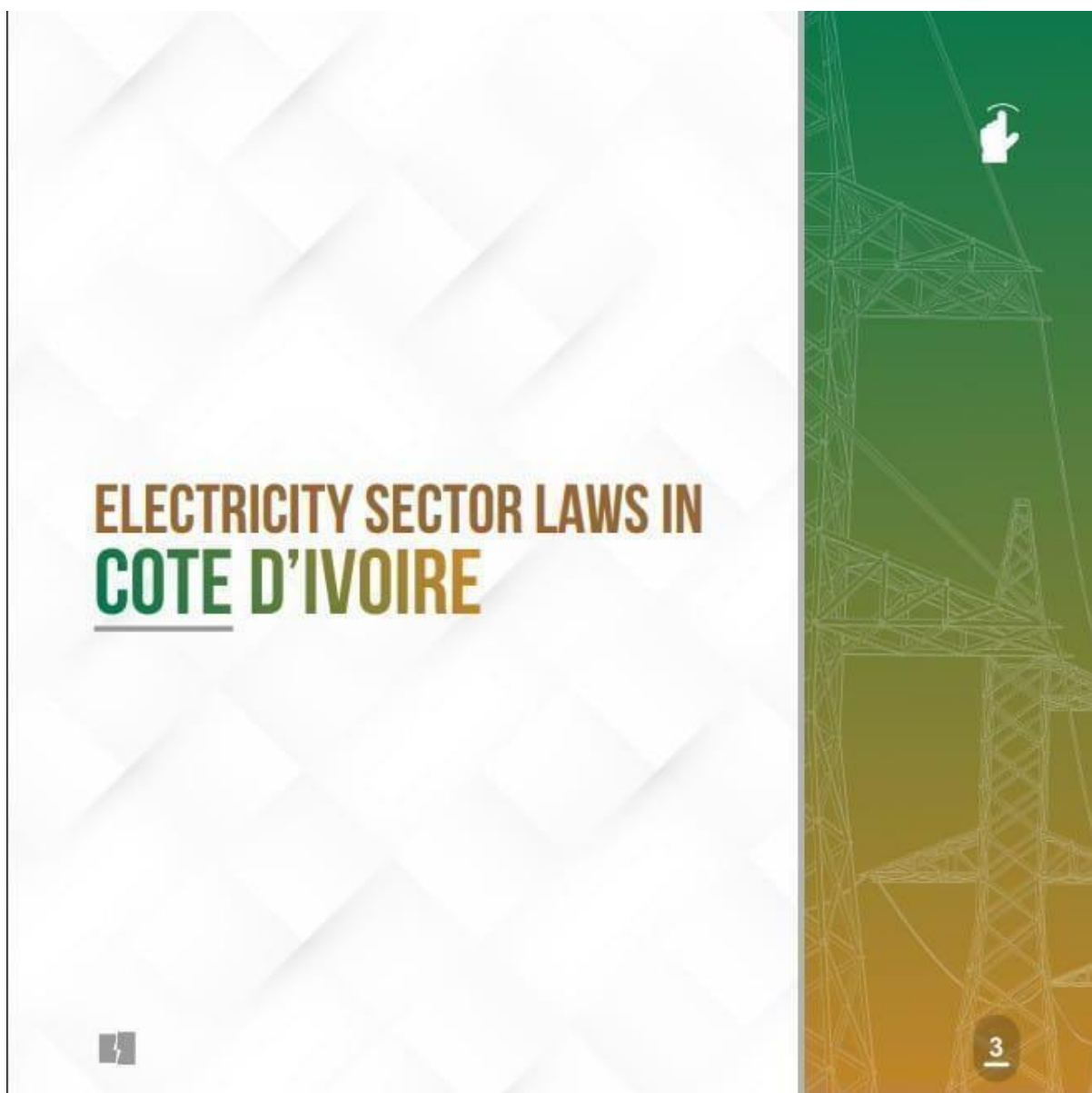




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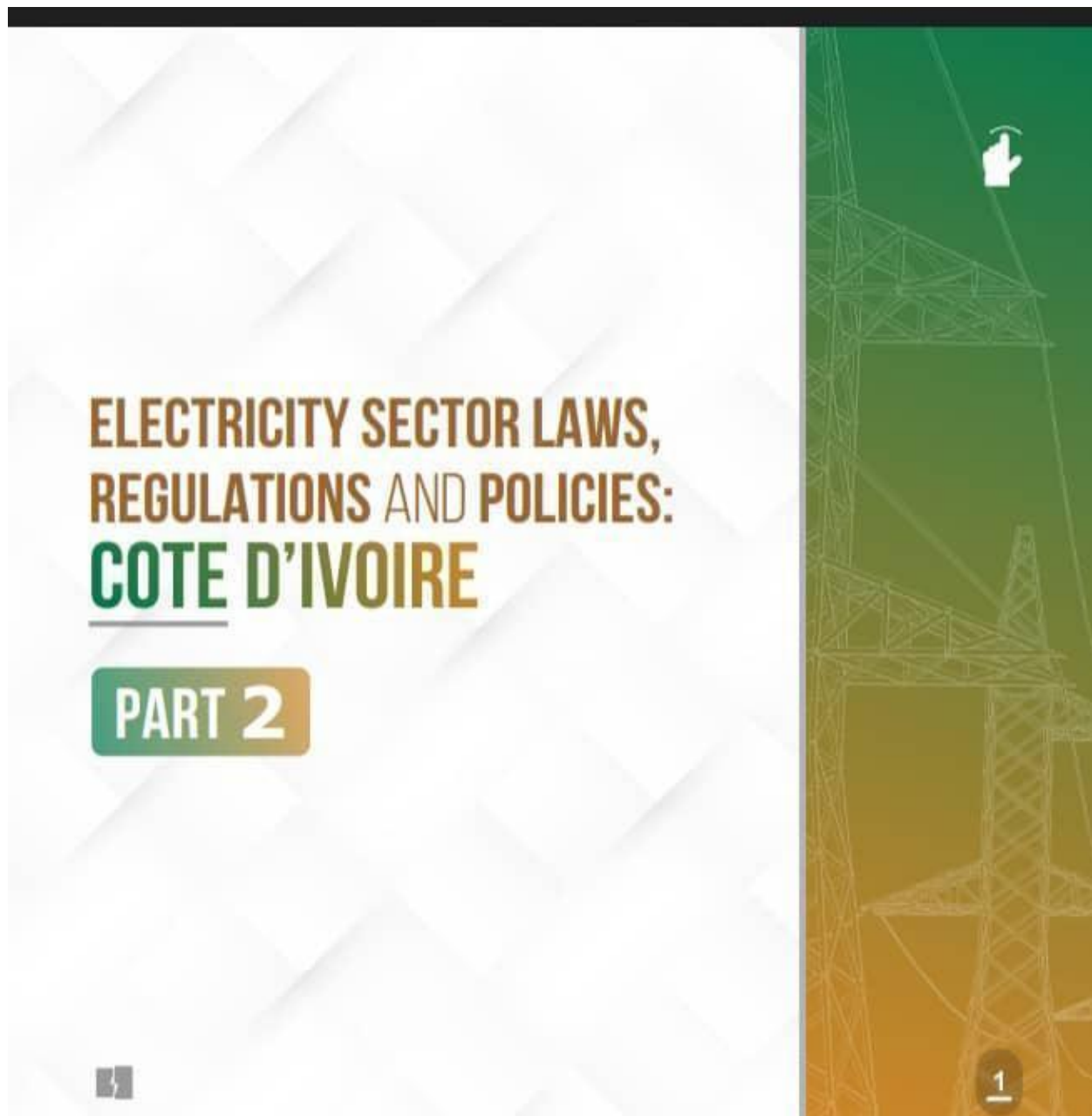
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**PART 2: COTE D'IVOIRE**



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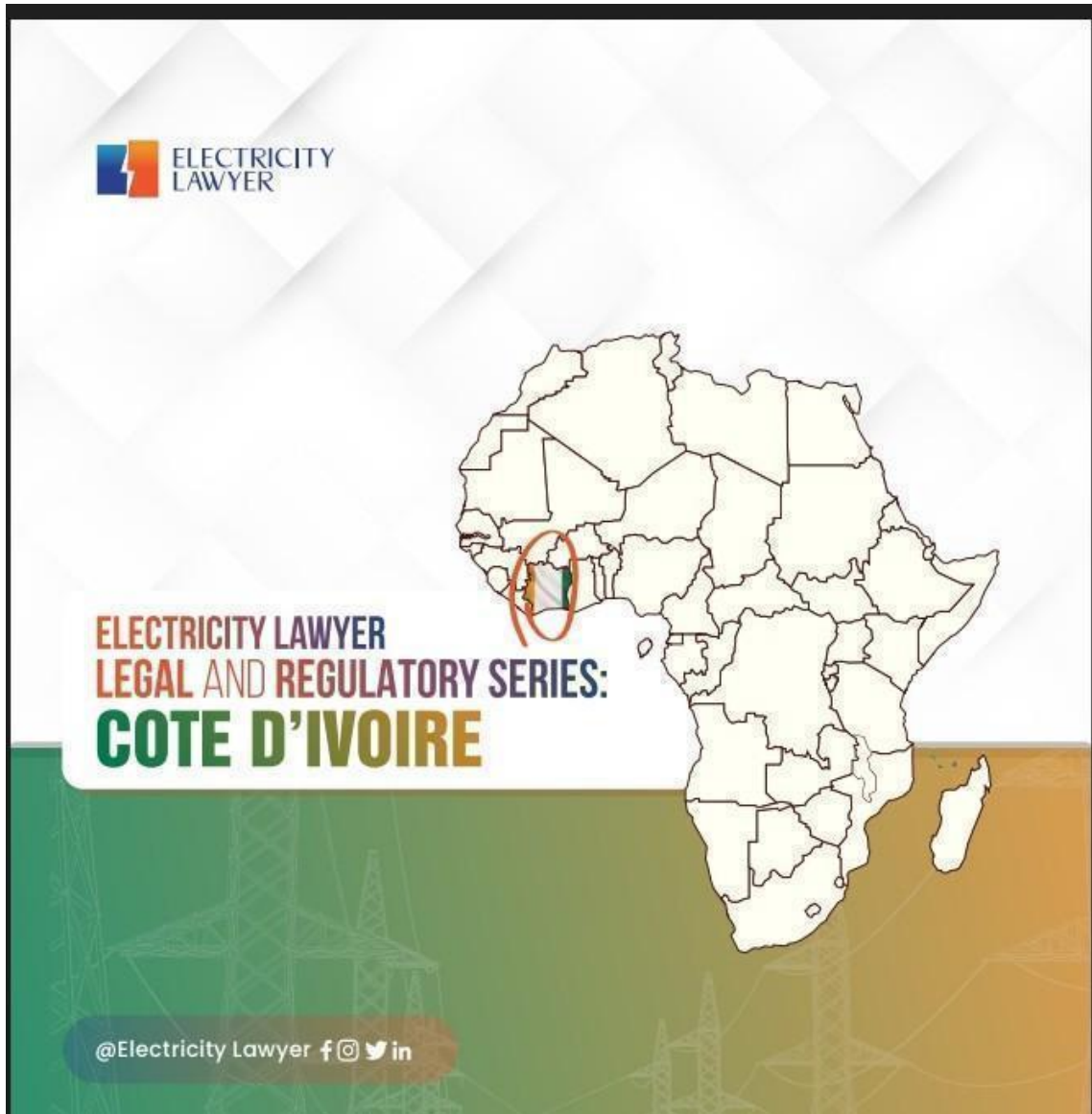
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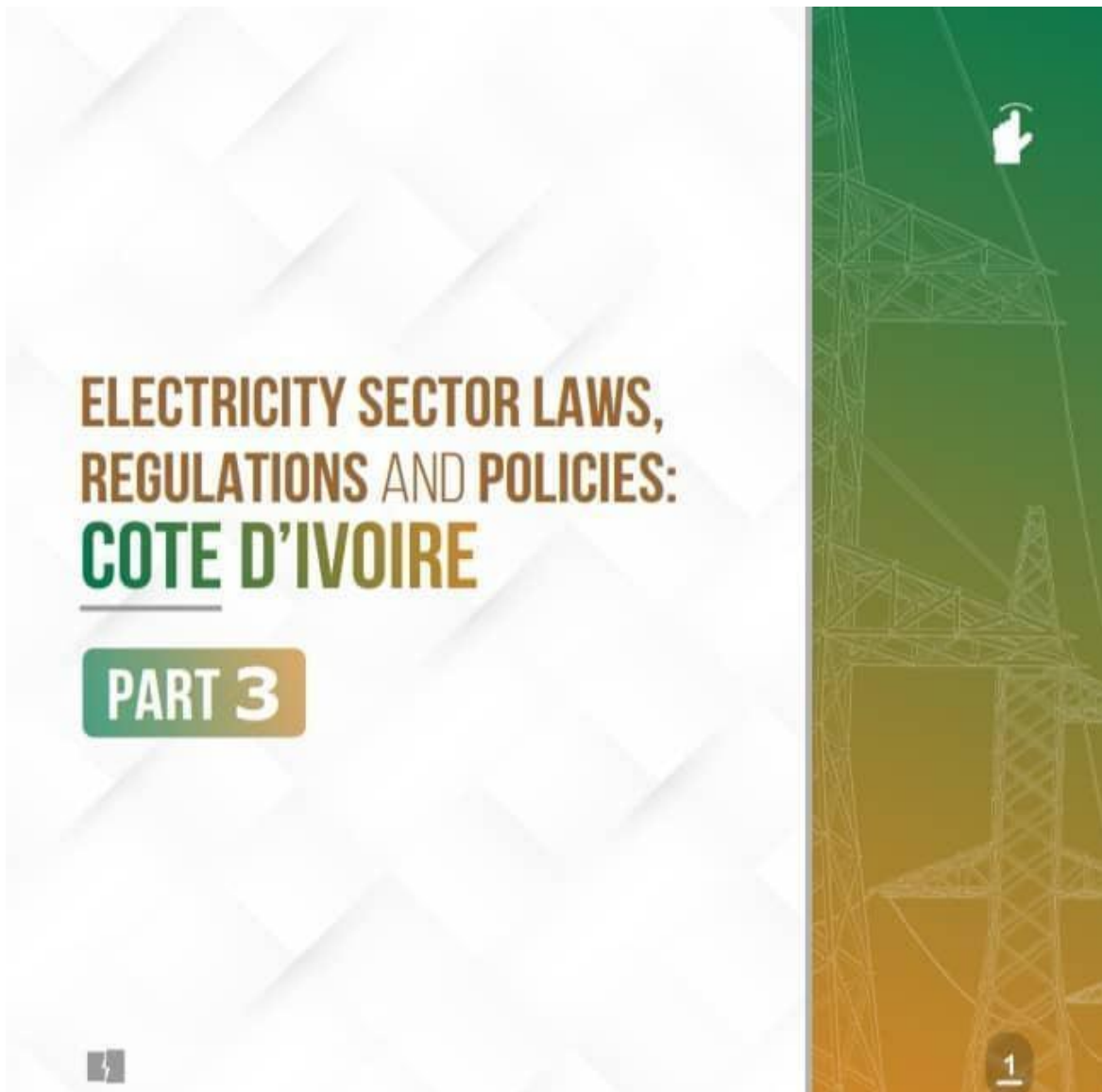
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**PART 3: COTE D'IVOIRE**





### **NATIONAL EFFECTIVENESS ACTION PLAN FOR ENERGY (PANEE) 2016–2030**

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### **LIBERIA**



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**ELECTRICITY SECTOR LAWS,  
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**PART 1**

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**INTRODUCTION**

This Legal and Regulatory series highlights the salient laws, regulations and policies that govern Liberia's power sector. The overview of Liberia's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Liberia's power sector laws, and Part 2 focuses on policies and plans in the power sector of Liberia. The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Liberia and our simplified guide on the electricity law in Liberia, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **ELECTRICITY LAW 2015**

- The Law establishes the legal and regulatory regime for the generation, transmission, distribution and sale of electricity within the country.
- The Law aims to facilitate the implementation of the National Energy Policy by expanding on a sustainable basis, the availability of electricity services; with the goal of attaining universal electrification, increase availability of electricity services needed to support economic growth, promote the development of renewable energy resources for electricity generation, maintain a financially viable and sustainable electricity industry, etc.
- Towards ensuring an efficient regulatory framework, the Law provides specific roles for the Minister, the Department of Energy, the Regulator, with respect to the electricity sector.
- The Law provides that licenses or registrations are needed to operate a generation, transmission or distribution facility in excess of a threshold defined by the regulator, the importation or exportation of electricity, the trading of electricity or in carrying out the activities of a transmission system operator.

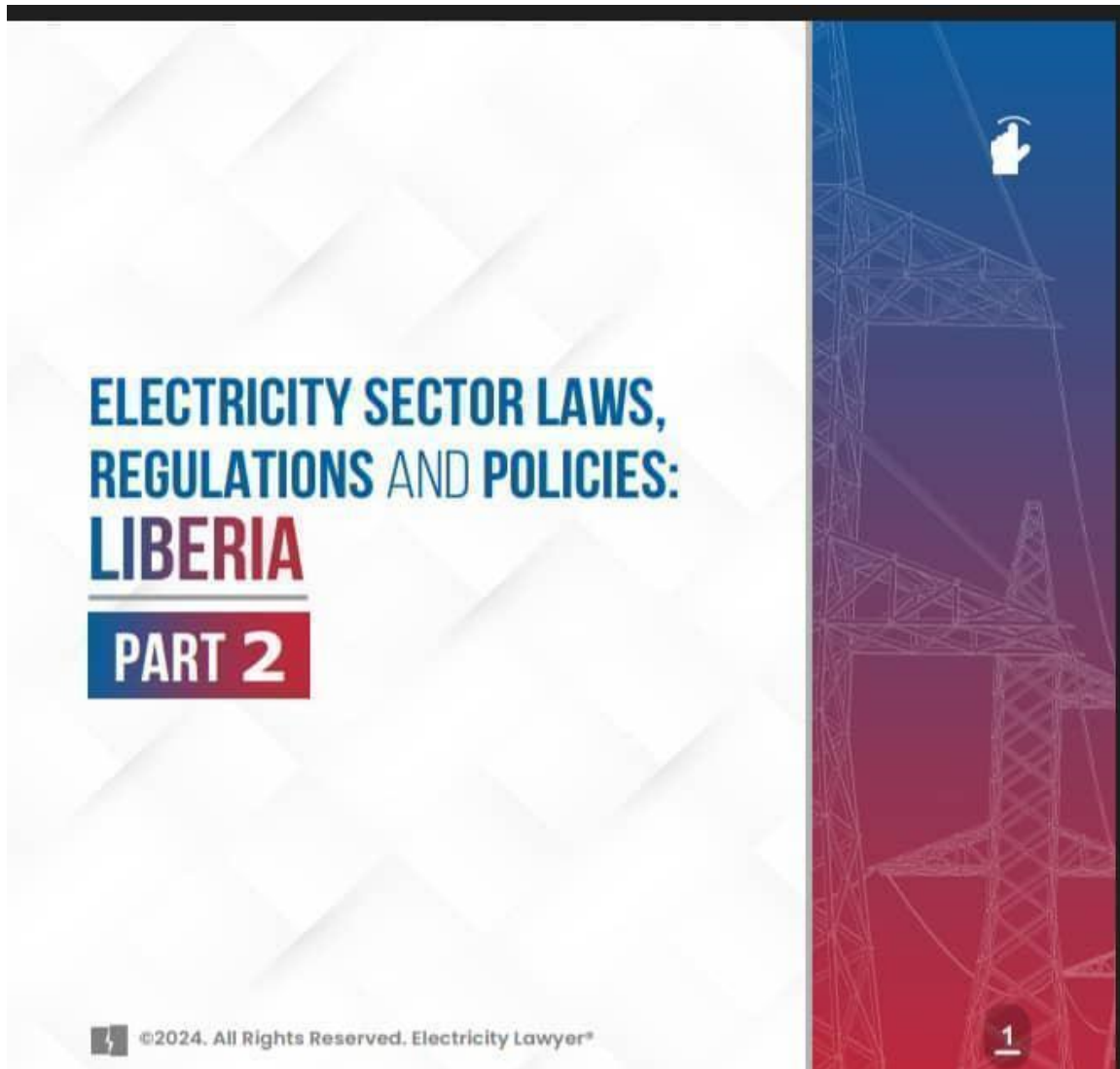
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## **PART 2: LIBERIA**





## **INTRODUCTION**

This Legal and Regulatory series focused on the policies and plans Liberia’s power sector is the last of a 2 Part series on Liberia’s Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Liberia’s Power Sector. In this document, Part 2 of this series considers policies and plans in the Power Sector of Liberia.

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## **NATIONAL ENERGY POLICY 2009**

- The objective of the National Energy Policy for Liberia (NEP) is to ensure universal access to modern energy services in an affordable, sustainable, and environmentally-friendly manner to foster the economic, political, and social development of the country.
- The NEP assumes the implementation of proposed energy sector reforms founded on three essential features:
  1. Demonstrating the Government's resolve for good governance and ensuring financial transparency in all sector transactions.
  2. Overcoming the significant obstacles to private sector investment in energy supply.
  3. Creating the requisite institutional and legal framework and an independent regulatory regime.
- The NEP addresses strategic issues that are implied in the principal policy objective – access, quality, cost, and institutional framework. These issues refer to the need for the various technologies and delivery options for energy products and services to be available, acceptable, affordable, and adequate. The policy sets out objectives and outlines actions to be undertaken for the electricity sector reform and the petroleum sector reform. Further, it lays down principles and objectives dealing with renewable energy development in rural areas.
- The aim is to facilitate and accelerate the economic transformation of rural Liberia by establishing a semi-autonomous agency dedicated to the commercial development and supply of modern energy services to rural areas, with an emphasis on locally available renewable resources.
- It is the policy of the Government to ensure that the use of biomass and other renewable resources of energy do not contribute to deforestation or to food insecurity and will on the contrary adopt appropriate environmental and agricultural support strategies such as tree-replanting programs and limiting biofuel production to non-edible plants or food crops.
- Regarding the institutional framework, the policy objective is to establish an adequate delivery process for energy products and services through a public and private partnership where investment in new infrastructure and services is provided by the private sector to the greatest extent possible, with the public sector providing the supporting policy environment and regulatory oversight.

- The NEP provides for the creation of the Rural and Renewable Energy Agency and the REFUND (Rural Energy Fund).

### **RURAL ENERGY STRATEGY AND MASTER PLAN (RESMP) 2016 – 2030**

- The Master Plan was promulgated by the Rural and Renewable Energy Agency in 2016, to be implemented over a 14-year period, ending in 2030.
- The RESMP aims to set clear targets, to identify least-cost projects and technologies, to propose concrete investments for funding and implementation, with appropriate institutional framework and capacity to increase energy access and renewable energy deployment to the country's rural areas and population – i.e., all areas and population outside of greater Monrovia.

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### **GUINEA BISSAU**



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**GUINEA BISSAU**

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## **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern Guinea Bissau's power sector. The overview of Guinea Bissau's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Guinea Bissau's power sector laws; and Part 2 focuses on policies and plans in Guinea Bissau's power sector. The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Guinea Bissau and our simplified guide on the electricity law in Guinea Bissau, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **Decree-Law No.3/2007**

- This decree serves as the primary legislation governing the power sector of Guinea Bissau and provides guidelines to relevant stakeholders in the power sector on the generation, transmission, distribution, import and export of electrical energy.
- The decree also stipulates the roles of stakeholders forming part of the government to include ensuring continuity and efficiency in energy supply at low cost, ensuring diversification in the sources of energy used for supply, maintaining a transparent legal framework for investments, encouraging fair competition amongst participants in the power sector, and the protection of consumer interests, etc.

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**PART 2: GUINEA BISSAU**



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**GUINEA BISSAU**

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# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: GUINEA BISSAU

## PART 2

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### **NATIONAL ACTION PLAN FOR THE RENEWABLE ENERGY SECTOR (PANER) OF GUINEA-BISSAU PERIOD 2015-2030**

- The plan aims to transform the energy sector in the decade 2015-2025, with strong investment in improving energy access both on grid and off grid, exploit available renewable energies, and improve efficiency and reliability.

- The objectives include reaching by 2030: 80% of access to electricity, 50% of renewable energies in the national grid (and 80% in isolated systems), and 75% of access to clean cooking solutions.

### **NATIONAL DEVELOPMENT PLAN OF GUINEA-BISSAU 2020-2023**





- The proposed initiatives include promoting better access to modern energy services, strengthening ecological connectivity and adaptation to climate change impacts through investment and capacity building to support sustainable management, implementing integrated cross border water resources management in the Corr Basin.
- Improving energy access services through renewable energies, enhancing the resilience of cattle in Guinea-Bissau against drought, combating food insecurity in the Oio and Cacheu regions of Guinea, hybridizing thermal power plants for electricity production in Guinea Bissau.
- Establishing a climate finance mechanism to promote investments in energy and implementing a national adaptation planning process in Guinea Bissau, reinforcing climate information and systems, restoring ecosystem services based on adaptation through early warning and daptation, and supporting the transformation of climate-resilient structures in African SIDS.
- Other projects include implementing smart agriculture practices in Les, constructing and managing a sanitary landfill by regional administrators, increasing capacity in a reference laboratory through the assembly and operationalization project, elaborating and implementing the national adaptation plan to changes in the Tchetchi Corridor and Salif-Xitole project, and stimulating the national biosafety program.

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**ELECTRICITY LAWYER**  
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**REPUBLIC OF NIGER**

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# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: REPUBLIC OF NIGER

## PART 1

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### **Legal and Regulatory Series: Niger Part 1**

#### **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern Niger’s power sector. The overview of Niger’s power sector laws, regulations and policies will be in two parts. Part 1 focuses on Niger’s power sector laws; Part 2 focuses on policies and plans in Niger’s power sector. The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Niger and our



simplified guide on the electricity law in Niger, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

#### **LAW NO. 98-56 OF DECEMBER 29, 1998**

- Article 17 of Law No. 98-56 of December 29, 1998, relating to the framework law on environmental management provides that the resources of the National Environmental Fund established in Article 15 of the law may be allocated to operations that promote new and renewable energies.

#### **LAW NO. 2003-004 OF JANUARY 31, 2003**

- Law No. 2003-004 of January 31, 2003, relating to the electricity code, which governs the activities of production, transport, and distribution in addition to import and export of energy electricity in Niger does not distinguish the sources from which electricity is produced.

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**PART 2: REPUBLIC OF NIGER**



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# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: REPUBLIC OF NIGER

## PART 2

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### INTRODUCTION

- This Legal and Regulatory series focused on the policies and plans in Niger's power sector is the last of a 2 Part series on Niger's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Niger's Power Sector. Part 2 of this series considers policies and plans in the Power Sector of Niger.
- **The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Niger, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)**

# ELECTRICITY SECTOR POLICIES IN THE REPUBLIC OF NIGER



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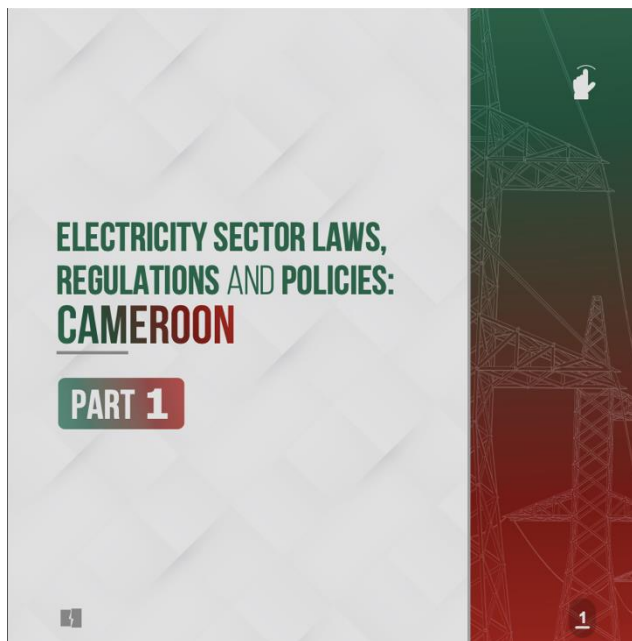
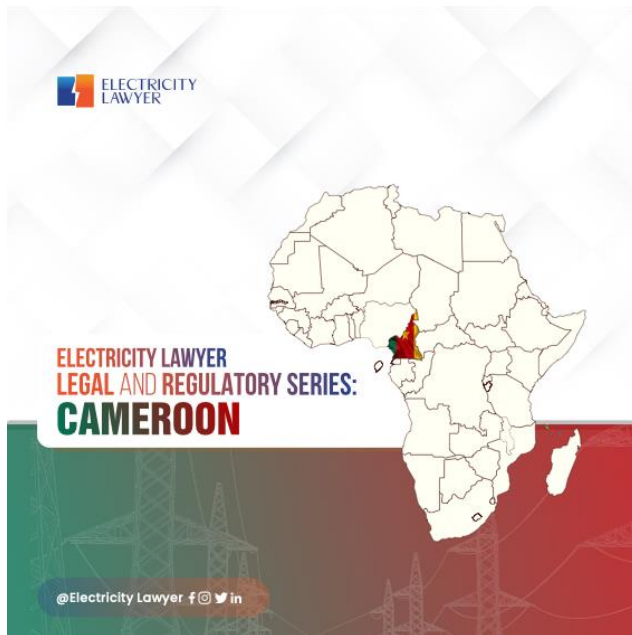
**THE NATIONAL STRATEGY AND ACTION PLAN DOCUMENT ON RENEWABLE ENERGIES  
ADOPTED BY DECREE NO. 2004- 031/PRN/MME OF JANUARY 30, 2004**

- The plan sets specific objectives which includes to encourage the promotion of renewable energy systems; lighten women's domestic tasks; reduce pressure on forest resources and restore potential; promote rural electrification with the option of renewable energies; promote education, training, research and development in renewable energies, etc.

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## **CAMEROON**



### **Legal and Regulatory Series: Cameroon Part 1**

#### **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern the power sector of Cameroon. The series will be in three parts. Part 1 focuses on Cameroon's power sector laws, Part 2 focuses on power sector regulations

and part 3 focuses on policies and plans. The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Cameroon and our simplified guide on the electricity law in Cameroon, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **Law No 98/022, 1998**

- The law which was promulgated on the 24th of December 1998 liberalised the electricity sector in Cameroon as part of its reformation. The law also established the Electricity Sector Regulatory Agency (ARSEL) and the Rural Electrification Agency (AER) for the purpose of augmenting renewable energy utilization and rural electrification for the power sector.

### **Decree No 2000/464/PM of 30 June 2000**

- The Electricity Decree served as a complementary law to the previous law of 1998. The decree contains provisions supporting the liberalization and privatization of the power sector.

### **Law Governing the Electricity Sector in Cameroon, 2011**

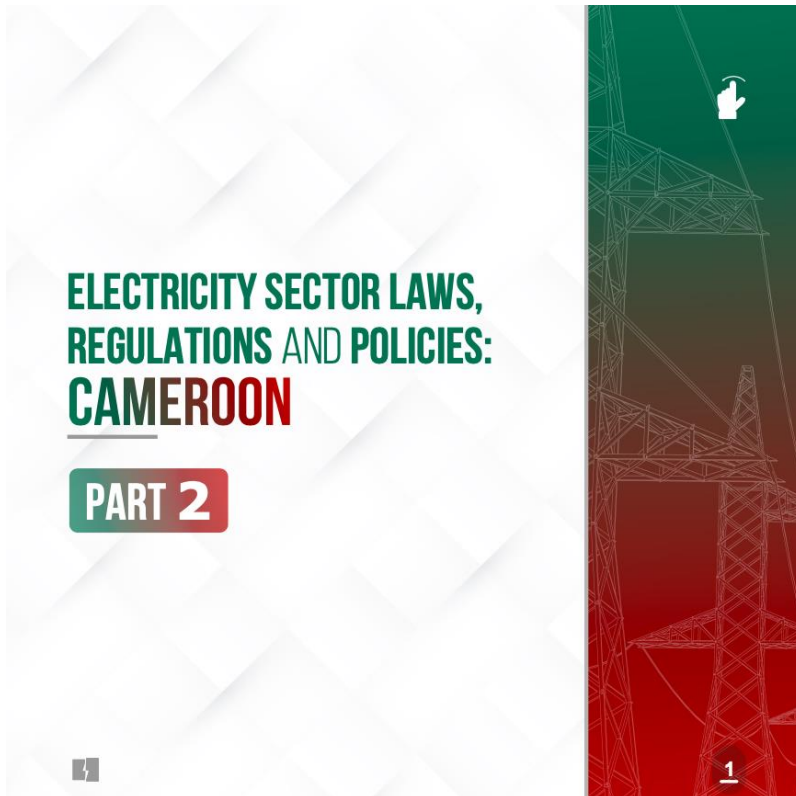
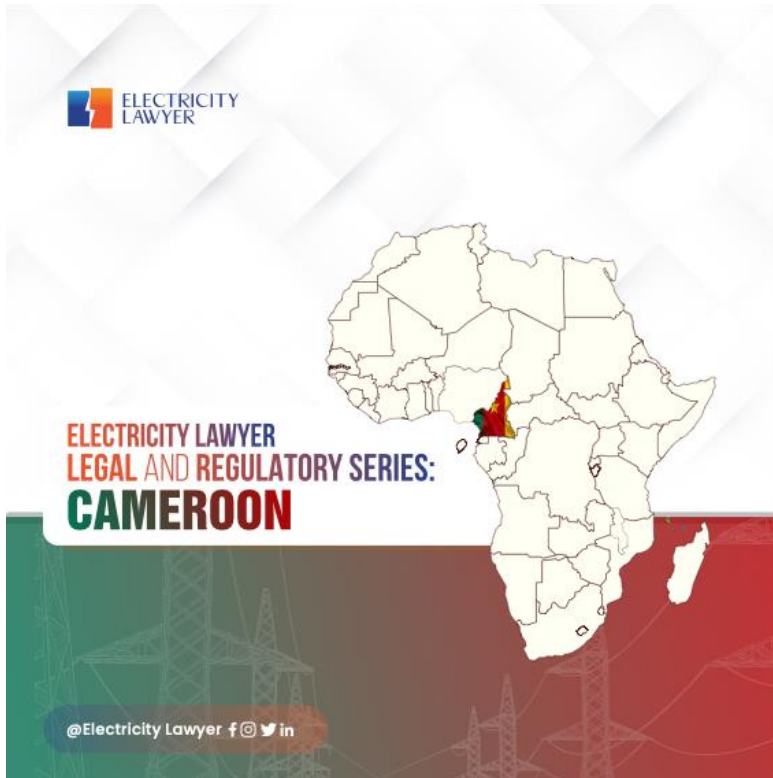
- This is the primary legislation governing the electricity sector in Cameroon. The law was adopted in November 2011 with a view to ensuring the modernization and development of the electricity sector.
- The law provides guidelines on safety measures to be adhered to in the electricity sector, concession agreements, licensing, authorization, dispute resolution, amongst others.
- Furthermore, the Law was promulgated to establish a special regime aimed at developing renewable energy, including solar, wind and hydroelectric energy and biomass below 5 MW by simplifying the approval process to a simple authorization from the Electricity Sector Regulation Agency, rather than a tender process as contained in Section 60(1) of the law.
- Further provisions in Section 61(1) of the law also allow a simple authorization by the same agency for the supply of electricity of 1MW or less by a power generator for use in rural areas



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## **PART 2: CAMEROON**



## **INTRODUCTION**

This Legal and Regulatory series focused on salient laws in Cameroon's power sector is the second part of a 3-part series on Cameroon's Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Cameroon. Part 2 of this series considers salient regulations that govern the Power Sector of Cameroon.

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### **Decree No 2000/464 of 30 June 2000**

- Establishes the Electricity Sector Regulatory Agency (ARSEL) and defines its organization and functioning
- Ensures regulation, control and monitoring of electricity sector operators
- Its missions include ensuring compliance with laws, protecting consumer interests, ensuring fair competition, granting authorizations, and settling disputes

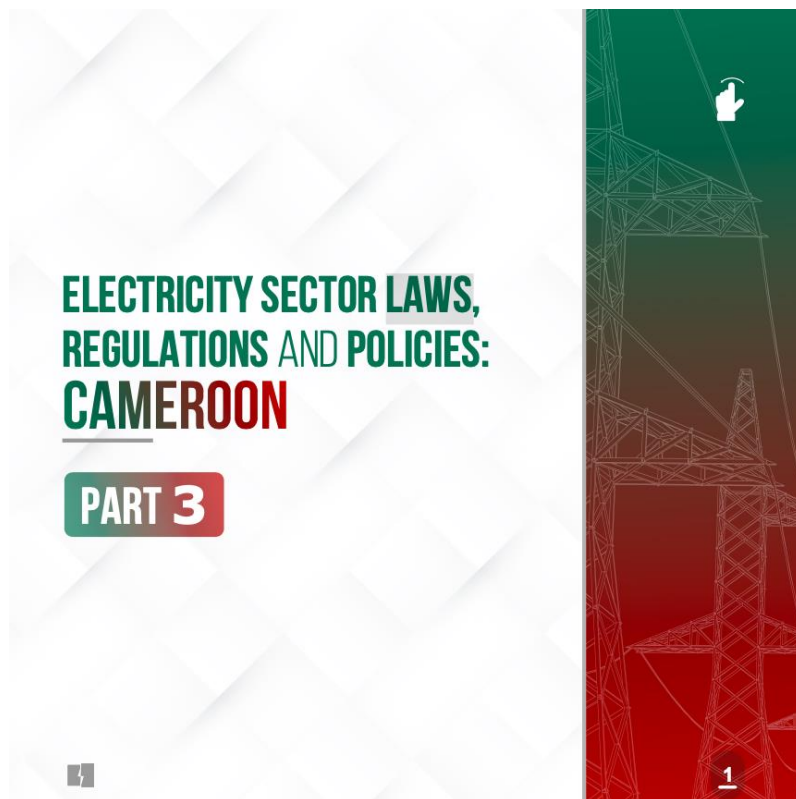
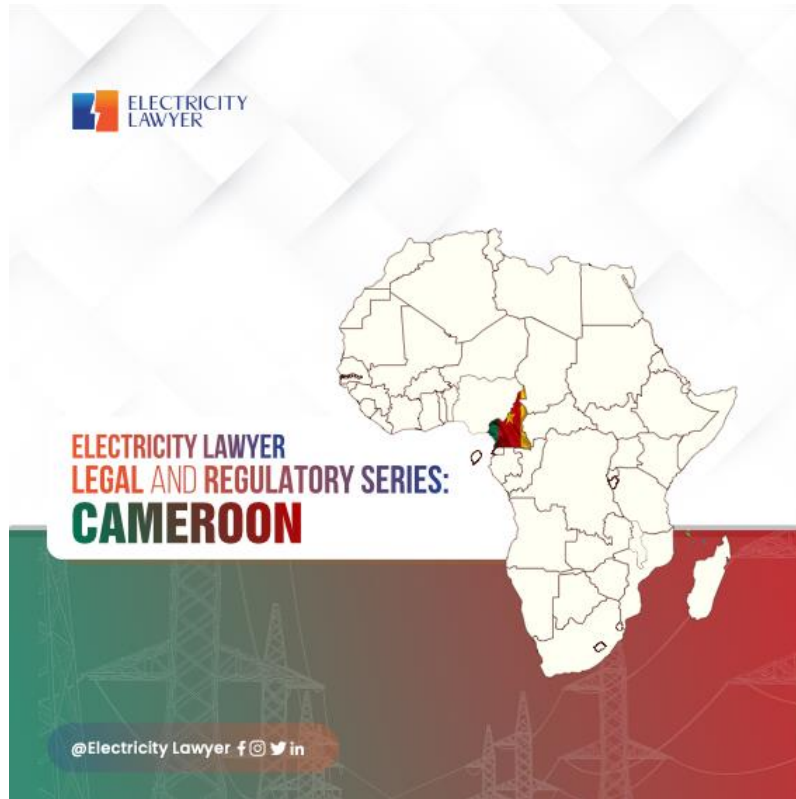
### **Decree No 2001/165 of 8 May 2001**

- Establishes the Rural Electrification Agency (AER) and defines its organization and functioning
- AER is responsible for promoting rural electrification and facilitating access to electricity in rural areas

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## PART 3: CAMEROON



## **INTRODUCTION**

This Legal and Regulatory series focused on the policies and plans in Cameroon's power sector is the last of a 3-part series on Cameroon's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern Cameroon's Power Sector. Part 2 highlighted salient regulations and standards that are in operation in the Power Sector of Cameroon. In this document, Part 3 of this series considers policies and plans in the Power Sector of Cameroon.

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### **Electricity Sector Development Plan 2030**

- The Electricity Sector Development Plan was promulgated by the Cameroonian government in cohort with the World Bank.
- The Development Plan aims for the attainment of increased utilization of hydropower stations as well as gas-and oil-fueled power stations to ensure consistency in the development of electricity supply and demand by 2030
- The Development Plan also aims towards the attainment of a 75% electrification rate for the State by 2030, based on provisions contained in the Rural Electrification Master Plan.

### **Rural Electrification Master Plan 2035**

- The Rural Electrification Master Plan outlines strategies to be employed by the Cameroonian energy sector towards the provision of electricity to rural areas up until 2035.
- The Master Plan outlines four programmes or approaches which will be used to meet its target of 660 localities to receive electricity: the extension of interconnected grids, repair of old and damaged diesel-powered and hydro mini-grids, the installation of solar energy-based electrification technologies, and the integration of the national grid with neighbouring countries.

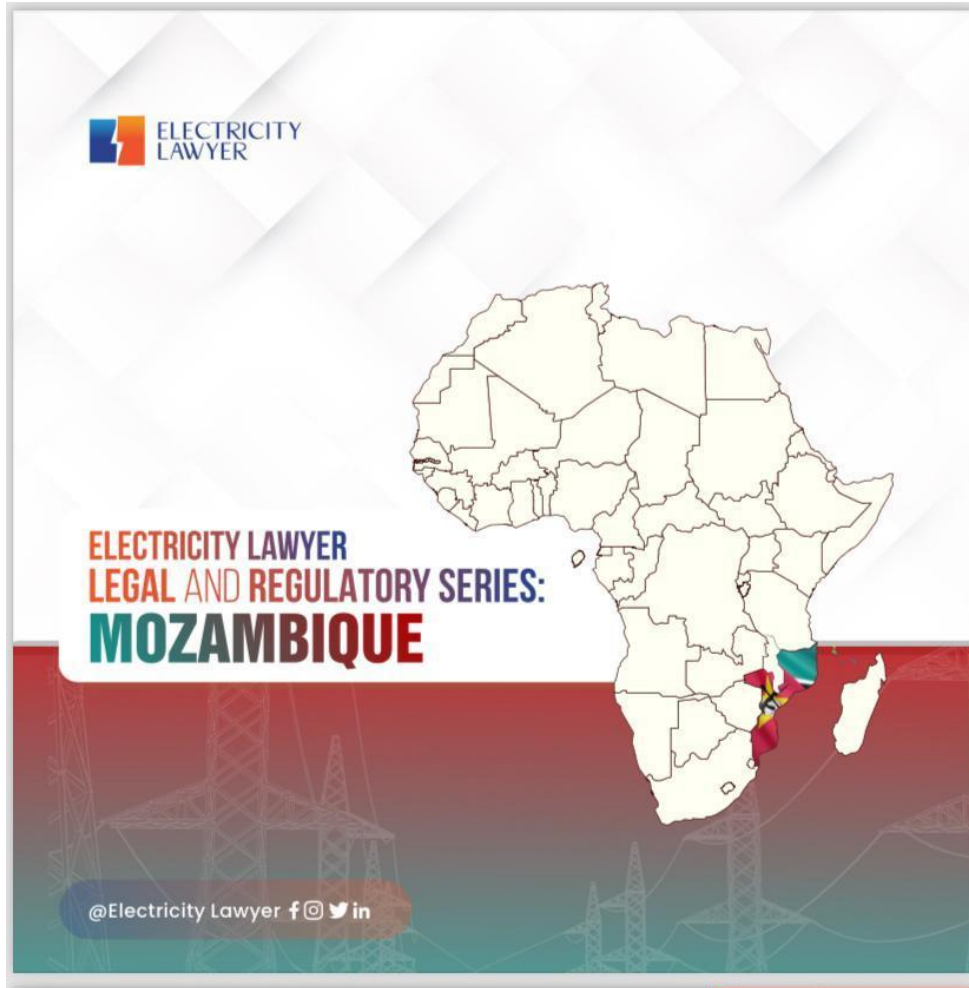
## **Cameroon Vision 2035**

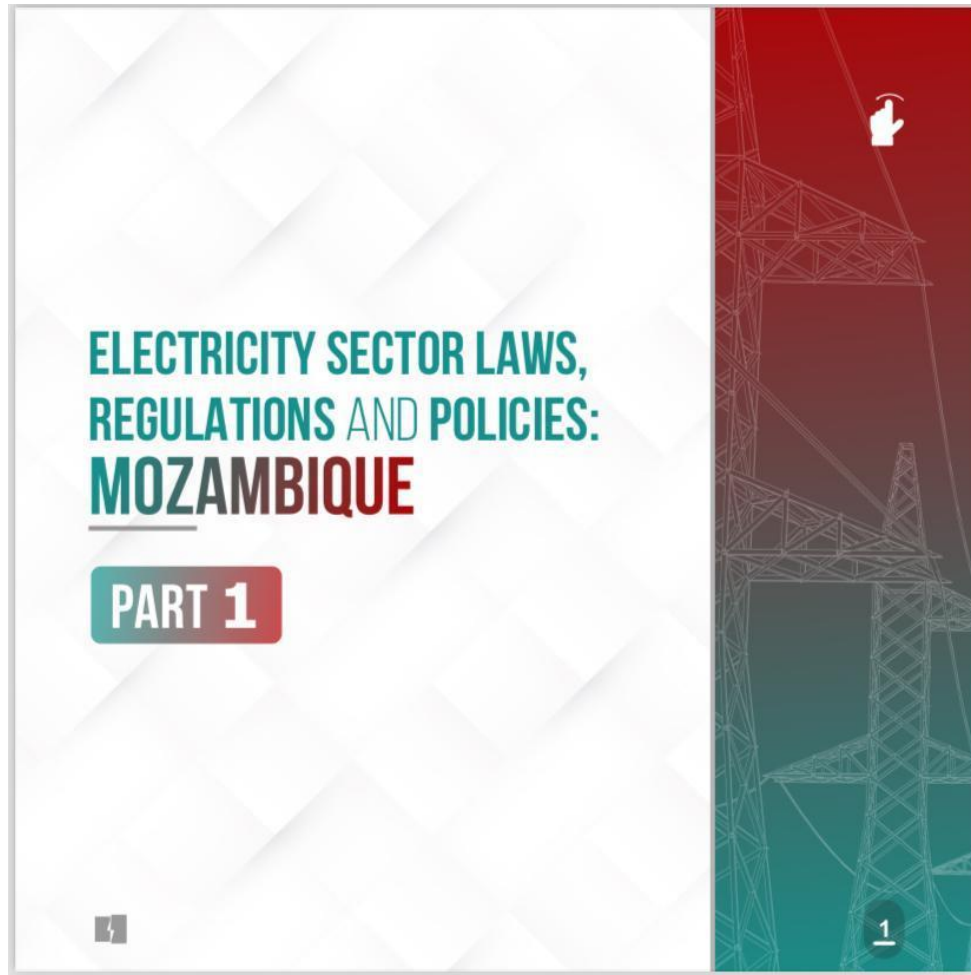
- This policy is a strategy programme containing guidelines for the development of Cameroon and certain goals to be met by the State by 2035.
- The Vision 2035 strategy places energy infrastructure as a significant aspect to the growth of the State and looks to employ renewable energy resources in the increase of electricity production, revitalization of transmission and distribution facilities, and the provision of revenue for the State.

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## **MOZAMBIQUE**





## **PART 1: MOZAMBIQUE**

### **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern Mozambique's power sector. The overview of Mozambique's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Mozambique's power sector laws and part 2 considers the power sector regulations in Mozambique.

The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Mozambique and our simplified guide on the electricity law in Mozambique, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)



### **Electricity Law No 21/97 of October 1997**

- This Law is Mozambique's main energy legislation. This is the primary regulatory instrument for the generation, transmission, distribution, and sale of electrical energy in Mozambique.
- It also covers electricity import and export, and in addition, it regulates the concession regime of such activities.

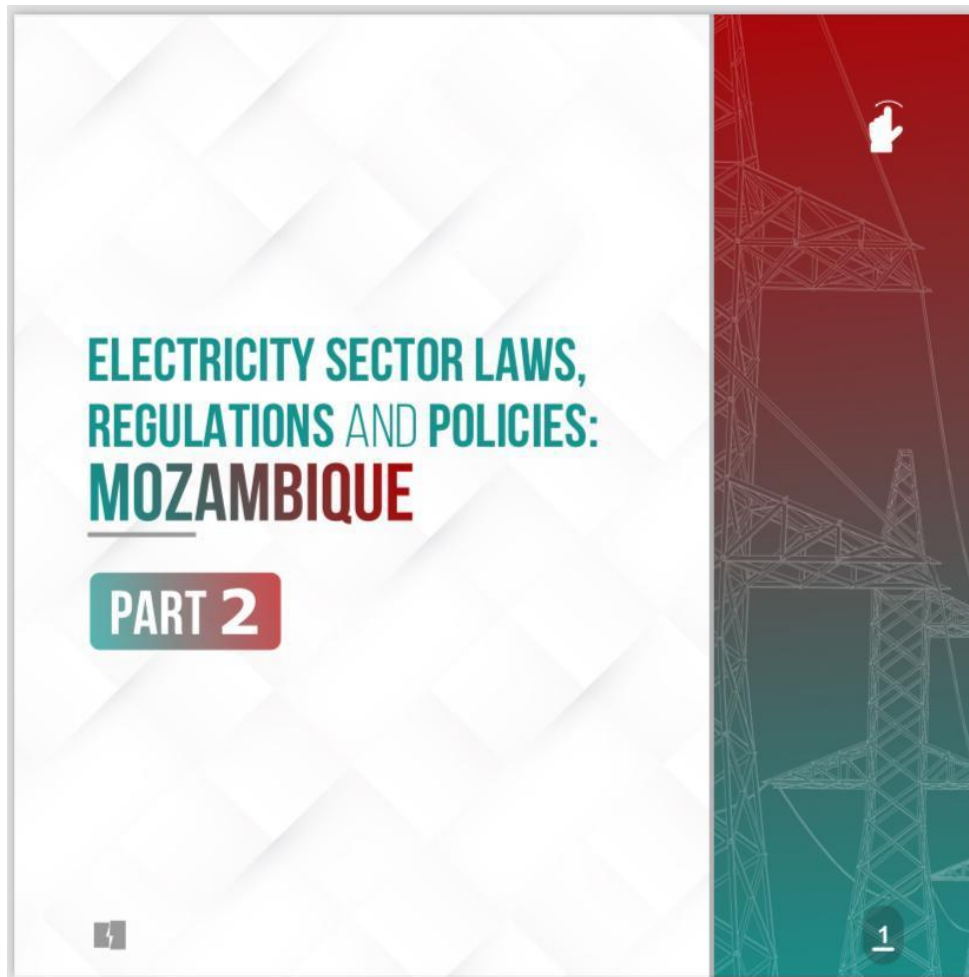
### **Electricity Law 2022**

- The purpose of this law is to define the general organization of the electric power sector and the legal regime of the activities of the supply of electrical energy.
- Most importantly, the new law underscores the country's energy transition agenda and universal access to quality, efficient and reliable energy, taking advantage of all energy sources, with emphasis on renewable energy sources and the reduction in the use of fossil sources.
- The legislation governs the operation of the electric power system and general rules applicable to the production, transmission, distribution and sales activities, including imports and exports, with a view to providing more citizens with access to electricity.
- The Law further, makes room for private investment in the import and export of electricity, electricity consumption, and energy services.

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## **PART 2: MOZAMBIQUE**



### **INTRODUCTION**

This Legal and Regulatory series focused on salient laws in Mozambique’s power sector is the second Part of a 2 Part series on Mozambique’s Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Mozambique. Part 2 of this series considers salient regulations that govern the Power Sector in Mozambique.

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### **Decree No. 8/2000, of 20 April**

- This is the decree that approves the Regulation establishing the competencies and procedures for attribution, control and extinguishing of concessions production, transport, distribution, and commercialization of electric power, and matters relating to electricity import and export.

### **Regulation for Energy Access in Off-Grid Areas 2021**

- The Regulation supports the off-grid legal framework in Mozambique. It is expected that this new framework offers the private sector a clearer and more transparent process for the implementation of their off-grid electrification projects, helps the country achieve its electrification goals for 2030 and attracts more private investment.

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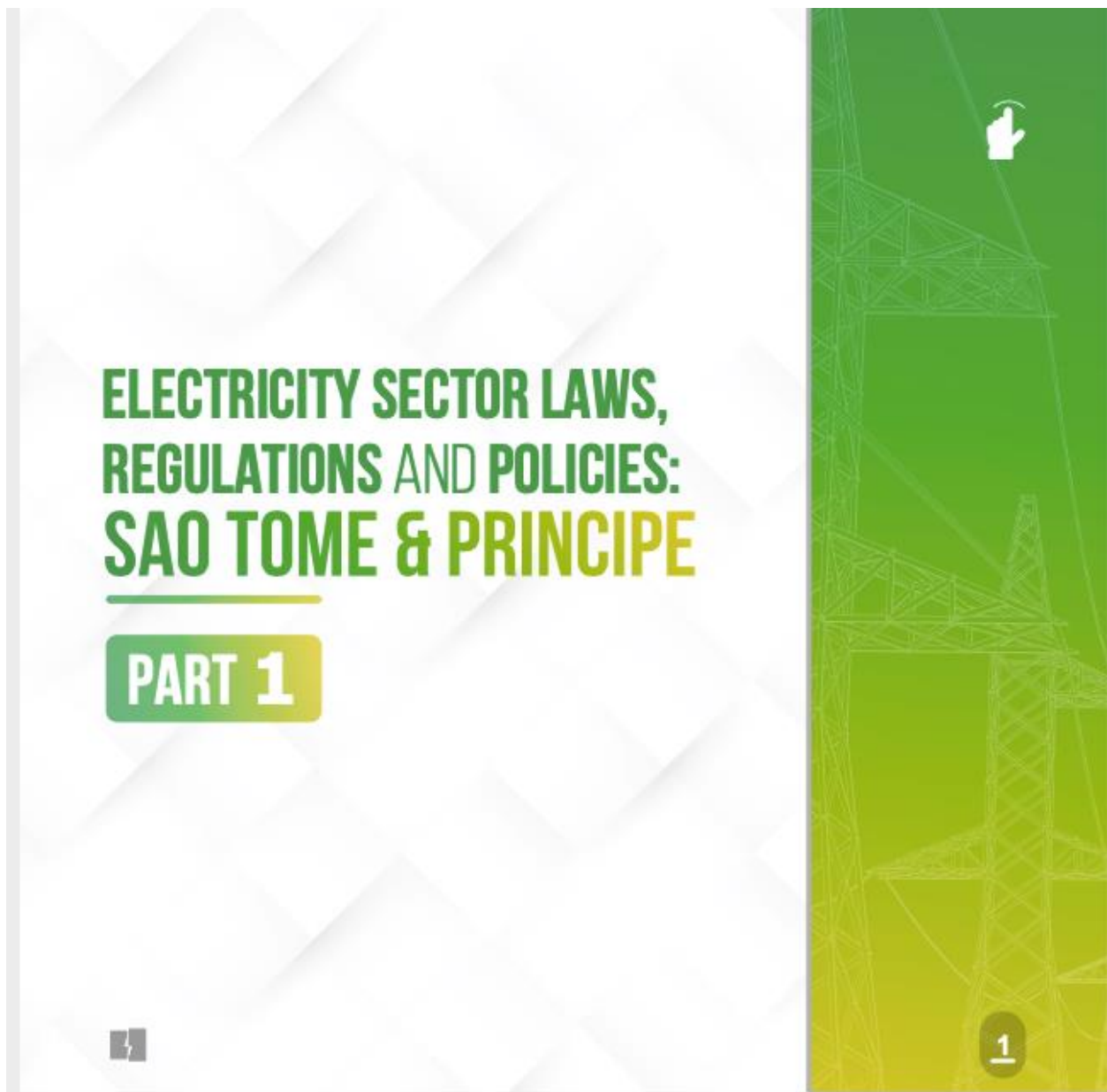
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**SAO TOME & PRINCIPE**



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## **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern Sao Tome & Principe's power sector. The overview of Sao Tome & Principe's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Sao

Tome & Principe's power sector laws; Part 2 focuses on Sao Tome & Principe's power sector Policies & Plans.

The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Sao Tome & Principe and our simplified guide on the electricity law in Sao Tome & Principe, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

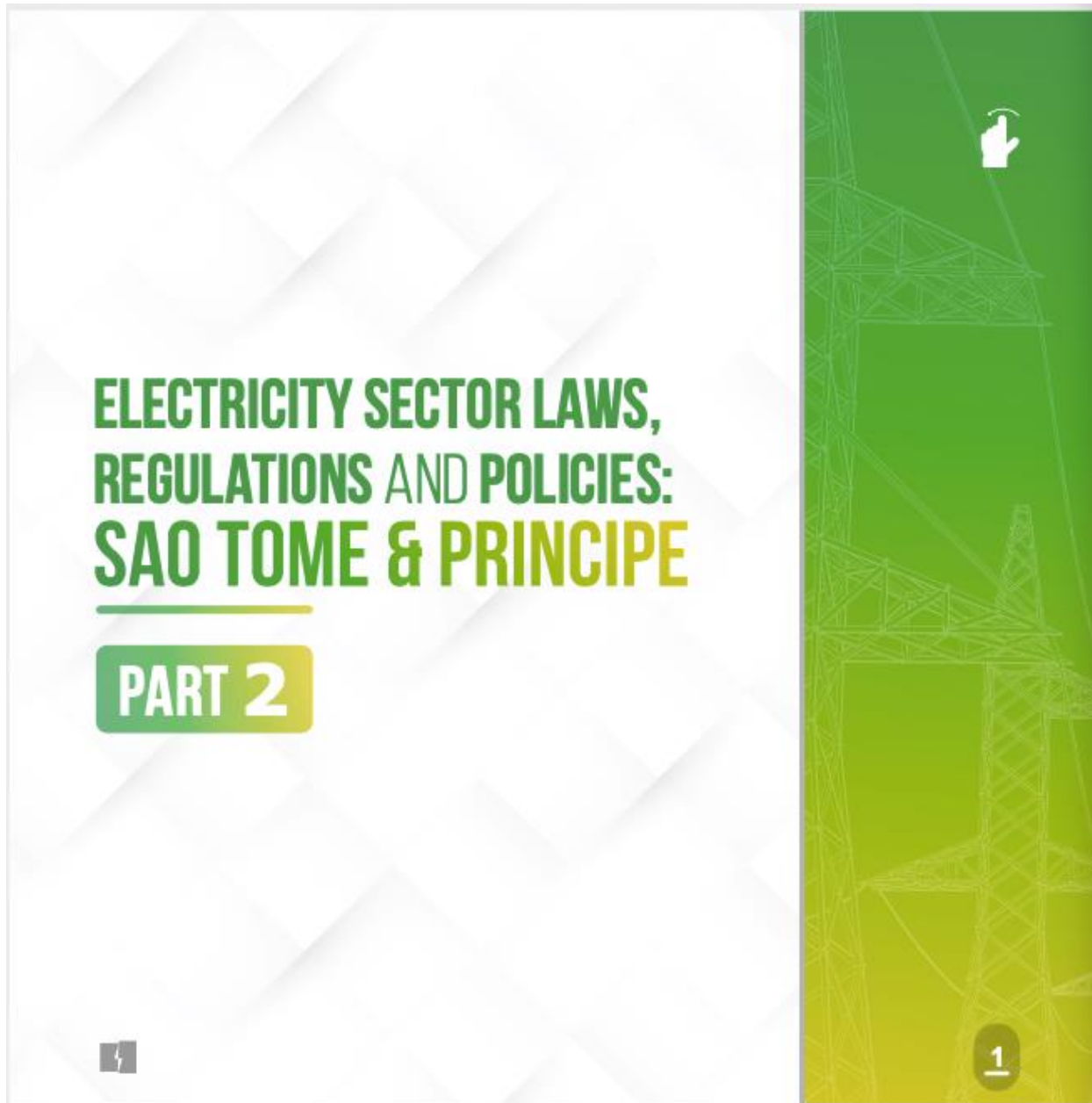
### **Decree Law No.26/2014**

- The Electricity Law of Sao Tome and Principe is the principal Law for the electricity sector. It contains provisions for concession and licensing matters, tariff methodology, functions of key institutions in the electricity sector for the swift operation in the sector, etc.

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**PART 2: SAO TOME AND PRINCIPE**



## **INTRODUCTION**

This Legal and Regulatory series focused on the policies and plans in Sao Tome & Principe's power sector is the last of a 2 Part series on Sao Tome & Principe Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Sao Tome & Principe Power Sector. Part 2 seeks to highlight the Power Sector Policies and Plans of Sao Tome & Principe.

The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Sao Tome & Principe, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **2007 Program of Action:**

- The Program of Action was drafted to improve the energy sector in São Tome and Principe based on supply capacity, diversification of electricity sources and the improvement of medium voltage lines. As a result of the 2007 Program of Action, the country witnessed the installation of additional electricity capacity of 2000 kW which improved the supply of electricity, allowed for the maintenance of electricity generators and revived economic activities in the country.

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**MAURITIUS**



**ELECTRICITY LAWYER  
LEGAL AND REGULATORY SERIES:  
MAURITIUS**

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**MAURITIUS PART I**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
MAURITIUS**

**PART 1**



**1**

## **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern the power sector of Mauritius. The series will be in three parts. Part 1 focuses on Mauritius' power sector laws, Part 2 focuses on power sector regulations and part 3 focuses on policies and plans applicable in the power sector of Mauritius.

The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Mauritius and our simplified guide on the electricity law in Mauritius, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **Electricity (Amendment) Act 2020**

- This Act amends sections 2, 3, 4, 11, 12, 16, 19, 28, 42, 44 and 45 of the 2005 Electricity Act, regarding the rules for the generation, transmission, distribution or bulk supply of electricity and the powers and functions of the Regulatory Authority ("the Authority") established under the Utility Regulatory Authority Act 2004 in respect of control of and supervision over such services.
- Under the Act, no person can be given an electricity service, unless such person(s) holds a licence issued by the Authority under the Act.
- The Authority may exempt a person from obtaining a licence in the case of small or household generation of electricity.
- By the provisions of the Act, the Authority shall maintain a register containing such data on each licensee as the Authority may decide.
- The Authority may require a licensee to develop and submit to the Authority, for its approval, standards and procedures applicable to any matter relating to the protection of the interests of customers.
- The Authority is to draw-up performance standards and codes for licensees.

### **Utility Regulatory Authority Act 2004 (No. 42 of 2004)**

- This Act provides for the establishment as a body corporate of a public body denominated the Utility Regulatory Authority, which shall carry out such regulatory functions as may be assigned to it under the Act or a relevant utility legislation.
- The Authority shall principally regulate, control and supervise utility services as specified by the Act.
- For the time being, utility services encompasses electricity services, based on the Electricity Act, 2004, but the Act foresees the inclusion of wastewater disposal services and services relating to the sourcing, collection, production, treatment, distribution or supply of water for domestic, agricultural, commercial, industrial or other purposes.

### **Energy Efficiency Act 2011**

- The Energy Efficiency Act was promulgated by the Government with the objectives of reducing energy usage and costs, protecting the environment, improving productivity and contributing to the mitigation of the effects of climate change. The Act provides for the setting up of the Energy Efficiency Management Office.
- The objects of the Office shall be to promote the efficient use of energy and to promote national awareness for the efficient use of energy, to reduce carbon emissions and protect the environment.
- The Act further details the missions and administrative organisation of the Office. It also determines the conditions in which energy audits are to be undertaken.
- The Act also highlights regulations that can be adopted by the minister in charge, in terms of:
  - 1) the minimum energy performance standards for any equipment, machine or appliance which is imported, manufactured or sold in Mauritius,
  - 2) the labelling requirements and specifications for any equipment, machine or appliance which is imported, manufactured or sold in Mauritius,
  - 3) the criteria to classify energy consumers,
  - 4) the minimum qualification standards for certification of energy auditors and related procedures for energy audits,
  - 5) any other matter related to energy efficiency, and

- 6) any person who contravenes the provisions shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees.

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**MAURITIUS - PART 2**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
MAURITIUS**

**PART 2**



**1**

## **INTRODUCTION**

This Legal and Regulatory series focused on salient laws in Mauritius power sector is the second Part of a 3 Part series on Mauritius Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Mauritius. Part 2 of this series considers salient regulations that govern the Power Sector of Mauritius.

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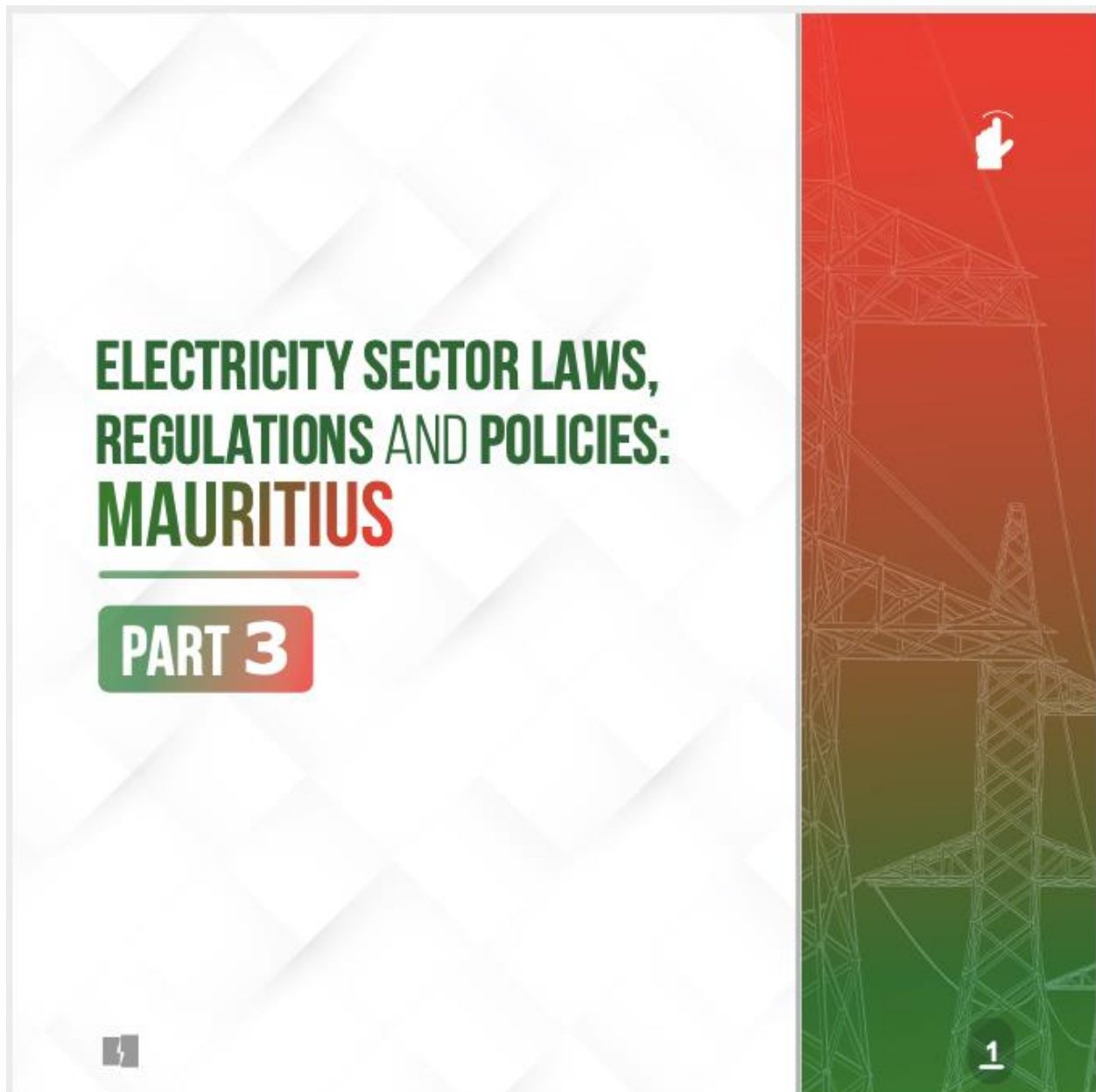
## **GRID CODE 2009**

- The Grid Code sets out all the requirements relevant to the performance, operation, testing, safety, and maintenance of distributed generation connected to Central Electricity Board (CEB's) low voltage (LV) network.
- Furthermore, it defines the rights, responsibilities and conduct of all parties planning to assess the power system by producing electricity via renewable Small Scale Distributed Generators.
- The Grid Code describes the technical criteria and requirements for the connection of distributed generation plants of capacity greater than 200 kW but not exceeding 2 MW to the CEB's 22 kV distribution network.
- It caters for the connection to the CEB distribution network and production of electricity by Renewable Energy Technologies (RETs) such as: Photovoltaic (PV), Wind Turbine Generator (WTG), Hydroelectric Generator and Biomass-based generator.

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### **MAURITIUS – PART 3**





## **INTRODUCTION**

- This Legal and Regulatory series focused on the policies and plans in Angola's power sector is the last of a 3 Part series on Mauritius Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Mauritius Power Sector. Part 2 highlighted salient regulations and standards that are in operation in the Power Sector of Mauritius. In this document, Part 3 of this series considers policies and plans in the Power Sector of Mauritius.
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### **National Energy Policy 2007 – 2025**

- The Energy Policy of Mauritius has the objective of limiting the vulnerability of Mauritius to imported fossil fuels and their volatile prices; promoting economic growth and job creation; democratizing energy supply; securing affordable energy to consumers and ensuring the financial sustainability of the CEB.

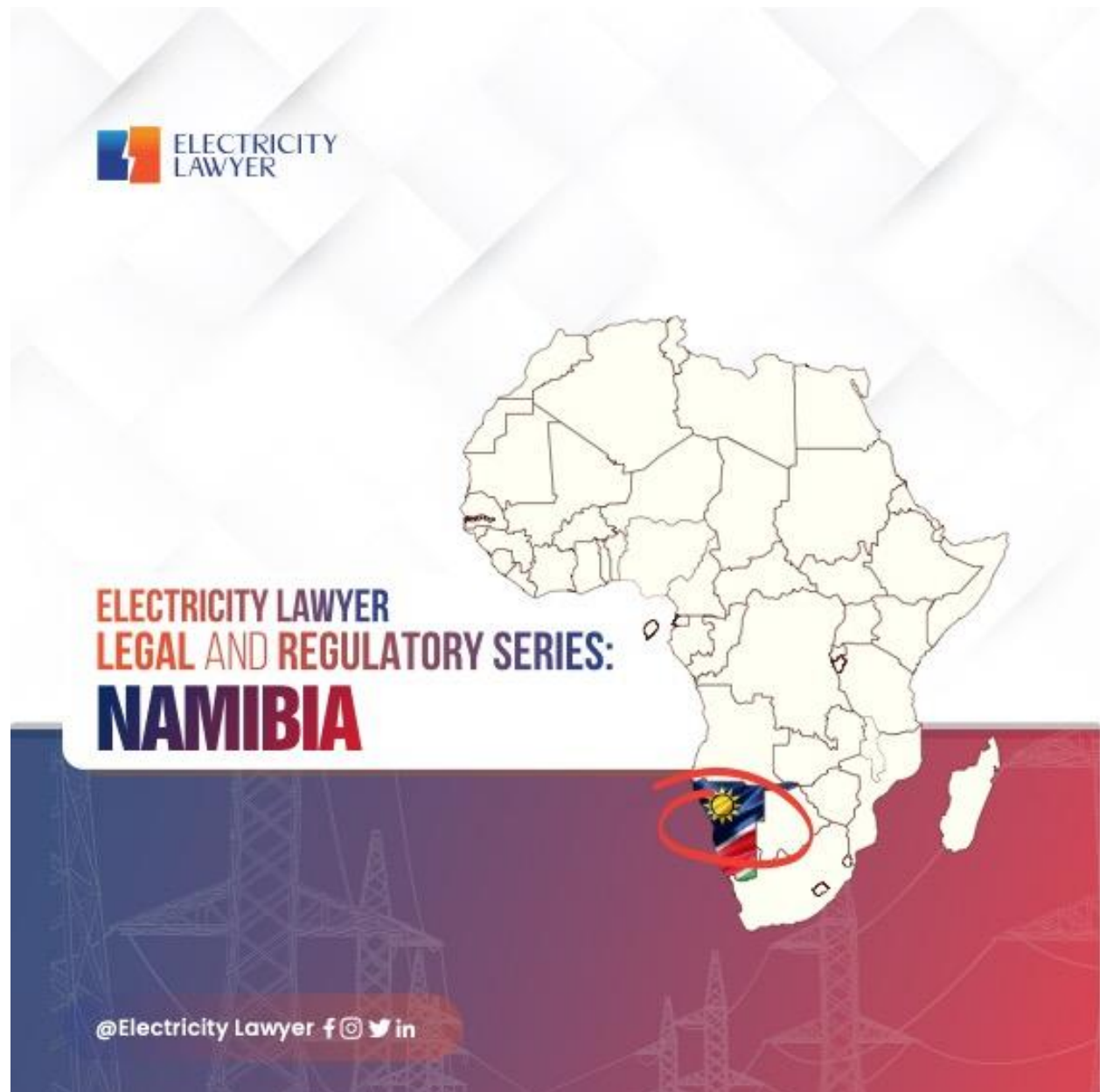
### **Mauritius Long Term Energy Strategy 2009–2025**

- It is a blueprint for the development of the energy sector up to year 2025. It lays emphasis on the development of renewable energy, reduction of dependence on imported fossil fuel and the promotion of energy efficiency, in line with the Government's objective to promote sustainable development.
- The strategy also outlines the commitment to energy security, diversity, and efficiency through the development of economically competitive fuels and technologies, including bold initiatives in renewables such as wind and solar energy

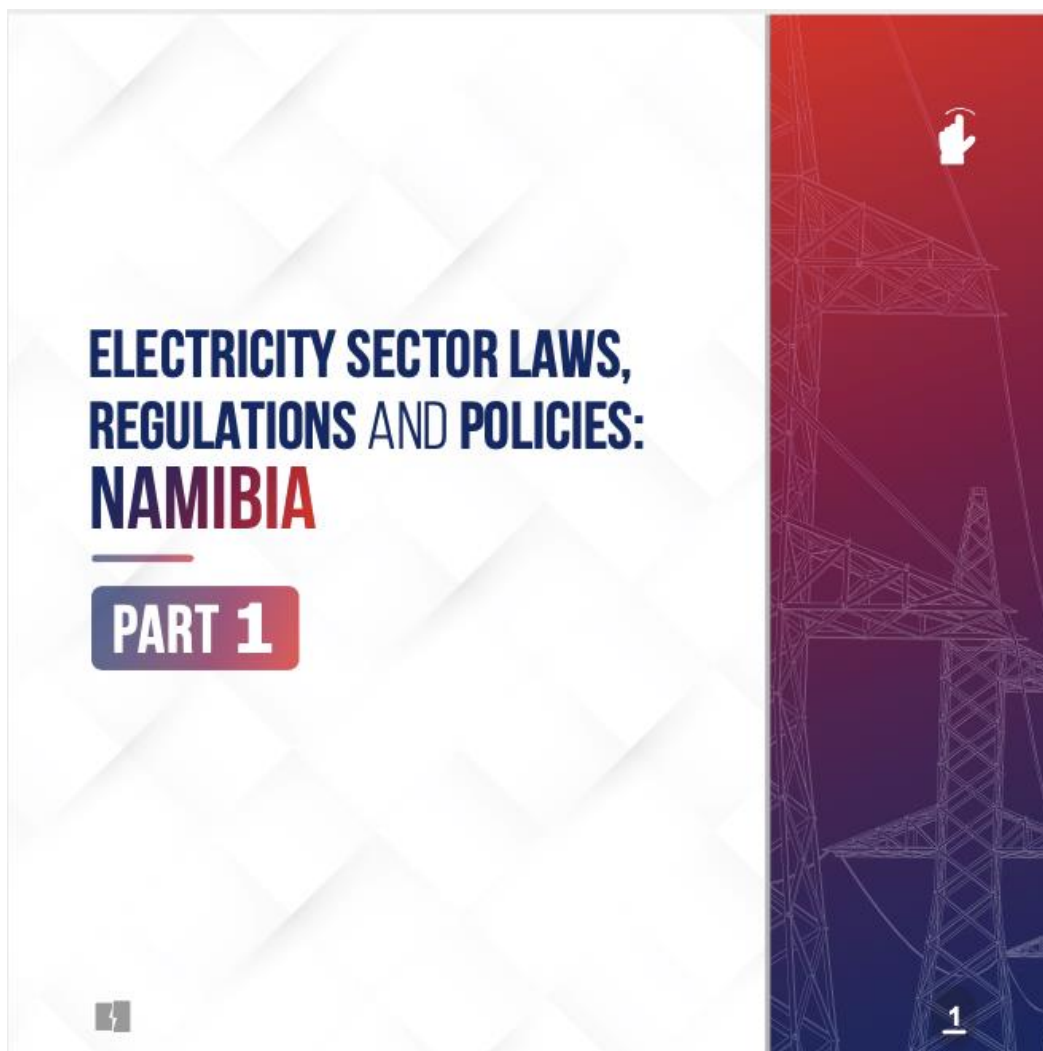
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## **NAMIBIA**



**NAMIBIA – PART 1**



**INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern Namibia's power sector. The overview of Namibia's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Namibia's power sector laws, part 2 considers the power sector regulations in Namibia, and part 3 considers policies and plans in the Power Sector of Namibia.

The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Namibia and our simplified guide on the electricity law in Namibia, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **ELECTRICITY ACT 2007**

This Act regulates the production and supply of electrical power, provides for the establishment of the Electricity Control Board and its powers, functions and internal organization, regulates the granting of licences for the generation, transmission, supply, distribution, importation and export of electricity, provides with respect to certain environmental requirements and for inspection, provides for the expropriation of land for purposes of the Act and also prescribes offences.

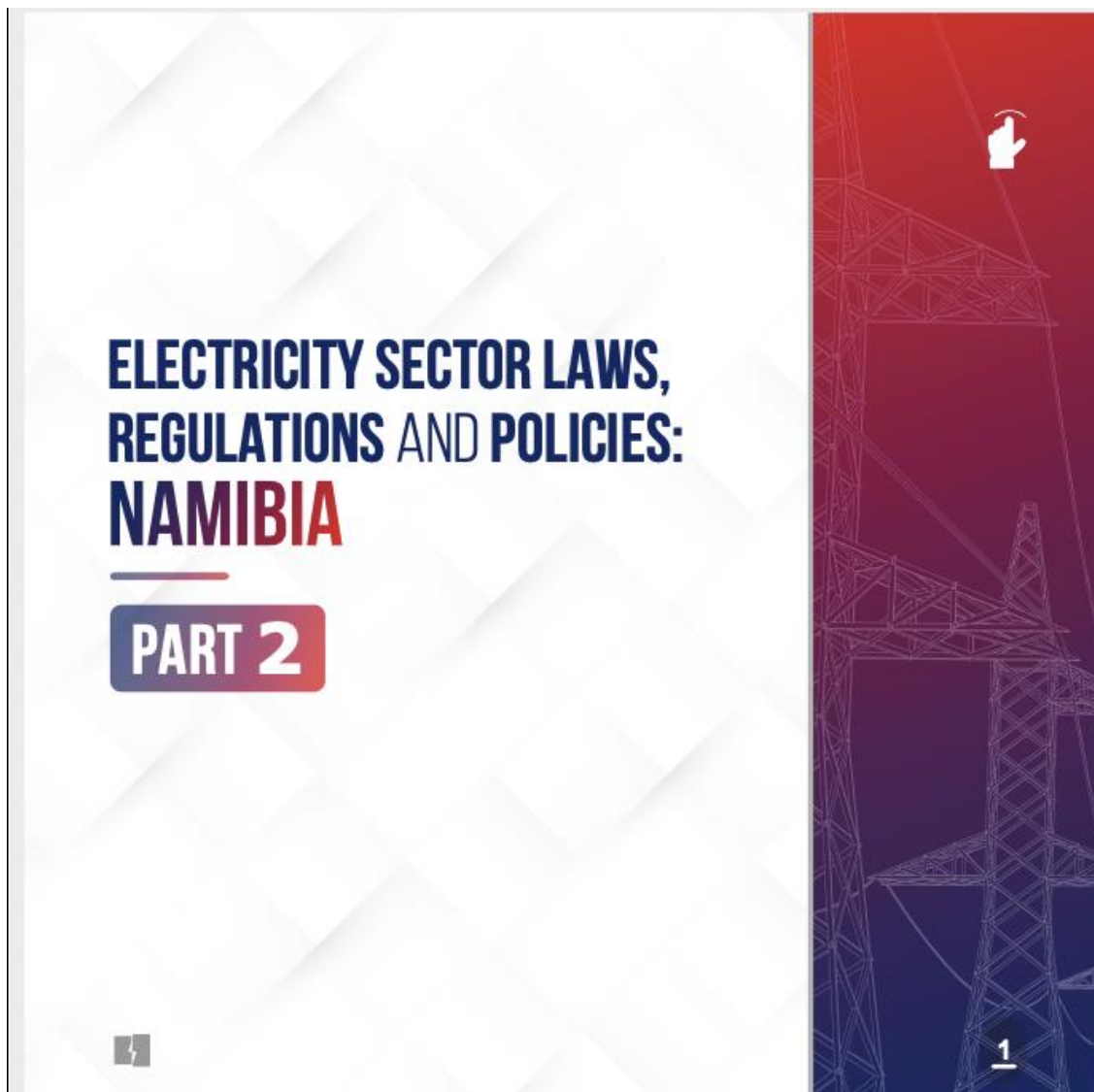
### **ELECTRICITY ACT 2007 AS AMENDED IN 2016 (NET METERING RULES)**

- This document notably aims to reduce the investment requirements for independent producers adding power into the national grid, and to allow customers who generate their own energy to reduce their reliance on the grid, and to promote the production and use of sustainable renewable energy sources including in small-scale projects.
- All renewable energy technologies are eligible for net metering.
- All distribution consumers are allowed to install net-metered facilities.
- The document sets the regulatory framework on net metering, including carbon credits for consumers who self-generate energy.

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## **NAMIBIA – PART 2**



## **INTRODUCTION**

This Legal and Regulatory series focused on salient laws in Namibia's power sector is the second Part of a 3-Part series on Namibia's Power Sector laws, regulations and policies. Part 1 highlighted salient laws in operation in the Power Sector of Namibia. Part 2 of this series considers salient regulations that govern the Power Sector in Namibia and part 3 considers policies and plans in the Power Sector of Namibia.

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## **NAMIBIAN QUALITY OF ELECTRICITY SUPPLY & SERVICE STANDARDS, 2004**

This Regulation outlines the minimum standards to be met by licensees in the Namibian Electricity Supply Industry, regarding the quality of electricity supply services provided to consumers.

## **ELECTRICITY SAFETY CODE, 2011**

The Electricity Safety Code establishes the minimum safety standards to be met in the operation, maintenance, construction, and installation of power systems in Namibia. The purpose of the Code is- ensuring the safety of all persons, safeguarding apparatus in the power sector, and ensuring both continuity and adequacy in electricity supply.

## **TRANSMISSION GRID CODE, 2018**

The Transmission Grid Code establishes the rules and procedures to be followed by persons utilizing the transmission power system, and rules and procedures establishing guidelines for the power system to be planned and operated safely, reliably, efficiently, and economically.

## **DISTRIBUTION GRID CODE, 2018**

The Distribution Grid Code establishes the rules and procedures that allow a person to use the distribution power system and rules and procedures that ensure that the power system is planned and operated safely, reliably, efficiently, and economically.

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**NAMIBIA PART - 3**



# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: NAMIBIA

## PART 3



### INTRODUCTION

This Legal and Regulatory series focused on the policies and plans in Namibia's power sector is the last of a 3-part series on Namibia's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Namibia Power Sector. Part 2 highlighted salient regulations and standards that are in operation in the Power Sector

of Namibia. In this document, Part 3 of this series considers policies and plans in the Power Sector of Namibia.

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### **NATIONAL RENEWABLE ENERGY POLICY 2007**

This policy seeks to provide access to modern, clean, environmentally sustainable, and affordable energy services for all Namibians.

It aims to boost public and private investments in renewable energy projects, create an enabling regulatory and economic environment for the sector, promote connected and off-grid schemes, pursue climate resilience in the energy sector, and accelerate the development of energy storage facilities.

The policy recommends the government to consider a subsidy framework. Solar, wind, or invader-bush-based bioenergy are sources primarily favoured, considering that the hydropower sector is subjected to high climate change uncertainty.

### **NATIONAL ENERGY POLICY 2017**

The National Energy Policy was promulgated by the Ministry of Mines and Energy and spells out the Government of Namibia's intent, direction and undertakings regarding the development and future of the Namibian energy sector.

The policy aims to ensure the security of energy supply to all Namibians, the increased utilization of renewable energy in the energy mix, and the availability of relevant energy resources to the State.

### **ENERGY POLICY WHITE PAPER 1998**

The Energy Policy White Paper represents the energy goals of Namibia and focuses on the development of energy supply within the State.

The paper also focuses on the increased use of renewable energy resources in energy production, development of human resources and public awareness regarding energy production, and provision of energy to rural areas.

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**CENTRAL AFRICAN REPUBLIC**



**ELECTRICITY LAWYER  
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**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
CENTRAL AFRICAN  
REPUBLIC**

**PART 1**



**1**

## **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern the power sector of the Central African Republic. The overview of the Central African Republic's power sector laws, regulations and policies will be in three parts. Part 1 focuses on the Central African Republic's power sector laws, Part 2 focuses on the Central African Republic's power sector regulations, and Part 3 focuses on policies and plans in the Central African Republic's power sector.

The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Central African Republic and our simplified guide on the electricity law in Central African Republic, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **Law No. 10.092 relating to the National Electricity Law**

This law serves as the cornerstone of the regulatory framework for the electricity sector in the Central African Republic. It encompasses various aspects relating to the generation, distribution, and utilization of electricity.

The law also provides the procedures and requirements for the generation and production of electricity. This may include licensing requirements for power generation facilities, in addition to grid access and transmission.

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# **ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: CENTRAL AFRICAN REPUBLIC**

## **PART 2**



### **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern the Central African Republic's power sector. The overview of the Central African Republic's power sector laws, regulations and policies will be in three parts.

Part 1 focuses on Central African Republic's power sector laws; Part 2 focuses on Central African Republic's power sector regulations and Part 3 focuses on policies and plans in Central African Republic's power sector.

The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Central African Republic and our simplified guide on the electricity law in the Central African Republic, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

#### **Decree No. 05.272 of 11 September 2005**

This decree outline the roles and responsibilities of ARSEC (Agency de Regulation du Secteur de l'Electricite et de l'Eau), which is the regulatory agency responsible for overseeing the electricity and water sector in the Central African Republic.

#### **Decree No. 05.273 of 11 September 2005**

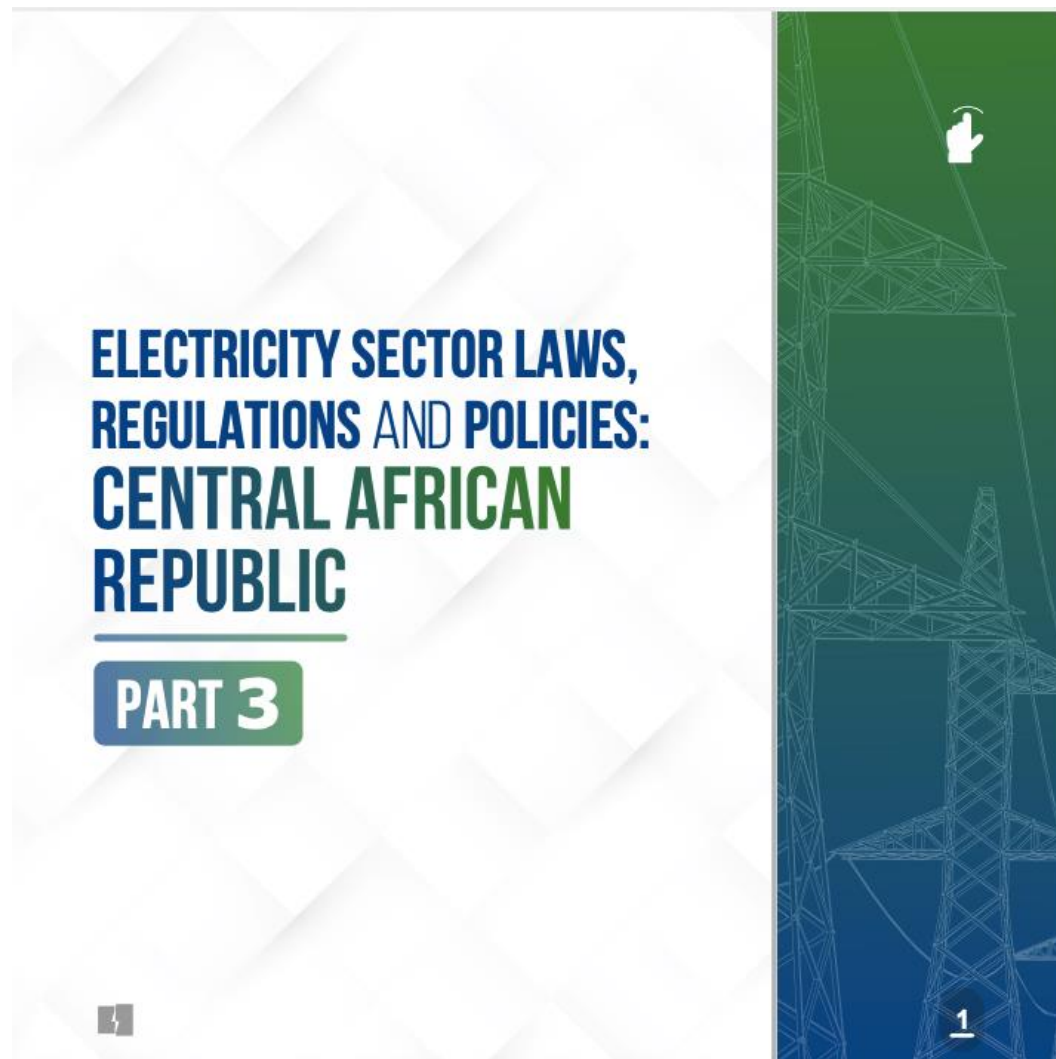
This decree operationalizes ACER (Agence Centraficaine pour les Energy Renouvelables), which is an agency focused on renewable energy development in the Central African Republic.

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## **CENTRAL AFRICAN REPUBLIC: PART 3**



### **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern the Central African Republic power sector. The overview of the Central African Republic's power sector laws, regulations and policies will be in three parts. Part 1 focuses on the Central African Republic's power sector laws, Part 2 focuses on the Central African Republic's power sector regulations, and Part 3 focuses on policies and plans in the Central African Republic's power sector.

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### **The Electricity Sector Strengthening and Access Project (PARSE) (2024)**

The policy aims to provide solar generation and transmission and distribution network upgrades for renewable energy integration and increased energy access. This component supports the supply and installation of five mini-grids with a total capacity of 10 MW to serve 20,000 households in the cities of Nola, Bouar, Bossembélé, and Bangassou.

In addition, the transmission network will be strengthened through construction and rehabilitation works and the expansion of the capacity of the Danzi solar plant from 25 MW to 40 MW to connect 20,000 households in the city of Bangui and the surrounding areas.

The objective of the project is to provide off-grid solar systems for households, 300 educational facilities, 300 health centers, and about 100 public buildings, and retrofit 100 community water points with solar power.

### **The Energy Policy 2004**

The policy guides the sector and seeks to promote renewable energies as one of the strategies to address poverty and encourage a low carbon development pathway through reducing emissions by 5 per cent compared to the business-as-usual reference level of 5,498.3 kt eq-CO<sub>2</sub> of avoided emissions at the 2030 horizon.

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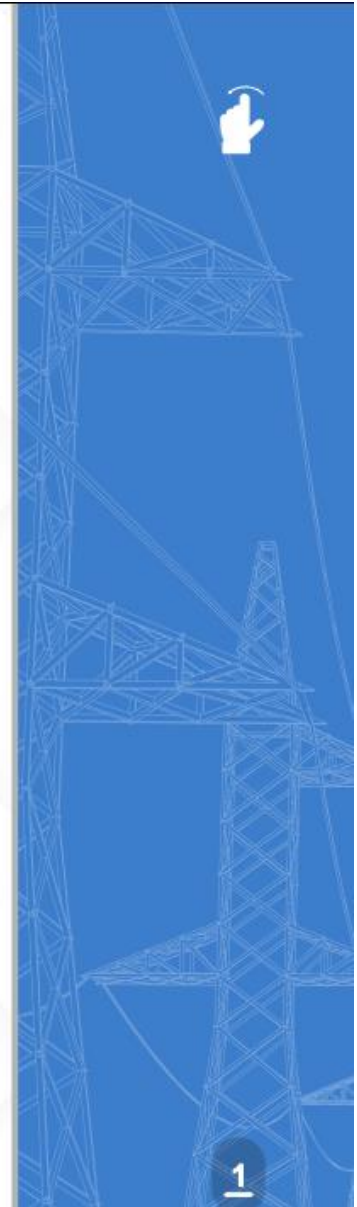
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## **SOMALIA**



**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
SOMALIA**

**PART 1**



## **INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern Somalia's power sector. The overview of Somalia's power sector laws, regulations and policies will be in two parts. Part 1 focuses on Somalia's power sector laws; Part 2 focuses on policies and plans in Somalia's power sector.

The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Somalia and our simplified guide on the electricity law in Somalia, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **National Electricity Act 2020**

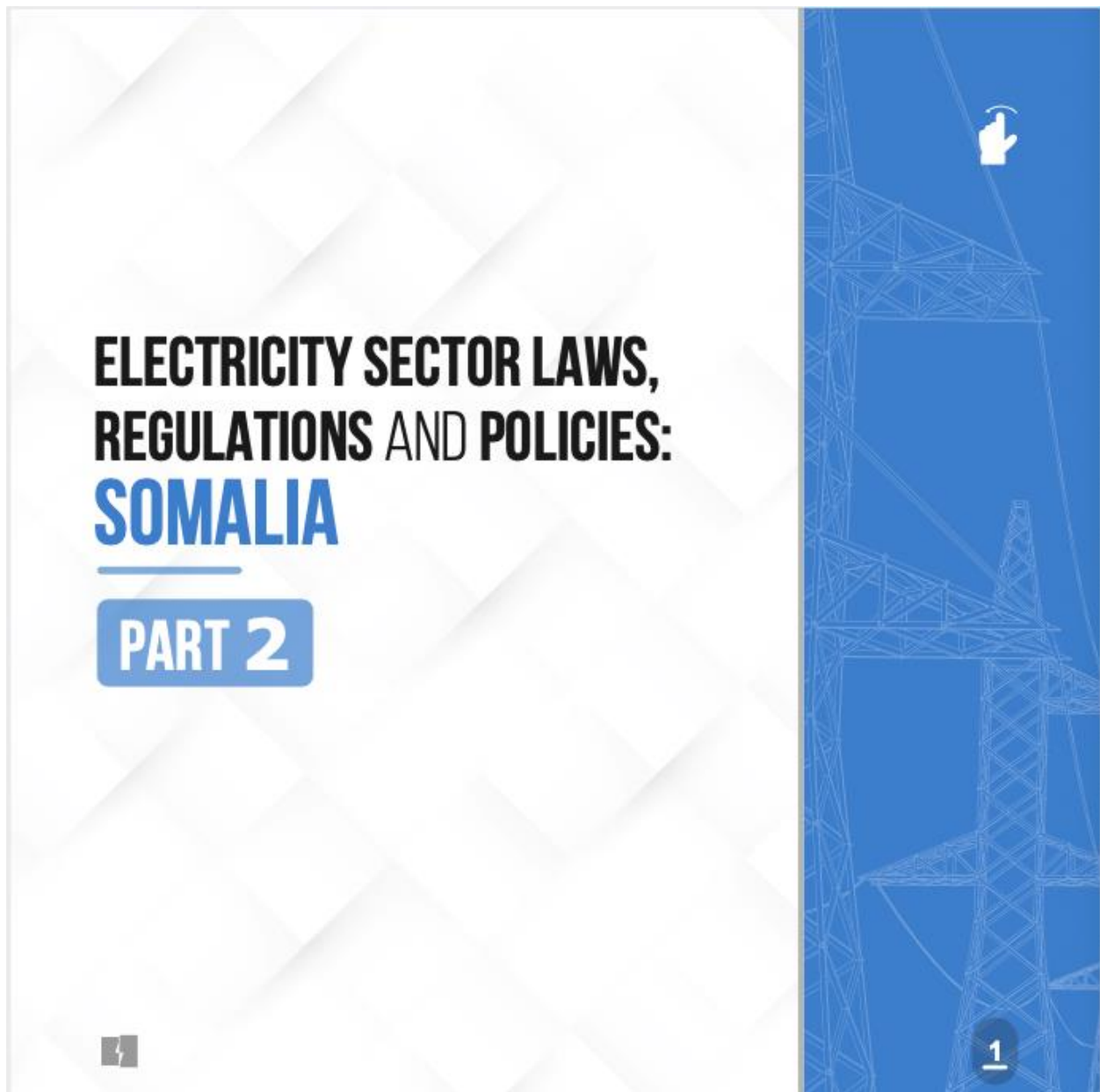
- The law contains legal and regulatory provisions governing the energy sector in Somalia. The provisions cover areas such as: rural electrification, off-grid energy, licensing requirements for the energy sector, energy efficiency and conservation activities, and electricity generation, supply and distribution activities.
- The law is expected to contribute to a comprehensive framework of the electricity sector in Somalia.
- The law is also expected to address tariff determination, government subsidies, and investor protection issues.

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## **SOMALIA: PART 2**



## INTRODUCTION

This Legal and Regulatory series focused on the policies and plans in Somalia's power sector is the last of a 2-Part series on Somalia's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Somalia Power Sector. Part 2 of this series considers policies and plans in the Power Sector of Somalia.

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### National Development Plan (NDP9) 2020–2024

- The NDP9 is a comprehensive and nationally owned strategy for poverty reduction and inclusive growth informed by a detailed analysis of the drivers of poverty, which include political fragility, conflict, insecurity and lawlessness, and climatic shocks.
- It aims at promoting human development, boost economic recovery, strengthening governance, establishing peace and security and making politics more inclusive.
- The NDP9 strategic interventions focus on four pillars:
  - a) Inclusive and Accountable Politics;
  - b) Improved Security and the Rule of Law;
  - c) Inclusive Economic Growth (including increased employment); and
  - d) Improved Social Development

Each pillar integrates cross-cutting policy priorities of:

- i. gender, human rights and other kinds of social equity;
- ii. resilience of households, communities and the government;
- iii. Somalia's environment and its natural resources;
- iv. durable solutions to long-term displacement;
- v. interface between humanitarian and development planning; and
- vi. governance.

## **The Somaliland NDP II 2017–2021**

The plan sets out the following goals:

- a) to raise access to electricity to at least 85 per cent and 25 per cent of Somaliland’s urban and rural households, respectively;
- b) 10 percent of national energy generation to be provided by renewable energy sources;
- c) a 30 percent reduction in the average tariff;
- d) increased investment in renewable energy technology, infrastructure and research;
- e) a reduction of system losses for energy service providers; and
- f) additional generation of 30 MW.

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## MAURITANIA



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**MAURITANIA: PART 1**

**ELECTRICITY SECTOR LAWS,  
REGULATIONS AND POLICIES:  
MAURITANIA**

**PART 1**



**1**

**INTRODUCTION**

This legal and regulatory series considers the salient laws, regulations and policies that govern the power sector of Mauritania. The series will be in two parts. Part 1 focuses on Mauritania power sector laws, Part 2 focuses policies and plans applicable in the power sector in Mauritania.

The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Mauritania and our simplified guide on the electricity law in Mauritania, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **ELECTRICITY CODE 2001**

- The Electricity Code of Mauritania, established in 2001 under Law 2001-19, governs the liberalization of the generation, transmission, distribution, and resale of electricity through the issuance of licenses.
- The Code plays a crucial role in the restructuring of the electricity sector, aiming to optimize electricity production, catalyze investments, and enhance accessibility to power, especially in rural areas.

### **LAW NO 2022-027**

- The law governs the liberalisation of electricity production, allowing national and international private operators to contribute to the country's overall electrification.
- To support the country's energy transition, the law promotes the production of electricity from renewable and clean energy sources in general, including the optimisation of the exploitation of the national potential in green hydrogen.
- The new Law expressly states that the production of electricity from renewable energy sources is a priority investment choice. Hence, operators in this sector are entitled to benefits and incentives.
- The Law opens the electricity sector to independent producers and splits the state-owned electricity monopoly SOMELEC into four entities: a holding company, and separate subsidiaries for generation and transmission; distribution and marketing; and rural electrification.

**LAW NO 2017-006:**

This law provides the Public Private Partnership (PPP) framework employed by the power sector in the initiation and implementation of projects.

**LAW NO 2001-18**

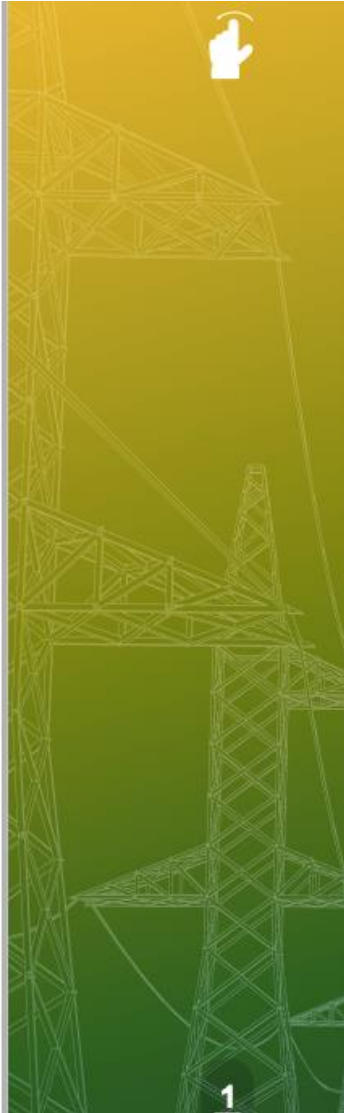
This law was promulgated for the creation of the Autorité de Régulation in Mauritania (ARE) as an independent body responsible for the regulation of activities carried out in the territory of the Islamic Republic of Mauritania in the different sectors for which it is held responsible such as water, telecommunications, post, and electricity.

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# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: MAURITANIA

## PART 2



This Legal and Regulatory series focused on the policies and plans in Mauritania's power sector is the last of a 2 Part series on Mauritania's Power Sector laws, regulations and policies. Part 1 highlighted the laws that govern the Mauritania's Power Sector. Part 2 of this series considers policies and plans applicable in the Power Sector of Mauritania.

**The referenced laws, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies applicable in the power sector of Mauritania, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)**

### **PRODUCTION AND TRANSMISSION MASTER PLAN, 2012**

The Plan focuses on expanding transmission and distribution lines to interconnect all existing systems, increase domestic electric production capacity, incorporate more renewable resources in the energy mix, install additional off-grid power, and develop transmission interconnections with neighboring countries like Mali and Senegal.

Guarantee security of supply in the short, medium, and long term, considering the needs for electrical energy and constraints related to generation and transmission of electricity.

### **NATIONAL ENERGY TRANSITION STRATEGY, 2020**

The National Energy Transition Strategy of Mauritania aims to transform the country's energy sector by increasing the share of renewables in its energy mix to 60% by 2030.

### **Disclaimer**

This document of the referenced country is not expected to form the basis of, or be construed as standard legal advice; nor should any of its contents and representations be strictly relied upon for any activities. Electricity Lawyer (EL) will not be liable for decisions whatsoever that are made based on the contents of the document. The referenced law, regulations and policies in this document are not exhaustive. For a full overview and simplified guide on all laws, regulations and policies

applicable in the power sector in Mauritania, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

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LEGAL AND REGULATORY SERIES:  
ESWATINI**

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# ELECTRICITY SECTOR LAWS, REGULATIONS AND POLICIES: ESWATINI

**PART 1**



**INTRODUCTION**



This legal and regulatory series considers the salient laws, regulations and policies that govern Eswatini's power sector. The overview of Eswatini's power sector laws, regulations and policies will be in three parts. Part 1 focuses on Eswatini's power sector laws; and Part 2 focuses on policies and plans in Eswatini's power sector.

The referenced laws, regulations and policies in this document are not exhaustive. For a full view of all laws, regulations and policies applicable in the power sector of Eswatini and our simplified guide on the electricity law in Eswatini, visit our website at [www.electricitylawyer.com](http://www.electricitylawyer.com)

### **The Electricity Act of 2007**

The Electricity Act of 2007 is a regulatory framework that governs the generation, transmission, distribution, and supply of electricity in Eswatini. The Energy Regulatory Authority is mandated to issue licenses to any person or entity that engages in power activities such as generation, transmission, distribution, supply, and also the import and export of electricity.

However, exemptions are provided for individuals or entities that generate, transmit, distribute, or supply electricity for their own use or sell less than 1GWh of electricity to customers annually. Violation of the law is considered an offense punishable by a fine of up to E50 000, imprisonment of up to 2 years, or both.

Additionally, with the proposed deregulation of the Electricity Supply Industry, institutions such as the Electricity Disputes Tribunal have been established to facilitate conflict resolution in the sector. The Tribunal has the power to hear and determine all disputes relating to the electricity sector, and its decisions are binding to all affected parties.

### **Energy Regulatory Authority Act of 2007**

The Energy Regulatory Authority, established by the Act, is an independent body corporate with the power to sue and be sued in its own name. The Authority is empowered with several functions including receiving and processing license applications, modifying or varying licenses, and approving tariffs, prices, charges, and operating conditions.

Additionally, the Authority is responsible for monitoring the performance and efficiency of licensed operators.

To ensure just administrative action, the Authority is obliged to hear applications for the generation, transmission, distribution, and supply of electricity fairly. All decisions made by the Authority must be reasonable and taken within a procedurally fair process. Applicants for licenses must be heard before any decisions are made by the Authority.

If required, the determining factors behind the Authority's decisions must be disclosed. Any party who is aggrieved by the Authority's decision may review the proceedings in a court of law. The Authority also has the power to arbitrate disputes, available upon request.

### **The Swaziland Electricity Company (SEC) Act of 2007**

In 2007, the Swaziland Electricity Company Act was passed, which established a new entity called the "Swaziland Electricity Company." This company was formed to assume all assets, liabilities, rights, and obligations of SEC. Its primary goals include generating, transmitting, distributing, and supplying electricity, as well as importing and exporting electricity to and from Eswatini. The Energy Regulatory Authority is to oversee the operations of this new company.

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