

# A BILL

## FOR

AN ACT TO AMEND THE ELECTRIC POWER SECTOR REFORMS ACT TO PROHIBIT AND CRIMINALISE ESTIMATED BILLING BY ELECTRIC DISTRIBUTION COMPANIES AND PROVIDE FOR COMPULSORY INSTALLATION OF PRE-PAID METERS TO ALL POWER CONSUMERS IN NIGERIA AND FOR RELATED MATTERS

*Sponsored by Hon. Femi Gbajabamila*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1            1. The Electric Power Sector Reform Act (herein referred to as Amendment of  
2            "The Principal Act") is hereby amended as set out hereunder. the Principal Act

3            2. Section 35 (2) of the Principal Act is amended by inserting Amendment of  
4            immediately after the word "term" the phrase "except reappointed under sub Section 35 (2)  
5            section 4 of this section".

6            3. Section 67 sub section 1 of the Principal Act is amended by Amendment of  
7            deleting the entire paragraph (b) and replacing same with a new paragraph Section 67  
8            (b) as follows:

9            "the installations, maintenance and checking of pre-paid meters,  
10            tariff methodology and proscription of estimated billings".

11           4. The Principal Act is amended by creating new sections 68 to 71  
12           as follows:

### PROHIBITION OF ESTIMATED BILLINGS

13           S. 68 -(1) Estimated billing methodology is hereby prohibited in  
14           Nigeria.  
15           Nigeria.

16           (2) Every electricity consumer in Nigeria shall apply to the  
17           Electricity Distribution Company carrying out business within his  
18           jurisdiction for a pre-paid meter and such consumer shall pay the regulated

1 fee for pre-paid meter to be installed in his premises and the Electricity  
2 Distribution Company shall within 30 days of receiving the application and  
3 payment install the pre-paid meter applied for in the premises of the consumer.

4 (3) Customers who elect to buy their pre-paid meters through Credit  
5 Advancement Metering Implementation must state it in their applications and  
6 such customers must be metered within 30 days of the receipt of their  
7 applications.

8 (4) All electricity charges or billings to the premises of every  
9 consumer shall be based strictly on pre-paid metering and no consumer shall be  
10 made to pay any bill without a pre-paid meter first being installed at the  
11 premises of the consumer.

12 (5) If a Customer is not metered within 30 days after application has  
13 been duly made, the relevant electricity distribution company is prohibited  
14 from refusing to connect the customer or disconnect the customer in the event  
15 that the customer has been connected or estimate his bills.

16 S. 69. Upon connection the Electricity Distribution Company serving  
17 the Consumer must inform the customer in writing on the nature of the meter  
18 installed, tariff methodology and all other services available to the customer.

19 S.70. In giving effect to the provisions of this Act, the National  
20 Electricity Regulatory Commission as the Regulatory body must ensure that all  
21 licensed Distribution Companies comply with the provisions of this Act.

22 S.71. All cases of illegal disconnection, refusal of the relevant  
23 Distribution Company to connect a customer after application, un-metering  
24 within 30 (thirty) days of a customer applying for a pre-paid meter and  
25 estimated billing shall attract both civil and criminal liability.

26 5. Section 94 sub section (2) of the Principal Act is amended by  
27 creating a new sub-section (4) as follows:

28 "any person who performs any act or does anything or refuses, fails  
29 and/or neglected to carry out his lawful duties with intention to contravene or  
30 frustrate the Implementation of sections 68 and 71 of this Act is said to have

1 committed an offence; and upon conviction shall be liable to 6 (six) months  
2 imprisonment or a fine of N1,000,000, (One Million Naira) or to both such  
3 fine and imprisonment without prejudice to the right of the Commission to  
4 cancel or suspend any license under this Act<sup>7</sup>.

5           6. The Principal Act is amended by renumbering the existing  
6 sections 68 to 101 as sections 72 to 105.

7           7. This Bill may be cited as the Electric Power Sector Reform Act   Citation  
8 (Amendment) Bill, 2018.

#### EXPLANATORY NOTES

This Bill seeks to amend the Electric Power Sector Reform Act to prohibit  
and criminalize estimated billings by Electricity Distribution Licensees.

