

A BILL

FOR

AN ACT TO AMEND THE ELECTRIC POWER SECTOR REFORMS ACT TO PROVIDE FOR THE ELECTRICITY DISTRIBUTION COMPANY TO REIMBURSE ANY POWER CONSUMER WHO INCURS EXPENSES IN THE ACQUISITION AND MAINTENANCE OF ELECTRICITY APPARATUS CONNECTED TO THE NATIONAL GRID IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Ben Rollands Igbakpa

[] 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
2 "The Principal Act") is hereby amended as set out hereunder. Amendment of
the Principal Act
- 3 2. Section 32 of the Principal Act is amended by deleting the word:
4 "consumer" immediately after the word "licensees" under subsection I(f)
5 and adding a new paragraph (g) as follows: Amendment of
Section 32
- 6 "to ensure that consumers who incur expenses in lieu of Distribution
7 licensees in the acquisition and maintenance of electricity apparatus
8 connected to the National grid are adequately compensated".
- 9 The Principal Act is amended by renumbering the former paragraph (g) to
10 become paragraph (h).
- 11 Section 32 sub section 2 (c) of the Principal Act is amended by
12 deleting the entire paragraph (c) and replacing same with a new paragraph
13 (c) as follows:
- 14 "establish appropriate consumer rights and obligations regarding the
15 provision and use of electric services as well as compelling the Distribution
16 company to refund any consumer who incurs expenses in the course of
17 electric services".
- 18 Section 32 sub section 2 of the Principal Act is amended by adding an entire

1 paragraph (h) as follows:

2 "determine the appropriate compensation accruing to a consumer pursuant to
3 subsection 1(g) in the event of dispute with the Distribution Company".

Amendment of
Section 62

4 3. Section 62 sub section 6 of the Principal Act is amended by
5 creating paragraphs, paragraph (i) as follows:

6 "The Commission shall have the power to compel a Distribution licensee to
7 pay compensation to consumer who incurs expenses in the acquisition or
8 maintenance of electricity apparatus hitherto the responsibility of the
9 Distribution licensee".

10 The extant subsection 6 now becomes paragraph (ii) of the amended subsection
11 6.

Amendment of
Section 67

12 4. Section 67 sub section 2 of the Principal Act is amended by
13 inserting immediately after the last word "licensee" the proviso "provided that
14 where a consumer in lieu of the Distribution licensee incurs expenses in the
15 acquisition or maintenance of electricity apparatus connected to the National
16 grid, the consumer shall be reimbursed accordingly".

Amendment of
Section 74

17 5. Section 74 sub section 2 of the Principal Act is amended by adding
18 immediately after paragraph (d) a new paragraph (e) as follows:

19 "the licensee after receiving verified demand after thirty days, yet failed,
20 refused and or neglected to reimburse the consumer that incurs expenses on its
21 behalf in the acquisition and maintenance of electricity apparatus connected to
22 the National grid in its jurisdiction".

Amendment of
Section 80

23 6. Section 80 sub section 1 of the Principal Act is amended by adding
24 immediately after paragraph (g) a new paragraph (h) as follows:

25 "procedures for verification and assessments of claims by consumer seeking
26 reimbursement for verified expenses incurred in lieu of a Distribution
27 licensee's responsibility of acquisition and maintenance of electricity
28 apparatus connected to the National grid".

29 Section 80 sub section 3 of the Principal Act is amended by adding
30 immediately after the last word "supply" with the following sentence:

1 "and or incur expenses in lieu of Distribution licensees in the acquisition and
2 maintenance of electricity apparatus connected to the National grid".

3 7. Section 81 sub section 1(a) of the Principal Act is amended by
4 adding immediately after the word "services" in line 2 with the following
5 sentence:

Amendment of
Section 81

6 "acquisition and maintenance of electricity apparatus" and in connection
7 with the promotion of the efficient use of electricity by consumers".

8 8. Section 83 sub section 4 of the Principal Act is amended by
9 adding immediately after the last word "Minister" with the following
10 sentence:

Amendment of
Section 83

11 "as well as claims for reimbursement in respect of expenses incurred in lieu
12 of Distribution licensees in the acquisition and maintenance of electricity
13 apparatus connected to the National grid".

14 9. Section 86 of the Principal Act is amended by adding
15 immediately after the word "companies" in line 4 with the following
16 sentence:

Amendment of
Section 86 -
Payments from
the Power Consumer
Assistance Fund

17 "and such verified claims of expenses incurred by consumer under Section
18 84 (4)" at the rates and for the duration specified by the Commission".

19 10. Section 87 of the Principal Act is amended by creating it to sub
20 sections as follows:

Amendment of
Section 87 -
Fine for non-
payment of money
owed

21 Subsection (i) thus "Any person who fails to pay to the
22 Commissioner or a distribution licensee, within the prescribed time period,
23 any amount owing under this Part shall be liable to a fine not exceeding three
24 times the verified amount owed.

25 Subsection (ii) thus "Where a distribution licensee fails to pay the
26 verified claims of expenses incurred by the consumer in lieu of the licensee's
27 responsibility of acquisition and maintenance of electricity apparatus
28 connected to the National grid, such consumer shall be entitled by way of
29 reimbursement to have his pre-paid meter credited in the total sum of the
30 money owed, provided that this subsection shall not apply where the

1 distribution licensee had settled the verified claim or there had been a set-off
2 from the entitlements of the licensee under Section 86 in satisfaction of the
3 verified claim".

Amendment of
Section 96

4 **11.** Section 96 sub section 2 (j) of the Principal Act is amended by
5 adding immediately after the word "procedures" in line 1 with the following
6 phrase:
7 "reimbursement of verified claims or expenses incurred by customer in lieu of
8 the licensee's responsibility", practices concerning customers with difficulties
9 paying bills, connection and disconnection procedures.

Amendment of
Section 100

10 **12.** Section 100 sub section 1 of the Principal Act is amended by
11 inserting the interpretation to the following words:
12 "apparatus" means machines, equipment and fittings associated with
13 generation, transmission, distribution and utilization of electrical energy. E.g.
14 cables, transformers etc.
15 "consumer installation" means the consumer's wiring together with any
16 apparatus upon the premises connected to or intended to be connected thereto
17 and situate upon the consumer's side of the licensee's supply terminals.

Citation

18 **13.** This Bill may be cited as the Electric Power Sector Reform Act
19 (Amendment) Bill, 2019.

EXPLANATORY NOTES

This Bill seeks to amend the Electric Power Sector Reform Act to provide for the Electricity Distribution Company to reimburse any power consumer who incurs expenses in the acquisition and maintenance of electricity apparatus connected to the National grid.

NATIONAL INFRASTRUCTURE MANAGEMENT AND MAINTENANCE
AGENCY BILL, 2019
ARRANGEMENTS OF SECTIONS

Section

PART I - ESTABLISHMENT OF NATIONAL INFRASTRUCTURE
MANAGEMENT AND MAINTENANCE AGENCY

1. Establishment of National Infrastructure Management and Maintenance Agency
2. Establishment and composition of Governing Board
3. Tenure, resignation, cessation or removal of members from office
4. Functions and powers of the Board
5. Functions of the Agency
6. Powers of the Agency
7. Objectives of the Agency
8. Establishment of Directorates and Departments of the Agency

PART II - APPOINTMENT OF FEDERAL COMMISSIONER AND
OTHER STAFF OF THE AGENCY

9. Appointment of Federal Commissioner

PART III - CRITICAL NATIONAL INFRASTRUCTURE

10. Critical National Infrastructure

PART IV - FINANCIAL PROVISION

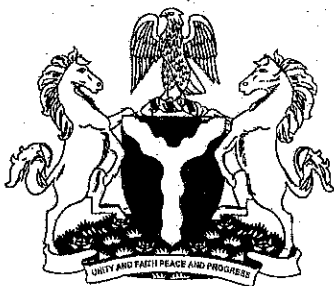
11. Fund of the Agency
12. Investment of the fund of the Agency
13. Power to borrow
14. Power to accept gifts
15. Annual estimates
16. Accounts, records and audit
17. Annual reports

PART V - MISCELLANEOUS PROVISIONS

18. Power to make regulations
 19. Power to give directives to the Agency
 20. Federal Roads Maintenance Agency Act
 21. Interpretation
 22. Citation
- Schedule (Supplementary provisions relating to the Board, etc.)



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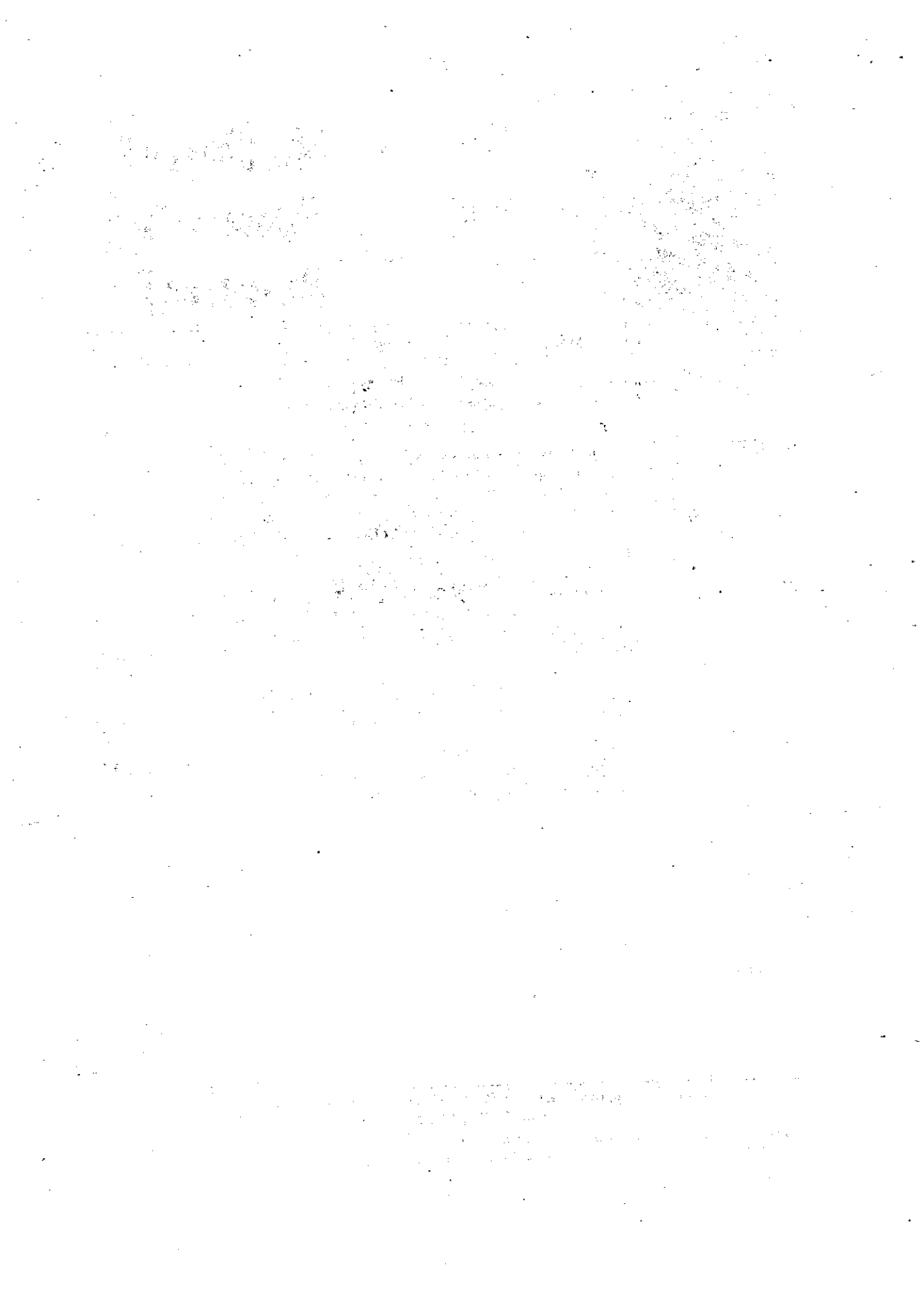
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