

# A BILL

## FOR

AN ACT TO AMEND THE ELECTRIC POWER SECTOR REFORMS ACT 2005 TO PROVIDE FOR THE RESERVATION OF 5% OF ALL REVENUE ACCRUING FROM POWER GENERATED BY ALL POWER GENERATING COMPANIES IN NIGERIA FOR THE DEVELOPMENT OF THE HOST COMMUNITIES AND FOR RELATED MATTERS

*Sponsored by Hon. Babajimi Benson*

[ ] Commencement

BE IT 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. The Principal Act is amended by creating a new part V titled  
4 "DEVELOPMENT OF HOST COMMUNITIES".
- 5           3. The Principal Act is amended by deleting existing part V to XII  
6 and renumbering same as part VI to XIII.
- 7           4. The Principal Act is amended by creating new sections 77 under  
8 the newly created part V as follows:
- 9           S. 77 -(1) The adverse effects on the environment, human and  
10 aquatic lives on the communities hosting the Power Generating Stations all  
11 over the Country, particularly thermal pollution from the Power Generating  
12 Stations are hereby recognized under this Act.
- 13           (2) Without prejudice to any existing right or rights that may be  
14 accruing to host communities under this Act or any other enactment, 5% of  
15 all revenue accruing from power generated by the various Power Generating  
16 Companies in Nigeria shall be set aside for the development of the  
17 respective host communities.
- 18           (3) The revenue referred to in subsection 2 of this section shall be

1 received, managed and administered by a Trustee to be appointed by the  
2 GENCOs and Representative of the Host communities upon agreement  
3 between the Host communities and GENCOs on one part and the Trustee on the  
4 other part.

5 5. The Principal Act is amended by deleting existing Sections 77 to  
6 101 and renumbering same as Sections 78 to 102.

7 6. This Bill may be cited as the Electric Power Sector Reform Act  
8 (Amendment) Bill, 2020.

Citation

EXPLANATORY NOTES

This Bill seeks to amend the Electric Power Sector Reform Act to provide for the reservation of 5% of all revenue accruing from power generated by all Power Generating Companies in Nigeria for the development of the host communities.