



LEGAL AND REGULATORY FRAMEWORK ON RENEWABLE ENERGY

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REQUIREMENT FOR A LICENCE

- ▶ Governed by the Energy Regulation by-laws of 2009
- ▶ By-law 42- Licence is required to carry on the business of importing, selling, installation and maintenance of renewable energy technologies.
- ▶ The Authority shall issue only one type of licence covering any type of activity dealing with renewable energy technologies: Provided that an applicant may apply for a licence for a specific activity
- ▶ By-law 44-The Authority shall not issue a licence to an applicant for renewable energy technologies unless the Authority has granted to the applicant an electrical installations permit
- ▶ Licence is valid for twelve calendar months

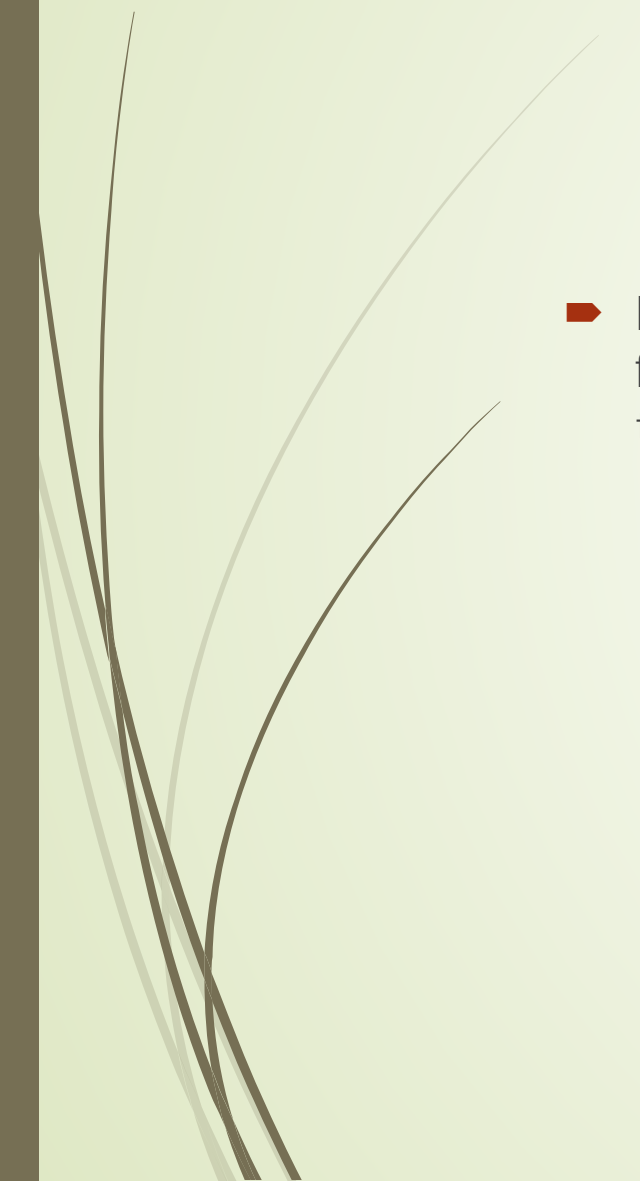


PRICES AND CHARGES

- ▶ No person shall sell or provide maintenance services for renewable energy technologies to any other person at a price or maintenance charge that is higher than the maximum selling prices or maintenance charges approved by the Authority;
- ▶ The Authority may review maximum prices and maintenance charges for renewable energy technologies once a year unless there are special extenuating circumstances necessitating an earlier review
- ▶ Factors to be taken into account in setting prices and charges: bylaw 51 and 52 include cost of transportation and distribution to the place of use, taxes

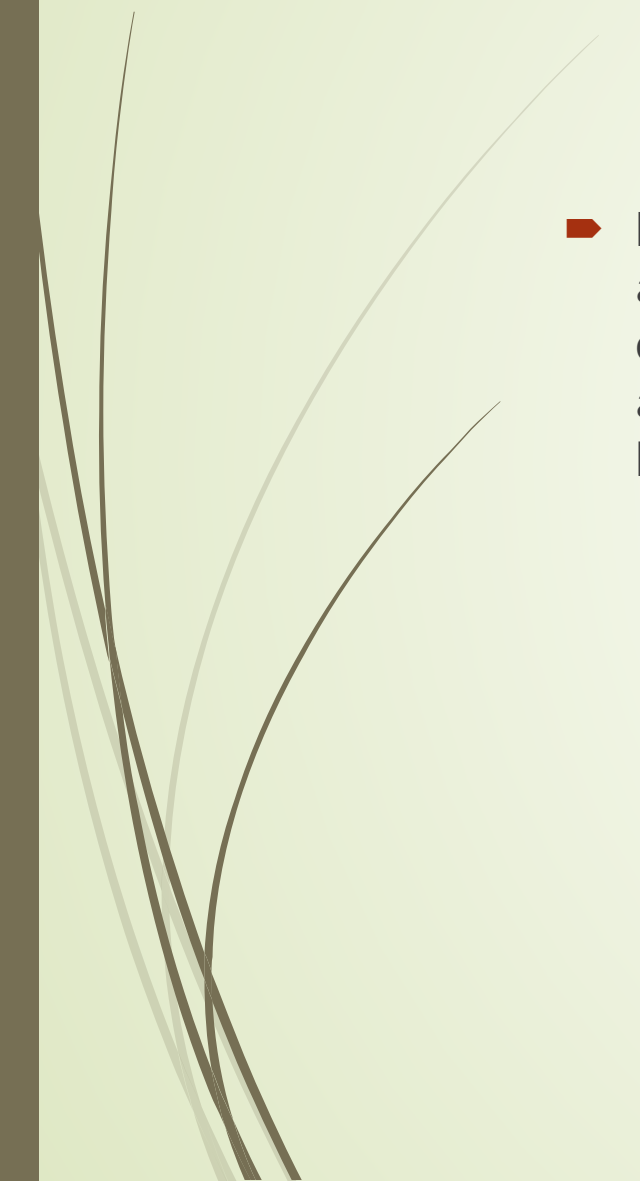


STANDARD SPECIFICATION AND CODE OF PRACTICE

- ▶ Every licensee shall comply with and adhere to the standard specifications for renewable energy technologies approved by the Authority as well as the applicable provisions in the Electricity By-laws
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INSPECTIONS BY THE AUTHORITY

- ▶ By-law 57-The Authority may, through its members, officers or authorized agents, carry out inspections on the premises or operations of the licensee or on the premises of the customer to verify or monitor compliance with the above standards and code of practice or the Electricity By-laws and shall have power to order rectification of non-compliance thereof.
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PURCHASE, SALE AND SERVICE AGREEMENTS (Division 4 of the by-laws)

- Every licensee selling and installing renewable energy technologies equipment shall enter into a sale and purchase agreement with the purchaser and the terms of such agreement shall be subject to the approval of the Authority.
- By-law 59 has provided some terms to be considered such as:
 - a) the contractor shall fully and faithfully provide all labour, plant, and materials and complete the works and deliver, install, test and commission at buyer's premises the renewable energy technologies equipment, including instructions on location, in operating the system in accordance with the specifications of the contract;
 - (b) that the contractor shall give the buyer the following documents—
 - (i) commissioning certificate;
 - (ii) operation manual for the system;
 - (c) The buyer shall give the licensee free access to his premises to the extent necessary for the licensee to install, test and commission the renewable energy technology system described in the contract



SERVICE AGREEMENTS

- ▶ By-law 60-Every licensee selling and installing renewable energy technologies equipment shall enter into a service agreement with the purchaser and the Authority shall approve the terms of the agreement. The form of service agreement is in the sixth schedule of the by-laws
- ▶ **Projects carried out by Local Councils, Government Departments and Cooperating partners have to ensure their projects for installation of solar power have service agreements.**
- ▶ The licensee will have the following obligations under service agreements.
 - (a) perform the maintenance services with reasonable care and skill;
 - (b) perform any associated services within a reasonable time after being requested by the buyer; and
 - (c) use parts that are of merchantable quality and reasonably fit for their purpose.



OBLIGATIONS OF BUYERS IN SERVICE AGREEMENTS

- (a) grant the licensee such access to the premises as the licensee shall from time to time reasonably require in order to discharge its obligations hereunder;
- (b) make available at the premises such facilities as the licensee shall reasonably require in order to discharge its obligations hereunder, including adequate work space and storage;
- (c) take all reasonable precautions to protect the health and safety of the licensee's employees agents and sub-contractors while on the buyer's site;
- (d) make available all the documentation and other information necessary for the licensee to diagnose any fault in the equipment; and

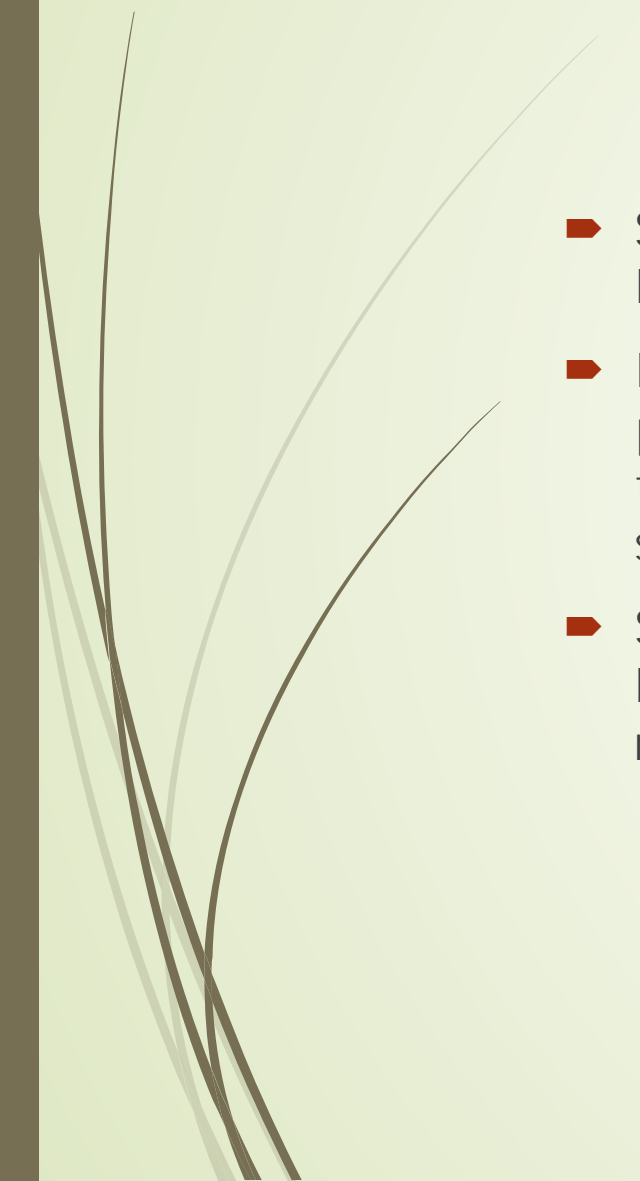


COPIES OF AGREEMENTS TO BE SENT TO THE AUTHORITY

- ▶ Every licensee shall within one (1) month of the execution of the equipment sale and purchase agreement and service agreement provide to the Authority a copy of such equipment sale and purchase agreement and service agreement



CONCLUSION

- ▶ Stakeholders need to be conversant with the by-laws governing Renewable Energy supply and installation regime
 - ▶ Need to operationalize some of the provisions in the by-laws, for example, prices and charges as well as the purchase, sales and service agreements to ensure that customers have value for money and to flush out substandard works and material
 - ▶ Stakeholders are required to comply with the provisions of the Regulatory Framework for the Renewable Energy Sector to ensure quality of renewable energy products.
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➤ THANK YOU FOR LISTENING