



ELECTRICITY (AMENDMENT) BILL 2023

(NO. 13 OF 2023)

1



ELECTRICITY (AMENDMENT) BILL 2023

(NO. 13 OF 2023)

A

BILL

Entitled

AN ACT TO AMEND THE ELECTRICITY ACT (CAP. 128), AND FOR RELATED PURPOSES.

ENACTED BY THE NATIONAL PARLIAMENT OF SOLOMON ISLANDS.

ELECTRICITY (AMENDMENT) BILL 2023

Table of provisions

1	Short title	1
2	Commencement	1
3	Amendment of Electricity Act (Cap. 128)	1
4	Section 2 amended	1
5	Section 21 amended	1
6	Section 30 amended	1
7	Section 42 amended	2
7	Savings and Transitional	4

ELECTRICITY (AMENDMENT) BILL 2023

1 Short title

This Act may be cited as the *Electricity (Amendment) Act 2023*.

2 Commencement

This Act commences on the day appointed by the Minister by notice in the *Gazette*.

3 Amendment of Electricity Act (Cap. 128)

This Act amends the *Electricity Act* (Cap. 128) ("**Principal Act**").

4 Section 2 amended

Section 2 of the Principal Act is amended:

(a) in the definition of "installation":

- (i) insert after "electricity," the following "and includes any electricity generation equipment,"; and
- (ii) repeal "including prime movers, if any,"; and

(b) by repealing the term "prime mover" and its definition.

5 Section 21 amended

Section 21 of the Principal Act is amended by repealing "on the recommendation of the Authority.", and substituting "on the recommendation of the Director of Energy, of the Ministry of Mines, Energy and Rural Electrification, after the Director of Energy consults with the relevant stakeholders."

6 Section 30 amended

Section 30 of the Principal Act is amended by repealing subsection (2), and substituting:

"(2) A person who contravenes subsection (1) commits an offence.

Maximum penalty: 10,750 penalty units; and if the offence is

continued, 550 penalty units for every day, or part of a day during which the offence continues.”

7 Section 42 amended

Section 42 of the Principal Act is amended:

(a) in subsection (1), by:

- (i) placing a full stop at the end of “an offence” and repealing the rest of subsection (1); and
- (ii) inserting after subsection (1) the following:

“Maximum penalty: 16,000 penalty units, or to imprisonment for 5 years, or to both such fine and imprisonment.”; and

(b) in subsection (2):

- (i) after paragraph (e), placing a full stop at the end of “an offence” and repealing the rest of subsection (2); and
- (ii) inserting after paragraph (e) the following:

“Maximum penalty: 5,400 penalty units or to imprisonment for 2 years, or to both such fine and imprisonment.”; and

(c) in subsection (3), by:

- (ii) placing a full stop at the end of “an offence” and repealing the rest of subsection (3); and
- (iii) inserting after subsection (3) the following:

“Maximum penalty: 5,400 penalty units. Any unauthorised line or works may, after a conviction be removed by order of the Authority, and the reasonable cost of such removal may be recovered from the licensee.”; and

(d) in subsection (4), by:

(i) placing a full stop at the end of "an offence" and repealing the rest of the subsection; and

(ii) inserting after subsection (4) the following:

"Maximum penalty: 5,400 penalty units; and if the offence is continued, 500 penalty units for every day, or part of a day during which the offence continues."; and

(e) in subsection (5), by:

(i) placing a full stop at the end of "an offence" and repealing the rest of subsection (5); and

(ii) inserting after subsection (5) the following:

"Maximum penalty: 2,150 penalty units."; and

(f) in subsection (6):

(i) after paragraph (b), by placing a full stop at the end of "an offence" and repealing the rest of subsection (6); and

(ii) by inserting after subsection (6) the following:

"Maximum penalty: 2,150 penalty units, or to imprisonment for 6 months, or to both such fine or imprisonment."; and

(g) in subsection (7), by:

(i) placing a full stop at the end of "an offence" and repealing the rest of subsection (7); and

(ii) inserting after subsection (7) the following:

"Maximum penalty: 2,150 penalty units; and if the offence is continued, 150 penalty units for every day, or part of a day during which the offence is continued."; and

(h) in subsection (8), by:

- (i) placing a full stop at the end of “an offence” and repealing the rest of subsection (8); and
- (ii) inserting after subsection (8) the following:

“Maximum penalty: 2,150 penalty units; and if the offence is continued, 150 penalty units for every day, or part of a day during which the offence is continued.”.

7 Savings and Transitional

- (1) All prices charged for the supply of electricity under section 21 of the Principal Act before this Act comes into force continue to apply until the expiry of the period of application.
- (2) All ongoing matters, investigations, proceedings and penalties under sections 30 and 42 of the Principal Act before this Act comes into effect, are unaffected and are to be completed under the provisions of the Principal Act.
- (3) The provisions of this Act do not affect the previous operation of the Principal Act, or anything duly done or suffered under it.

ELECTRICITY (AMENDMENT) BILL 2023
EXPLANATORY MEMORANDUM

OBJECTS

The Electricity (Amendment) Bill 2023 is designed to amend the *Electricity Act* (Cap 128) to improve and update the *Electricity Act* to enable the Solomon Islands to fully take advantage of the positive developments in the electricity sector.

The current Principal Act is out of date and some of its provisions are no longer relevant to the interest and welfare of the public in the modern day. Solomon Islands has the highest cost of electricity in the Pacific, a sad reality for the past 10 years, and the Government is adamant to make positive changes to address this.

The Bill sets out to:

- (a) update the definition of electrical generation equipment to allow for the use of modern equipment's;
- (b) provide for a process impacting more on the imposition of tariff; and
- (c) update and increase penalties to match the modern-day crime and need for law and order in today's society.

CONTENT

Clause 1 specifies the short title of the Act.

Clause 2 provides for the commencement of the Act by enabling the Minister to appoint a date for the Act to commence by notice published in the *Gazette*.

Clause 3 provides that the Bill amends the *Electricity Act* (Cap. 128), which Act is referred to as the Principal Act in the Bill.

Clause 4 amends 2 (Interpretation) of the Principal Act, to update and allow for the use of modern electricity generation equipment, for example include in the definition of "installation" the expression "any electricity general equipment".

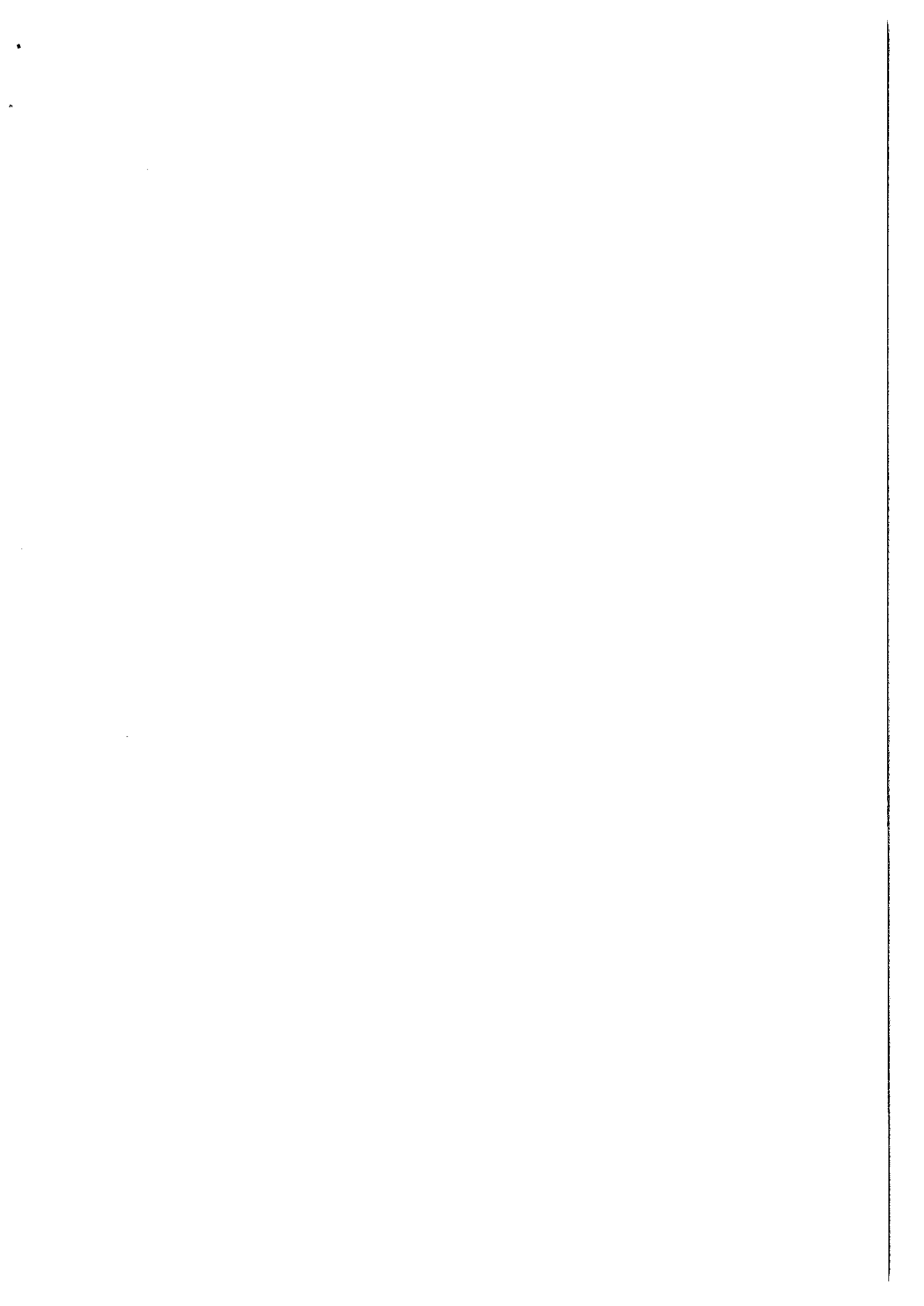
Clause 5 amends section 21 of the Principal Act to empower the Minister to set the electricity tariff after consulting with the direct relevant stakeholders.

Clause 6 amends section 30 of the Principal Act to increase the penalty for operating without a valid licence in the supply of electricity.

Clause 7 amends section 42 to increase penalties to reflect inflation and encourage deterrence.

Clause 8 provides for savings and transitional provisions.

HON. BRADLEY TOVOSIA
MINISTER FOR MINES, ENERGY AND RURAL ELECTRIFICATION



Honiara, Solomon Islands
Printed under the authority of the
Solomon Islands Government

Printed by Provincial Press