SUBSIDIARY LEGISLATION 545.01

ELECTRICITY SUPPLY REGULATIONS*

21st May, 1940

GOVERNMENT NOTICE 223 of 1940, as amended by Government Notices 90 of 1941, 509 of 1944, 478 of 1945, 160 of 1946, 34 of 1947, 285 of 1948, 530 of 1949, 186 of 1954, 339 of 1955, 734 of 1956; Legal Notices 88 of 1959 and 35 of 1960; Act XXIV of 1963; and Legal Notices 84 of 1966; 21 and 74 of 1967; 42 and 99 of 1972; 17, 66, 119 and 125 of 1974; 92 of 1975; 70 of 1978; 12, 38, 59 and 125 of 1979; 11 and 103 of 1980; 102 and 117 of 1981; 75 of 1982; 56 of 1983; 2 and 34 of 1987; 172 of 1990; 126 of 1991; 77 and 165 of 1993; 27 of 1999; 99 of 2003; 440 of 2004; 132 and 409 of 2005; 18, 37, 109, 138, 172, 236 and 283 of 2006; 12, 45, 249 and 426 of 2007; 187, 330 and 338 of 2008; 164 of 2009; 34 and 52 of 2010, 103 of 2012 and 108 of 2014; Act XXXIV of 2014; Legal Notices 308, 390 and 449 of 2014, and 107 of 2015; Act XXV of 2015 and Legal Notices 337 of 2021 and 162 and 244 of 2022.

Title.

1. The title of these regulations is the Electricity Supply Regulations.

Interpretation.
Amended by:
L.N. 35 of 1960;
L.N. 99 of 1972;
L.N. 17 of 1974;
L.N. 66 of 1974;
L.N. 92 of 1975;
L.N. 70 of 1978;
L.N. 125 of 1979;
L.N. 330 of 2008;
L.N. 52 of 2010;
L.N. 103 of 2012;
XXXIV. 2014.38, 39;
L.N. 449 of 2014;
XXV. 2015.41;
L.N. 337 of 2021;
L.N. 162 of 2022.

2. (1) In these regulations and rules, unless the context otherwise requires, the following expressions shall have the meanings respectively -

"application" means an application for the supply of electricity made to the Chairman in accordance with these regulations;

"BHP" means Break Horse Power;

"Chairman" means the Chairman of the distribution system operator and any officer of the distribution system operator who may from time to time be authorised by the Chairman to act for him in carrying out any of the provisions of these regulations;

"close family member" means the parents, spouse, or children of the consumer;

"consumer" means the person or body to whom or on whose account electricity is supplied by the distribution system operator;

"day consumption" means the consumption registered between 06.00 hours and 22.00 hours of the same day;

"distribution system operator" shall have the same meaning as under the Electricity Market Regulations; S.L. 545.13

"electric vehicle" or "EV" means a motor vehicle equipped with a powertrain containing at least one (1) non-peripheral electric machine as energy converter with an electric rechargeable energy storage system, which may be recharged externally;

"EV meter" means an electricity meter installed or approved by the distribution system operator for the purpose of measuring the consumption of electricity for the charging of an EV;

*These regulations have been repealed by Legal Notice 282 of 2024.

"H.T. contribution" means high tension contribution;

"I.E.E. Regulations" means the Regulations for the Electrical Equipment of Buildings published by the Institution of Electrical Engineers for the time being in force;

"installation" means the system of wiring, including heaters, plugs, switches and other fittings intended for conveying or disconnecting apparatus on the consumer's side of the supply terminals; or within a building or an area the owner or occupier whereof is in possession of a licence to generate electricity for use within such building or area;

"kWh" means kilo Watt hour;

"kVAh" means kilo Volt Ampere hour;

"maximum demand made in any period" means twice the greatest number of units supplied during any thirty consecutive minutes during the year or, as the case may be, the quarter, as registered by the maximum demand indicator of the meter installed in such premises by the distribution system operator:

Provided that -

(*a*) where the seal of a maximum demand indicator of the meter is found broken or tampered with, the indicator shall be conclusively deemed to have registered the highest demand in KW or KVA, depending on the applicable tariff, which the meter is capable of registering; or

(*b*) where a maximum demand indicator of the meter is found to be defective, for reasons other than breaking or tampering, the maximum demand made in any period during the last preceding year or, as the case may be, during the last preceding corresponding quarter, shall, unless it is otherwise agreed between the distribution system operator and the consumer, apply to the year or, as the case may be, to the quarter in relation to which such indicator is found to be defective, until the indicator is repaired or replaced by the distribution system operator:

Provided further that, without prejudice to the other provisions of these regulations, and for the purposes of this paragraph only, "year" means a period of approximately twelve consecutive months ending on such day not earlier than the 24th day of March and not later than the 7th day of April on which a reading is carried out;

" "network code" means the code which is kept updated and published by the distribution system operator which defines the technical safety criteria and the technical rules establishing the minimum technical design and operational requirements for the connection to the distribution system and in accordance with the Electricity Regulations;

S.L. 545.34.

"night consumption" means the consumption registered between 22.00 hours of one day and 06.00 hours of the following day;

"Office" means the registered office of the distribution system operator;

"primary residence" means the dwelling house in which an individual habitually resides as his sole or principal place of abode, whether in Malta or elsewhere, as may be established by documentary evidence:

Provided that such a dwelling house shall not be considered as primary residence if the property is also predominantly used for commercial or manufacturing purposes or for any form of trade or profession;

"public charging station" means for the purposes of these regulations, an EV charging station located within a public road or public space where the demand relates only to EV charging;

"reading" means a reading of the current consumption of electricity by an officer authorised by the distribution system operator to undertake such readings, or through remote reading mechanism;

"Regulator" means the Regulator for Energy and Water Services established by the Regulator for Energy and Water Services Act; Cap. 545.

"secondary residence" means any immovable property used solely for residential purposes, other than that residence which serves as an individual's primary residence;

"smart meter" means an advanced electricity meter that stores data related to the consumption of electricity enabling two-way transfer of data through a network, primarily for monitoring and billing purposes;

"special readings of meters" means the reading of a meter made at the request of the consumer.

(2) In these regulations and rules the expression "these regulations" shall be deemed to include a reference to any rules included herein.

Identification of officers. *Amended by: L.N. 125 of 1979. Substituted by: L.N. 52 of 2010. Amended by: XXXIV. 2014.39.*

3. (1) Bill collectors, meter readers and any officer of the distribution system operator carrying out field duties and requiring access to private premises, shall, when on duty and visiting such private premises, clearly identify themselves as acting on behalf of the distribution system operator.

(2) Without prejudice to any other law allowing the entry into any premises at all reasonable times to a service provider, such officers shall carry an identification pass issued by the distribution system operator which pass shall be produced each time that any such person requests admission to any private premises in the course of his work:

Provided that a consumer may refuse admission to his premises to any such officers who fail to produce a pass:

Provided further that any persons acting on behalf of, or engaged by the distribution system operator to carry out work on its behalf, shall present a similar identification pass when visiting the premises of a consumer to undertake such work.

Applications.
Substituted by: L.N. 35 of 1960. Amended by: L.N. 17 of 1974; L.N. 125 of 1979; L.N. 165 of 1993; L.N. 426 of 2007; L.N. 330 of 2008; XXXIV. 2014.39.

4. (1) Applications for the supply of electricity shall be made to the Chairman in such form as the Chairman may from time to time require.

(2) (*Deleted by Legal Notice 330 of 2008*).

(3) An application for a new supply shall contain full particulars concerning the installed load namely voltage, power expressed in kilowatts (KW), power factor and any other matter relating to the supply of electricity as may be specified on the application.

(4) Where a consumer registered with the distribution system operator in respect of any premises moves to any other premises, the provisions of this regulation shall apply to the supply of electricity to such consumer at such other premises as if it were a new supply, whether or not such other premises were previously supplied with electricity by the distribution system operator.

(5) The particulars contained in the application shall be subject to verification by the Chairman, and the Chairman may, for such purpose -

(*a*) require the applicant to furnish him in writing with any further particulars relating to the application; and

(*b*) cause an inspection of the premises or of the installation to which the application relates to be carried out.

(6) Houses, apartments, flats, factories, hotels, commercial outlets, offices and any other buildings which are physically internally interconnected shall be provided with only one service unless otherwise authorised by the Chairman.

Furnished houses.
Amended by: L.N. 17 of 1974; L.N. 125 of 1979; XXXIV. 2014.39.

5. The Chairman may require the lessor of a furnished, or partly furnished house or apartment, to bind himself *in solidum* with the lessee for the regular payment of all amounts that may become due to the distribution system operator in respect of meter charge or supply of electricity to such tenements.

Lessor bound *in solidum* deemed to be consumer.

6. The lessor who may be thus bound *in solidum* with the lessee shall be deemed to be the consumer for the purpose of these regulations.

Houses occupied by more than one family.

7. Where a house, whether leased furnished or unfurnished, is occupied by two or more distinct families, and is served by one meter, the lessor shall be deemed to be the consumer for the purpose of these regulations.

Deposits.
Amended by: L.N. 125 of 1979; XXXIV. 2014.39.

8. Before current is supplied to the account of any consumer, or at any time thereafter, the Chairman may require such consumer to deposit at the Office an amount to be fixed by the Chairman, as a surety for the regular payment of all amounts that may become due to the distribution system operator in connection with the supply of electricity to the account of such consumer.

Refund.
Amended by: L.N. 125 of 1979; XXXIV. 2014.39.

9. A deposit made under the preceding regulation shall become refundable to the depositor on his ceasing to be a consumer, provided that all amounts due to the distribution system operator in respect of the supply of electricity to his account have

been paid.

Security.
Amended by:
L.N. 125 of 1979;
XXXIV. 2014.39.

10. The Chairman may, in lieu of requiring a deposit to be made under regulation 8, require a consumer to produce an undertaking by a third party acceptable to the Chairman to hold himself bound *in solidum* with the consumer for the regular payments of all amounts that may become due to the distribution system operator in connection with the supply of electricity to the account of such consumer.

Letting of tenement or apartments for more than one quarter.
Added by:
G.N. 478 of 1945.
Amended by:
L.N. 17 of 1974;
L.N. 125 of 1979;
XXXIV. 2014.39.

11. Any person who owns or administers or has under his control any tenement or apartment supplied with electricity by the distribution system operator shall, on letting for longer than one quarter such tenement or apartment to any other person not permanently resident in these Islands, give notice thereof in writing to the Chairman stating the full name, any available particulars of the tenant and the agreed period of the tenancy; and so long as such notice is not given or if the information given is not correct the lessor shall, without prejudice to the provisions of regulation 12, be liable *in solidum* with the lessee for any debt incurred by the latter on account of meter charge and supply of electricity to the premises. The written acknowledgement of the Chairman shall be necessary to prove that the lessor has given the notice aforesaid.

Letting of tenement or apartments for less than one quarter.
Added by:
G.N. 478 of 1945.
Amended by:
L.N. 17 of 1974;
L.N. 125 of 1975;
XXXIV. 2014.39.

12. Where a tenement or apartment supplied with electricity by the distribution system operator is let to any person, either expressly or tacitly, by the week, by the month or for less than one quarter, or when the tenement, being let for more than one quarter, is in fact occupied by the tenant for less than one quarter, the person who owns, or administers or has under his control such tenement or apartment shall be liable *in solidum* with the lessee for any debt incurred by the latter on account of meter charge and supply of electricity to the premises.

Applicability of regulations 11 and 12.
Added by:
G.N. 478 of 1945.

13. (*Deleted by L.N. 52 of 2010*).

Extension of services.
Amended by:
L.N. 125 of 1979.
Substituted by:
L.N. 165 of 1993;
L.N. 27 of 1999.
Amended by:
L.N. 330 of 2008;
L.N. 164 of 2009;
L.N. 52 of 2010;
XXXIV. 2014.39;
L.N. 337 of 2021;
L.N. 162 of 2022.

14. (1) (*a*) Services will be extended by the distribution system operator.

(*b*) Services consist of single phase supplies of up to, but not exceeding 40 Amps, and three phase supplies of up to, but not exceeding 60 Amps per phase and a supply in excess of 60 Amps per phase, provided through one meter, shall be deemed as a bulk supply for the purposes of these regulations.

(*c*) Without prejudice to the other provisions of these regulations an installation charge shall be due on every new application for a service amounting to €300 for the provision of a Single Phase Service or to €900 for the provision of a Three Phase Service:

Provided that the replacement of a Single Phase Service with a Three Phase Service or of a Three Phase Service with a Single Phase Service shall be deemed to be a new application for the purposes of

these regulations and shall be subject to the charges established by this sub-regulation for a new application:

Provided further that, only in the case of a Residential Premises Service or a Domestic Premises Service, up to the 30th June 2009, the replacement of a Three Phase Service with a Single Phase Service shall be subject to a charge of €163.06 but shall thereafter be deemed to be a new application for the purposes of these regulations and shall be subject to the charge established by this sub-regulation for a new application.

(*d*) Where the route length is beyond 150 metres from the nearest suitable low voltage source of supply the applicant will have to pay for the full amount of the extension less the connection fees in paragraph (*c*). The minimum charge will be €430 for single phase and €1300 per three phase supplies. Extensions beyond 150 metres will only be made using standard materials and given that voltage regulation can be kept within 6% from the nominal value.

(*e*) Without prejudice to the other provisions of these regulations:

(i) a one-time installation fee of fifty euro (€50) shall be applicable with every new application for an additional single-phase meter for the charging of electric vehicles in a Non-Residential Premises already provided with a single-phase or three-phase service;

(ii) a one-time installation fee of eighty euro (€80) shall be applicable with every new application for an additional three phase meter for the charging of electric vehicles in a Non-Residential Premises already provided with a three-phase service:

Provided that, only one (1) additional EV meter for the charging of electric vehicles may be provided on any single phase or three phase account:

Provided further that, the additional meter for the charging of electric vehicles installed as a supplementary meter of the main consumption meter and on an existing service shall be installed in close proximity of the consumption meter in a suitable location as may be determined by the distribution system operator;

(iii) new electricity service or upgrade or modification of an existing service to a public charging station shall be provided in accordance with the

applicable charges established under this regulation.

(*f*) Without prejudice to the other provisions of these regulations:

(i) a one-time installation charge of fifty euro (€50) shall be applicable with every new application for an additional single-phase meter for the charging of electric vehicles in a Residential or Domestic Premises already provided with a single-phase or three phase service;

(ii) a one-time installation charge of eighty euro (€80) shall be applicable with every new application for an additional three phase meter for the charging of electric vehicles in a Residential or Domestic Premises already provided with a three-phase service:

Provided that, only one (1) additional meter for the charging of electric vehicles may be provided on any single-phase or three-phase consumption service and account:

Provided further that, the additional meter for the charging of electric vehicles installed as a supplementary meter of the main consumption meter and on an existing service shall be installed in close proximity of the consumption meter in a suitable location as may be determined by the distribution system operator;

(iii) subject to the applicable charges provided for under this regulation, a new electricity service or upgrade or modification of an existing service to an EV meter installation in accordance with regulation 37 (6) may be provided for private communal car parking or reserved private car spaces within the boundary of the apartments' block, and where the user of the private communal car parking or reserved private car spaces does not have a residential or domestic account and, or does not have an apartment in the same block.

Extension of services to multiple consumers within one development. *Added by: L.N. 27 of 1999. Amended by: L.N. 162 of 2022.*

(2) (*a*) Multiple consumers within one development may consist of Residential or Non-Residential or Domestic premises or a mixture of Residential or Non-Residential or Domestic premises none of which require a supply which exceeds 60 Amps per phase.

(*b*) Supplies will be extended from the existing low voltage distribution system to a development consisting of multiple consumers, if either one of the following two criteria is satisfied:

(i) the development for multiple consumers is within a building scheme comprising 22 units or less and within 150 metres from the nearest suitable low voltage point of supply. Where the route length is beyond 150 metres the charges in sub-regulation (1)(*d*) will be applicable. (One unit consists of a single phase 40 Amp service. A three phase 60 Amp service is considered as 4.5 units). For the purpose of this paragraph an industrial/commercial premises shall be considered as 4.5 units even when the application is for a 40 Amp service;

(ii) the development in question satisfies all the following conditions (1) to (5):

(1) the number of units does not exceed 50 units;

(2) the route length does not exceed 300 metres from an existing substation or transformer centre;

(3) the product of the number of units and the route length in metres does not exceed 6,600 unit metres;

(4) the peak load of the existing substation at the time of the application and the additional load estimated at 4 Amps per phase per unit shall not exceed 90% of the transformer rating, so long as the transformer cannot be uprated;

(5) the development is within a building development scheme.

(*c*) When either one of the criteria in paragraph (*b*) are satisfied the connection fees in sub-regulations (1)(*c*) and, or (1)(*d*) will be applicable for each respective premises within the development.

(*d*) A Service within a multiple consumer development, will be treated as a bulk supply as provided un sub-regulation (3), if it requires more than 60 Amps three phase.

(*e*) Subject to regulation 15(c)(i), a new substation shall be required to provide the supply to a development with multiple consumers where the criteria in sub-paragraphs (i) and (ii) of paragraph (b) are not satisfied, unless there is a technical justification from the distribution system operator showing that a supply extended from an existing substation is adequate to meet the total demand of the whole multiple consumer development and the requirements of the network code.

Extension of bulk supplies.
Added by:
L.N. 27 of 1999.
Amended by:
XXXIV. 2014.39.

(3) (*a*) Bulk supplies will be extended by the distribution system operator.

(*b*) Bulk supplies consist of three phase supplies which exceed 60 Amps per phase, provided through one

meter.

(*c*) Bulk supplies will not be extended from overhead lines or from underground cables which are themselves supplied from an overhead line.

(*d*) Bulk supplies from the existing low voltage distribution system will only be extended if the following three criteria are satisfied:

(i) the amount required in Amps per phase multiplied by the distance in metres between the metering point on the applicant's premises and the low voltage panel in the nearest suitable substation must not exceed 30,000 Amp metre. For this purpose the current requested must consist of one of the following standard values:- 100Amps, 125Amps, 160Amps, 200 Amps, 250 Amps, 315 Amps, 355 Amps, 400 Amps, 450 Amps, 500 Amps;

(ii) The route length in metres between the metering point on the applicant's premises and the low voltage panel in the nearest suitable substation does not exceed 300 metres;

(iii) the bulk supply required does not exceed 500 Amps per phase.

(*e*) The full cost of the low voltage works to extend a bulk supply will be charged to the applicant. In addition a charge of €81.52 per kVA requested will be made to the applicant as high voltage contribution.

(*f*) A new substation, subject to regulation 15, would be required to meet low voltage supplies which do not satisfy the criteria in paragraphs (*d*)(i), (*d*)(ii) and (*d*)(iii).

15. (*a*) A new substation will be required within the development:

Extension of electricity supplies which require a new substation or supplies at 11kv and above.
Added by: L.N. 165 of 1993. Substituted by: L.N. 27 of 1999. Amended by: L.N. 52 of 2010; XXXIV. 2014.39.

(i) when the criteria to supply a development with multiple consumers as outlined in regulation 14(2)(*b*)(i) or (ii) are not satisfied;

(ii) when the criteria for bulk supplies outlined in regulation 14(3)(*d*)(i) or (ii) or (iii) are not satisfied;

(iii) when there is no substation in the vicinity from which it is technically possible to extend an adequate low voltage supply to the development in question.

(*b*) (i) In the case of bulk supplies the new substation is to be financed either -

(1) by the applicant/applicants or

(2) by the applicant/applicants and the distribution system operator on a cost-sharing basis in cases where the

distribution system operator would require to utilise the substation.

In either case the distribution system operator will retain full ownership of the substation after it is energised and access will be required at all times for the personnel, contractors and equipment of the distribution system operator. The distribution system operator will also maintain the substation and associated equipment.

(ii) As long as the substation is used exclusively by the applicant/applicants, the metering equipment shall be installed on the high voltage side.

(iii) In case the distribution system operator and the applicant/applicants agree to share the substation costs, and the latter provides the land and civil works and/or any structural alterations, he will be given compensation therefore at a maximum amount of €23,293, and cost sharing would be applied on a pro-rata basis on the proportion of load used by each party. Any compensation paid to the applicant/applicants will be added to the cost to supply and equip the substation for the purpose of cost sharing.

(iv) When the substation in question has been totally financed by the applicant/applicants the former would be refunded at €58.23 per kVA extended to any new applicant/ applicants. This also applies should the distribution system operator decide to extend low voltage supplies for general public use from the substation. The refund provision will continue to apply only for up to 10 years from the commissioning date of the relative substation.

(v) When the substation has been financed on a cost-sharing basis by the applicant/applicants and the distribution system operator, the refund in subparagraph (iv) will not be due to the applicant/applicants.

(*c*) (i) In the case of a development with multiple consumers which requires a substation as in regulation 14(2)(*e*), the applicant/applicants must provide a suitable substation room within the development in question. The distribution system operator would compensate the applicant/applicants with a maximum amount of €23,293 for providing the substation land, civil works and/or any structural alterations. the distribution system operator would then complete the substation thereby, bearing the whole cost. The distribution system operator will however retain the right to extend supplies from the substation to applicants outside the

development without making any additional compensation to the applicant/applicants.

(ii) All multiple consumer applicants within the development will be charged the application fees in regulation 14(1)(*c*).

(*d*) Supplies at 11 kV or above will be charged at cost in addition to a negotiable charge for existing infrastructure use.

Installations. *Substituted by: G.N. 339 of 1955; L.N. 88 of 1959.*

16. Subject to the provisions of regulation 20(2) and (3), installations shall be carried out in accordance with these regulations.

Main linked double or triple pole circuit breaker. *Substituted by: G.N. 339 of 1955. Amended by: L.N. 125 of 1979; L.N. 165 of 1993; XXXIV. 2014.39.*

17. A main linked double or triple pole circuit breaker, with overload trip on each phase conductor or a linked double pole or triple pole switch and fusible cut out of an approved type as directed by the Chairman, shall be provided and fixed by or at the expense of, the consumer immediately beyond, and on the consumer's side of the meter:

Provided that no such fusible cut out or circuit breaker shall be inserted in the neutral conductor. An earth leakage circuit breaker is to be installed on the installation side and immediately beyond the circuit breaker or switch. This earth leakage circuit breaker is to have a tripping sensitivity of 30 mA maximum leakage current to earth in the case of an installation rated up to 60 Amps. The earth leakage circuit breaker must have means for periodic testing to verify its operation when a current flows to earth. In addition each individual consumer is to provide a separate means of earthing in the form of an earth electrode, installed in a manner approved by the distribution system operator. Water pipes will no longer be considered as a suitable means for earthing. Effective balancing within a margin of ten *per centum* of the connected load shall be maintained on all installations for lighting, power and heating.

Installations not carried out by the distribution system operator. *Amended by: L.N. 125 of 1979; XXXIV. 2014.39.*

18. Installations that have not been carried out by the distribution system operator shall only be connected to the system if carried out by, or under the direction and responsibility of, a person in possession of a permit from the distribution system operator authorizing him to undertake the class of work to be carried out.

Issue of licences. *Substituted by: G.N. 509 of 1944. Amended by: G.N. 734 of 1956; L.N. 74 of 1967; L.N. 125 of 1979. Substituted by: L.N. 165 of 1993. Amended by: L.N. 52 of 2010; XXXIV. 2014.39.*

19. (1) There shall be two classes of permits:

(*a*) wireman's licence A for electricians authorised to carry out single phase installations only; and

(*b*) wireman's licence B for electricians authorised to carry out single and three phase installations.

(2) The wireman licences shall be issued by the Chairman on the recommendation of the Electricity Licensing Board to persons who -

(*a*) have passed an examination held for the purpose by the Registrar of Examinations on behalf of the distribution system operator, and

(*b*) have attained the age of eighteen, and

(*c*) have completed one year's experience in electrical installation work for licence A and two years for licence B.

(3) (*a*) The examinations for the licences shall be held at least once a year on a date or dates to be fixed by the Registrar of Examinations. Notice of the holding of an examination shall be given in the Gazette not less than two months in advance.

(*b*) The syllabi for the examinations shall be set by the Electricity Licensing Board.

(*c*) Any revised syllabus is to be published two years before any examination is set on them.

(4) Permits shall, subject to their renewal, be valid for one year reckoned from the 1st day of January of the year in which they are granted. The grant of an initial permit and every renewal shall be subject to the payment of a fee of €11.65 *per annum* for Licence A and €23.29 *per annum* for Licence B. Holder of Licence B is deemed to have Licence A as well. An application for the renewal of a permit made two months or longer after the termination of the validity of the permit last held by the applicant shall, for the purposes of this clause, be subject to a further administrative fee of €11.65.

(5) (*a*) Applications for the issuing of a wireman's licence shall be made to the Chairman. The application shall be accompanied by a certificate showing a pass in the relevant examination, a birth certificate from the Public Registry and testimonials relating to practical experience in electrical installation, signed by licensed persons under whom the experience was attained.

(*b*) The Electricity Licensing Board shall consider each application and decide whether the practical experience offered is of an adequate level.

(6) The Chairman may, on recommendation of the Electricity Licensing Board, exempt an applicant from such examinations or part thereof, if the Electricity Licensing Board is satisfied that the applicant's qualifications justify such exemption from the examination or a part thereof. A fee of €11.65 shall be paid for each application.

Condition and suitability of installation. *Substituted by: G.N. 339 of 1955. Amended by: L.N. 88 of 1959; L.N. 125 of 1979; L.N. 126 of 1991; L.N. 165 of 1993; XXXIV. 2014.39.*

20. (1) Licenced electricians must be satisfied with regard to the condition and suitability of the installation they have carried out before endorsing application forms for electricity e.g. that the wiring, fittings and other current consuming apparatus are sufficient in size and power for the purpose for which the supply is to be used and are constructed, installed and protected so as to prevent danger as far as is reasonably practicable. Licenced electricians must also be satisfied that:

(*a*) the insulation resistance between conductors and to earth is not below I.E.E. Standard;

(*b*) all single pole switches and all fusible cut outs are inserted in phase conductors only;

(*c*) where necessary installation circuits are sectionalized into final sub-circuits; and that socket outlets are wired to a final sub-circuit distinct from lighting circuits;

(*d*) all appliances and accessories including switches and lampholders unless of the all insulated type are effectively earthed and, when portable, are connected to earth through 3-pin plugs;

(*e*) all cleated wiring is secured by saddles or clamps, and not by driven staples;

(*f*) all metal forming part of the electrical equipment in bathrooms (other than current carrying parts) and all other exposed fixed metal-work in such rooms including piping and bath but excluding window frames, door locks and other similar furnishings are connected together by a uniform potential conductor which is permanently earthed;

(*g*) switches, lampholders and other accessories fitted in bathrooms are inaccessible to a person sitting in or on a bath or under a shower;

(*h*) wood casing is not fixed across or below water pipes;

(*i*) every accessory or fitting in garages unless of a totally enclosed type is fixed not less than one point two metres above floor level;

(*k*) when the water supply to a premises is through a "roof top" reservoir, incoming and outgoing metal pipes should be bonded together across the reservoir;

(*l*) should the consumer have a licence to operate a standby generator within his installation then the generator must be connected to the installation via a four pole changeover switch;

(*m*) in the case where a consumer's use of electricity is deemed to be detrimental to the service rendered by the distribution system operator to other consumers, the former consumer will be required to install at his expense the necessary corrective and, or, protective equipment on his premises. Such cases include but are not limited to fluctuations of voltage and generation of harmonics.

(2) Any consumer's installation which complies with the provisions of the I.E.E. Regulations shall be deemed to fulfill the provisions of these regulations.

(3) The Chairman may require compliance with any of the provisions of the I.E.E. Regulations before an installation is connected to the system.

(4) Electrical equipment, appliances or machines above 1.5 KW will not be connected to the electricity supply system unless equipped to operate at a power factor of not less than 0.9 lagging at

maximum rated power.

Tests.
Amended by: L.N. 125 of 1979. Substituted by: L.N. 165 of 1993.

21. Tests on completion of an installation must be made by the licensed electrician, who must also submit signed and stamped test results with the application for the electricity supply.

Test results.
Substituted by: L.N. 165 of 1993.

22. Test results are to be entered on the appropriate form which is provided with the application for service. These results together with schematic and wiring layout drawings of the installation are to be submitted with the application for the service. The diagrams are to include the type and composition of circuits and the means and location of protection and isolation.

Certification by electrical engineer.
Amended by: L.N. 125 of 1979. Substituted by: L.N. 165 of 1993.

23. The design of an installation rated at 300 Amps per phase and over and the test on completion must in addition be certified by a professional electrical engineer.

Examination of form.
Substituted by: G.N. 339 of 1955; L.N. 165 of 1993. Amended by: XXXIV. 2014.39.

24. The distribution system operator will examine the applicant's form and test certificates. If these are found acceptable, the service will be provided to the applicant.

Certificates referred back.
Amended by: L.N. 74 of 1967. Substituted by: L.N. 165 of 1993. Amended by: L.N. 52 of 2010; XXXIV. 2014.39.

25. If the test certificates fail to satisfy the distribution system operator, these will be referred back to the applicant and a fee of €11.65 charged.

Suspension of supply until alterations are carried out.
Amended by: L.N. 125 of 1979. Substituted by: L.N. 165 of 1993. Amended by: XXXIV. 2014.39.

26. (*a*) Installations duly connected to the system shall be liable to test by the distribution system operator at any time and if they do not conform to any of the requirements of these regulations the supply of electricity may be suspended until the required alterations and repairs to conform to those requirements have been carried out.

(*b*) If an installation after being tested by the distribution system operator is found to be faulty and, or, not in accordance with the wiring diagram submitted with the application form, the licensed electrician will be given a written warning in the first instance. The same licensed electrician shall have his licence revoked if ever a second defective installation which he has certified, is traced by the distribution system operator.

Installations to be rendered fit for connection.
Substituted by: G.N. 339 of 1955. Amended by: L.N. 125 of 1979. Substituted by: L.N. 165 of 1993. Amended by: L.N. 52 of 2010; XXXIV. 2014.39.

27. Unless an installation that has been found defective is rendered fit for connection to the system within one month from date of the first test, the consumer shall be liable to make good the expense incurred by the distribution system operator in providing and laying the service cable and fixing the main fuse box and meter subject to a minimum fee of €232.93.

Fee for subsequent test.
Amended by: L.N. 74 of 1967. Substituted by: L.N. 165 of 1993. Amended by: L.N. 52 of 2010.

28. A fee of €11.65 shall be charged for each test subsequent to the test when the installation was first found to be defective.

Alterations or additions.
Amended by: L.N. 125 of 1979; XXXIV. 2014.39.

29. Any alterations or additions that may be made on any installation after the official test has been carried out must be immediately notified to the distribution system operator, and the installation on which such alterations or additions will have been made shall be subject to the conditions specified in regulation 27.

Alterations or additions which have not been reported.

30. If at any inspection of an installation already connected to the system, it is found that alterations or additions have not been reported as required by regulation 29, the supply of current may be suspended until the installation has been inspected and tested. The provisions of regulations 18 and 20 will apply also in this case.

Refund of expenses.
Amended by: L.N. 125 of 1979; XXXIV. 2014.39.

31. A consumer at whose request an installation may have been connected to the system renders himself liable to refund the distribution system operator the expense incurred in effecting the connection if he requires the installation to be disconnected and the meter removed within a period of one year from the date of connection, or should he fail to accept the installation of a meter within a period of one week after written notification has been given to him of the intention of the distribution system operator to install such meter.

Supply of current to another tenement.
Amended by: L.N. 119 of 1974; L.N. 125 of 1979.

32. A consumer who supplies, or allows the supply of, current passing through his meter to a tenement other than that for which the supply was intended, render himself liable to have the supply to his tenement discontinued for such period as may be determined by the Chairman:

Provided that the provision of this regulation shall not apply when the first mentioned tenement consists of a private garage, and -

(*a*) it is either adjacent to the residential premises occupied by such consumer, whether it has direct access from such premises or not, or

(*b*) it is within the precincts or on the same grounds of the residential premises of such consumer,

and, moreover, the garage is made use of by the said consumer and no other person has a right, on payment, to make use of the same garage.

Chairman may allow supply of current to another tenement.
Amended by:
L.N. 125 of 1979.

33. The Chairman may, in special cases and for a specified period, on a request made by a consumer, allow the supply of current through such consumer's meter to one or more tenements other than that for which the supply may have been registered.

Payment by instalments for the cost of an installation and HT contribution.
Amended by:
L.N. 125 of 1979.
Substituted by:
L.N. 165 of 1993.
Amended by:
L.N. 52 of 2010;
XXXIV. 2014.39.

34. The cost of an installation and H.T. contribution to be carried out by the distribution system operator is to be paid under the following conditions:

(*a*) estimates below €2,329 to be paid in full on contract;

(*b*) estimates above €2,329 to he paid 50% on contract and 50% prior to energizing of extension, subject to a minimum deposit of €2,329.

Installation to remain property of the distribution system operator.
Amended by:
L.N. 125 of 1979;
XXXIV. 2014.39.

35. The installation shall remain the property of the distribution system operator until the whole amount due has been paid, and the landlord of the premises wherein the installation has been laid shall be required to agree to offer no opposition to its removal by the distribution system operator in the event of the consumer failing to pay regularly the whole or any portion of the amount due in respect of its cost and interest thereon as calculated in regulation 34(*b*).

Tariffs for supply of electricity.
Substituted by:
G.N. 90 of 1941;
G.N. 160 of 1946;
G.N. 285 of 1948;
G.N. 186 of 1954;
G.N. 339 of 1955;
L.N. 35 of 1960.
Amended by:
L.N. 119 of 1974;
L.N. 27 of 1999.
Substituted by:
L.N. 330 of 2008;
L.N. 164 of 2009.
Amended by:
L.N. 103 of 2012;
XXXIV. 2014.39;
L.N. 449 of 2014;
XXV. 2015.41;
L.N. 337 of 2021;
L.N. 162 of 2022;
L.N. 244 of 2022.

36. (1) A distribution system operator may enter into special agreements in order to charge prices other than those established by these regulations, provided that the said prices are lower than those established by tariff.

(2) The Regulator shall approve any proposed tariffs submitted by a distribution system operator that provide sufficient revenue to the distribution system operator in any financial year in respect of the generation, distribution, and sale of electricity:

(*a*) to cover its full cost which shall include all operational, administrative and financial costs incurred in the generation, distribution and retail of electricity units including but not limited to costs relating to operational asset impairment, non-recoverable tax and duties (excluding corporate tax on profits), and accumulated losses;

(*b*) to meet periodic repayments on long term indebtedness to the extent that any such repayment exceeds the provisions for depreciation; and

(*c*) to provide a reasonable return on the equity value,

and any such tariffs and agreements shall not give undue preference as between consumers similarly situated or make undue discrimination as between persons similarly situated having regard to the place and time of supply, the quantity of electrical energy supplied, the consumer load and power factor, the purpose for which the supply is taken and any other circumstance which could justify a preferential or discriminatory treatment.

(3) (*a*) A distribution system operator shall communicate its proposed tariffs to the Regulator together with all documentation in support of its proposals, and together

with any other information and documentation reasonably requested by the Regulator within a period of three (3) months from the submission of the proposal. Any documentation submitted to the Regulator by the distribution system operator in terms of this regulation shall be considered as confidential and economically sensitive and shall be handled accordingly.

(*b*) The Regulator shall communicate its decision to approve or refuse the tariffs proposed by the distribution system operator within six (6) months from the submission of the proposal, provided that the Regulator may only refuse to grant its approval to the said tariffs after having given the distribution system operator an opportunity to make representations to the Regulator, and shall provide reasons to the distribution system operator explaining its decision.

(4) The Regulator may only refuse to grant its approval to any tariffs proposed by the distribution system operator when such proposed tariffs do not comply with the principles established by sub-regulation (2).

(5) A distribution system operator shall have a right to appeal on any grounds of fact and law to the Administrative Review Tribunal from any decision taken by the Regulator in terms of this regulation. In reaching a decision the said Administrative Review Tribunal shall have regard to:

(*a*) the principles established in terms of this regulation;

(*b*) the proposed tariff structures proposed by the distribution system operator; and

(*c*) any relevant correspondence between the Regulator and the distribution system operator, and any legitimate expectation created by law, regulation, or by the Regulator in favour of the distribution system operator.

(6) For the purposes of these regulations the tariff for a Residential Premises Service shall not exceed the maximum tariff established in the First Schedule and shall be calculated in accordance with the methodology as outlined in the First Schedule.

(7) For the purposes of these regulations the tariff for a Non-Residential Premises Service shall not exceed the maximum tariff established in the Second Schedule and shall be calculated in accordance with the methodology as outlined in the Second Schedule.

(8) For the purposes of these regulations the tariff for a Domestic Premises Service shall not exceed the maximum tariff established in the Third Schedule and shall be calculated in accordance with the methodology as outlined in the Third Schedule.

(9) Notwithstanding the provisions of any other law, the Chairman shall, at any time and in his discretion, having regard to the provisions of these regulations, determine whether a Service is to be deemed a Residential Premises Service, a Non-Residential

Premises Service or a Domestic Premises Service for the purposes of these regulations.

(10) For the purposes of these regulations, a consumer shall be entitled to submit an application requesting that a Service to individual units of residence, used solely and regularly as private dwellings, as may be confirmed by documentary evidence, be registered as a Domestic Premises Service:

Provided that the Service to the common parts of a condominium consisting entirely of premises used exclusively for residential purposes may also be submitted for registration as a Domestic Premises Service:

Provided further that, unless otherwise authorised by the Chairman, for good and sufficient cause, a consumer shall only be entitled to register as a Domestic Premises Service, a Service to one Primary Residence, a Service to one Secondary Residence and a Service to one Garage which does not exceed 30 square meters in area and is used exclusively for private, non-commercial purposes:

Provided also that in the case of uninhabited premises intended for residential use, the distribution system operator may allow such a service to be registered as a Domestic Premises Services for a period of up to twelve months.

(11) For the purposes of these regulations, a consumer shall be entitled to submit an application requesting the Chairman to register individuals having their primary residence in Malta on a Residential Premises Service in relation to such primary residence:

Provided that no one individual shall be registered on more than one Residential Premises Service at the same time and that no individual shall be registered on a garage or on the common parts of a condominium.

(12) For the purposes of these regulations, a Service which is not registered as a Domestic Premises Service or as a Residential Premises Service in terms of this regulation or a Service which has not been submitted for registration as a Domestic Premises Service or a Residential Premises Service in terms of this regulation, shall be considered as a Non-Residential Premises Service, unless otherwise determined by the Chairman.

(13) The following provisions shall apply with respect to the registration of persons on a Domestic Premises Service or on a Residential Premises Service:

(*a*) a consumer shall furnish in writing to the distribution system operator, within such time as may be stipulated by the distribution system operator, any information together with any supporting documents which may be required for the purpose of such registration;

(*b*) a consumer shall notify the distribution system operator in writing of any change in the circumstances, on the basis of which such registration is made, not later than one month from when such change occurs;

(*c*) any change in the number of persons registered on a

Domestic Premises Service or on a Residential Premises Service shall be taken into account, for the purpose of such registration, from the date of the first normal meter reading following the date on which the change in the number of persons occurs or the date on which the distribution system operator is notified in writing of such a change, at the discretion of the distribution system operator;

(*d*) a person residing in a tenement may apply to the distribution system operator so that he shall be registered on a tenement as a Domestic Premises Service other than that in which he resides;

(*e*) any application shall be made in such form as may be issued by the distribution system operator from time to time;

(*f*) every arrangement made in terms of this sub-regulation shall be valid until the 31st December of the year in which it was made or for which it was renewed, and it shall be deemed to have been renewed for the next following year, unless the consumer, not later than the last day of November of the year in which the arrangement is in force, gives notice in writing to the distribution system operator that he does not want the said arrangement to be so renewed.

(14) For the purposes of these regulations, a Non-Residential Premises service for the charging of electric vehicles shall be billed in accordance with the Fourth Schedule.

(15) For the purposes of these regulations, a residential Premises service or a domestic Premises service for the charging of electric vehicles shall be billed in accordance with the Fifth Schedule.

(16) For the purposes of the First Schedule, the Second Schedule, and the Third Schedule, "calendar year" and any other reference to a year (including "annum" or "annual") means a calendar year commencing on the 1st January and expiring on the 31st December of each respective calendar year.

EV meters. *Added by: L.N. 337 of 2021. Amended by: L.N. 162 of 2022.*

37. (1) The electricity supplied through an EV meter, shall be used for EV charging purposes only. Any other use or tampering thereto shall lead to any lawful action that shall be taken by the distribution system operator, as it so deems necessary, and as permitted under these regulations, including suspension of supply to the premises.

(2) The installation from the EV meter, up to and including the EV charging point, shall be the sole responsibility of the consumer and shall be compliant with any requirement of these regulations, and any other applicable regulations.

(3) Any electrical installation in the area hosting the installation, from the EV meter up to, and including the EV charging point, shall be supplied from the same service and account supplying the EV meter.

(4) Without prejudice to the foregoing, the distribution system operator may add additional control equipment to the EV meter installation as it may deem necessary.

(5) In the case of private communal car parking or reserved private car spaces within the boundary of the apartments' block, the installation of an EV meter as a supplementary meter of the main apartment consumption meter to supply an electrical installation for a private EV charging point on the residential or domestic account shall only be allowed where:

(*a*) the private communal car parking or reserved private car spaces shall have the same electrical source supplying the consumption meter of the apartment to which the residential or domestic account refers;

(*b*) the supplementary EV meter shall be installed in proximity to the main consumption meter;

(*c*) the electrical installation from the EV meter to the charging point shall not pose any obstruction or danger to third parties;

(*d*) proper labelling shall be affixed at the charging point, at the EV meter and at the electrical installation referred to in paragraph (c) to indicate that the EV charging installation is sourced from a different electricity meter than the communal meter supplying the common parts of the apartment block or of the common area where the private communal car parking or reserved private car spaces are located; and

(*e*) the installation supplied from the EV meter shall be solely used for EV charging.

(6) In the case of private communal car parking or reserved private car spaces within the boundary of the apartments' block, and where the user of a private communal car parking or reserved private car spaces does not have a residential or domestic account and, or does not have an apartment in the same block, the installation of an EV meter to supply an EV charging point for private non-commercial purposes shall only be allowed where:

(*a*) the new EV service and consumption meter shall be on the same electricity source supplying the meter or meters of the common parts of the private communal car parking or reserved private car spaces and can technically be provided by the distribution system operator in accordance with these regulations:

Provided that, the electricity account holder with respect to the electricity service providing supply to the common parts shall not be responsible for the electricity service providing supply to the EV charging point, and that the electricity account holder for such electricity service shall bear sole responsibility;

(*b*) the EV meter shall be installed in proximity to the consumption meters in the common parts;

(*c*) the electrical installation supplied from the EV meter shall not pose any obstruction or danger to third parties; and

(*d*) the installation supplied from the EV meter shall be solely used for EV charging.

38. (*Deleted by Legal Notice 330 of 2008*).

Tariff for supply of electricity to industrial premises.
Substituted by:
L.N. 35 of 1960.
Amended by:
L.N. 125 of 1979.

39. (*Deleted by Legal Notice 330 of 2008*).

Temporary illuminations.
Substituted by:
L.N. 35 of 1960.
Amended by:
L.N. 119 of 1974.

40. (*Deleted by Legal Notice 330 of 2008*).

Chairman to determine the type of premises.
Substituted by:
L.N. 35 of 1960.
Amended by;
L.N. 119 of 1974;
L.N. 125 of 1979.

41. (*Deleted by Legal Notice 330 of 2008*).

Electricity shore supplies.
Added by:
L.N. 49 of 1972.
Amended by:
L.N. 119 of 1974.

42. Special rates for the supply of electricity, other than those specified in these regulations, may be charged by agreement between the Chairman and a consumer if the Minister, having regard to the economic interest of the distribution system operator, so approves.

Special rates.
Substituted by:
L.N. 35 of 1960.
Amended by:
L.N. 125 of 1979;
XXXIV. 2014.39.

43. (*Deleted by Legal Notice 330 of 2008*).

Meter reading immediately prior to 1st October, 1974.
Added by:
L.N. 125 of 1974.

44. (*Deleted by Legal Notice 330 of 2008*).

Rate for reverse osmosis plants.
Added by:
L.N. 34 of 1987.
Amended by:
L.N. 99 of 2003.

45. The main fuse shall be supplied by the distribution system operator, and shall be placed in such a position as may be determined by the Chairman.

Main fuse.
Amended by:
L.N. 125 of 1979;
XXXIV. 2014.39.

Main fuse box shall be sealed. *Amended by: L.N. 125 of 1979; XXXIV. 2014.39.*

46. The main fuse box shall be sealed by the distribution system operator, and the consumer shall be held responsible should the seals be found broken or tampered with at any time.

Main fuse box property of the distribution system operator. *Amended by: L.N. 125 of 1979; XXXIV. 2014.39.*

47. The main fuse box shall remain the property of the distribution system operator.

Meters. *Amended by: L.N. 125 of 1979; XXXIV. 2014.39.*

48. The supply of current shall be measured by a meter provided and maintained in proper working order by the distribution system operator.

Unmetred supplies. *Added by: L.N. 77 of 1993. Amended by: XXXIV. 2014.39.*

49. The distribution system operator may enter into agreements with consumers in virtue of which unmetered power supply is given against a fixed rate of payment in the cases of nationwide cable transmission systems subject to the following conditions:

(*a*) that the design load on each power supply is at all times a constant load;

(*b*) that the power supply loading factor for each power supply is in accordance with the standards developed by the distribution system operator;

(*c*) that the distribution system operator may, from time to time, meter power supplies to benchmark the system as a whole, and to test the accuracy of calculations for billing purposes;

(*d*) that the consumer pays to the distribution system operator every quarter an amount based on the calculated consumption:

Provided that the distribution system operator shall have the right at the end of each calendar year to adjust any calculation for that past calendar year made as aforesaid on the basis of any test carried under paragraph (*c*) and to charge the consumer accordingly.

Meters property of the distribution system operator. *Amended by: L.N. 125 of 1979; L.N. 330 of 2008; XXXIV. 2014.39.*

50. Meters shall remain the property of the distribution system operator, and the distribution system operator shall be entitled to charge a fee of €1500 if a meter installed on a consumer's premises is subsequently found to be missing.

Meter to be fixed on consumer's premises. *Amended by: L.N. 125 of 1979.*

51. The meter shall be fixed on the consumer's premises in a convenient position as may be determined by the Chairman, and the consumer shall provide, at his expense, such means as the Chairman may deem necessary for the protection of the meter. In the case of buildings with a common access to the road, accommodating more than one registered consumer, the meters and main service fuses shall be located at a convenient central position on the ground floor level and shall be enclosed in a lock-up sheet-steel compartment, whence separate and independent main supply cables shall be run in screwed steel conduit pipes to individual flats, stores, offices, etc.

52. Meters shall be sealed by the distribution system operator and the consumer shall be held responsible should the seals be found broken or tampered with at any time.

Meters to be sealed.
Amended by:
L.N. 125 of 1979;
XXXIV. 2014.39.

53. A charge of € 55 shall be made for the replacement or the removal of a meter, when such meter shall have been removed or replaced at the request of the owner of the premises or of the consumer applying for its replacement or removal.

Replacement of meter.
Amended by:
L.N. 17 of 1974;
L.N. 119 of 1974;
L.N. 165 of 1993;
L.N. 426 of 2007;
L.N. 330 of 2008.

54. If a consumer offers opposition or fails to afford reasonable facilities to the distribution system operator for the removal of a meter, whether such removal is due at the instance of the consumer or of the distribution system operator, he shall continue to be liable for payment of meter charge until the date of removal.

Opposition to removal of meter.
Amended by:
L.N. 119 of 1974;
L.N. 125 of 1979;
XXXIV.2014.39.

55. Pre-payment meters shall be installed at the discretion of the Chairman in lieu of the ordinary meters.

Pre-payment meters.
Amended by:
L.N. 125 of 1979.

56. If any article other than coins for which the meter is calibrated, and of which the value is stamped thereon, is found to have been introduced through the slot of a pre-payment meter, or if there are indications that an attempt to introduce such articles has been made, the consumer shall be liable to make good any damage that may have been caused to the meter thereby, and to the payment of the amount found to have been shortpaid. The Chairman shall, in addition, have power to suspend the supply of current for any period.

Introduction of articles other than coins in meter.
Amended by:
L.N. 125 of 1979.

57. Meters shall be tested by the distribution system operator on application being made by the consumer, who may be present at the test:

Provided that before carrying out any such test, the distribution system operator shall serve prior written notice on the consumer, at least two working days before, of the time, date and place when such a test is carried out. The contact details of the relative office in case of queries or related issues shall be made available to the consumer, also on the aforementioned written notice.

Testing of meters.
Amended by:
L.N. 125 of 1979;
L.N. 52 of 2010;
XXXIV. 2014.39.

58. The result of the test shall be binding on the consumer as well as on the distribution system operator, and the consumption of current from the date of the commencement of the period covered by the account which is challenged and up to the date of the test, or the removal of the meter for the purpose of testing, shall be calculated in accordance with the result of such test, and charged for accordingly.

Result of test.
Amended by:
L.N. 125 of 1979;
XXXIV. 2014.39.

59. If a meter, on being tested at the request of the consumer, is found to be registering correctly, within a limit of $2^{1}/_{2}$% plus or minus, a fee of €70 shall be charged to the consumer.

Fee charged to consumer.
Substituted by:
L.N. 84 of 1966.
Amended by:
L.N. 426 of 2007;
L.N. 330 of 2008.

Meters out of order.

60. When a meter is found out of order, notice thereof shall be given in writing to the consumer, and the meter shall be replaced by another meter, and a record of the reading of the new meter at the time of its installation shall be given to the consumer.

Reckoning of consumption of current.
Substituted by: L.N. 88 of 1959.
Amended by: L.N. 99 of 1972; L.N. 125 of 1979; L.N. 52 of 2010.

61. (1) The consumption of current in respect of the period between the reading immediately preceding the reading in relation to which the meter is found to be defective and the installation of a new meter or the repair of the defective meter, as the case may be, shall be reckoned, as the Chairman may direct, either in accordance with sub-regulation (2) or in accordance with sub-regulation (3).

(2) Where the Chairman directs that the consumption referred to in sub-regulation (1) is to be reckoned in accordance with this sub-regulation, such consumption shall be reckoned on the basis of the average daily rate of consumption -

(*a*) during the corresponding period of the last preceding year; or

(*b*) during the period between the two readings immediately preceding the reading in relation to which the meter was found to be defective; or

(*c*) during the period between the date of the installation of the new meter or of the repair of the defective meter, as the case may be, and a subsequent date to be determined by the Chairman.

(3) Where the Chairman directs that the consumption referred to in sub-regulation (1) is to be reckoned in accordance with this sub-regulation, such consumption shall be reckoned on the basis of the average daily rate of consumption during the period from the date of the installation of the meter found to be defective or the date on which the consumer became accountable in respect of the premises, whichever is the later, and the last day on which in the opinion of the Chairman the meter was in working order:

Provided that in the case of a consumer who has changed residence, where the Chairman directs that the consumption is to be reckoned in accordance with this sub-regulation, the average daily rate of consumption in respect of the corresponding period of the last preceding year at the place in respect of which such consumer was last accountable prior to the change of residence shall be the basis on which consumption shall be reckoned.

Special readings of meters.

62. Special readings of meters may be taken on working days at any time specified by consumers.

Fees charged in respect of special readings.
Substituted by: L.N. 165 of 1993.
Amended by: L.N. 426 of 2007; L.N. 330 of 2008.

63. The following fees shall be charged in respect of the special readings indicated in regulation 62:

(*a*) for a reading taken between 7 a.m. and 5 p.m. - €5;

(*b*) for a reading taken between 5 p.m. and 9 p.m. - €15;

(*c*) for a reading taken between 9 p.m. and 7 a.m. - €35.

Special readings taken on non-working days.

64. For special readings taken on non-working days the above fees shall be doubled.

65. (*Deleted by Legal Notice 330 of 2008*).

Special readings rendered necessary by change in tenancy.
Amended by:
L.N. 125 of 1979.

66. (1) Accounts shall be made for such period or periods as the distribution system operator may determine either generally or with respect to any or more consumers or classes of consumers and shall be presented and collected at the address to which they refer unless arrangements are made for their delivery at any other address, in which case payment shall be made at the office:

Accounts.
Amended by:
L.N. 35 of 1960;
L.N. 99 of 1972;
L.N. 17 of 1974;
L.N. 29 of 1999;
L.N. 132 of 2005;
L.N. 426 of 2007;
XXXIV. 2014.39.

Provided that the distribution system operator may request provisional payment on account from any consumer. Such provisional payments shall be calculated on the basis of:

(i) the estimated average daily consumption of the consumer; or

(ii) the estimated average daily consumption of consumers of a similar class as that consumer:

Provided further that the interval between such requests for provisional payment may not be less than one month and the distribution system operator, on a request made by a consumer, may modify such requests for provisional payment in the light of the circumstances of the particular case.

(2 For the purposes of computing any account to be issued to a consumer, fractions of less than one cent in the total amount due by the consumer shall not be considered.

(3 Without prejudice to regulation 67, interest at the rate of 0.75% per month, calculated daily, shall be charged to consumers on all amounts due irrespective of the period to which the bill refers if the claim is not settled within forty-five days of the date specified in the bill:

Provided that for all amounts still due at the expiry of the aforementioned forty-five days interest will only be charged for the final thirty days of that period and for each additional thirty days, or part thereof.

67. If an account or a request for payment, duly presented to a consumer, is not paid within fourteen days of its presentation, or if the deposit required in terms of regulation 8 is not made within fourteen days of the request, the supply of current to any account held by the said consumer may be suspended without any previous notice being given.

Non-payment of accounts.
Substituted by:
L.N. 74 of 1967.
Amended by:
L.N. 165 of 1993.
Substituted by:
L.N. 132 of 2005.

68. Whenever access to the premises, for the removal of the main fuses, is not possible either on account of opposition offered by the consumer, or on account of the premises being found closed on more than one occasion, the Chairman shall have power to suspend the supply by disconnecting the installation at the mains, whether overhead or underground.

Where access to the premises is not possible.
Amended by:
L.N. 125 of 1979.

69. In the event of payment being delayed beyond three months, or earlier if deemed necessary by the Chairman of the distribution system operator shall have the power to remove the

Delay of payment.
Amended by:
L.N. 125 of 1979;
XXXIV. 2014.39.

meter.

Payment subsequently effected. *Amended by: L.N. 125 of 1979. Substituted by: L.N. 165 of 1993. Amended by: XXXIV. 2014.39.*

70. When payment is subsequently effected, the distribution system operator will reconnect the supply and, or replace the meter on the next day.

Reconnection fee. *Substituted by: L.N. 74 of 1967; L.N. 165 of 1993. Amended by: L.N. 440 of 2004; L.N. 426 of 2007; L.N. 330 of 2008; L.N. 52 of 2010.*

71. Consumers who have their supply suspended in accordance with the provisions of regulation 67 or regulation 85 shall have to pay in advance a reconnection fee of €140, which charge shall be inclusive of all costs of eventual restoration of supply.

Relief from liability. *Amended by: L.N. 17 of 1974; L.N. 125 of 1979; L.N. 52 of 2010; XXXIV. 2014.39.*

72. A consumer shall not be relieved from his liability for the payment of meter charge or cost of current in respect of any premises occupied by him unless and until he has given notice in writing to the Chairman of his intention to discontinue the use of electricity from such a date as shall be stated by him and has paid any amount that may be due by the consumer under these regulations:

Provided that the distribution system operator may, as from the date established in such notice, discontinue the supply of electricity and remove the meter.

Discontinuance of supply. *Amended by: L.N. 125 of 1979.*

73. (*Deleted by L.N. 52 of 2010*).

Generation of electricity under licence and fees in respect thereof. *Added by: G.N. 34 of 1947. Substituted by: L.N. 165 of 1993. Amended by: L.N. 426 of 2007; XXV. 2015.41.* Cap. 545.

74. The following annual charges shall be made for the issue and renewal of a licence for the use of generator sets granted under the Regulator for Energy and Water Services Act:

standby and working generators:

of a capacity of 15 KVA and over - €116.47 *per annum*;

of a capacity under 15 KVA - €23.29 *per annum*.

Licence to generate electricity.

75. (*Deleted by L.N. 52 of 2010*).

Regulations to be complied with.

76. (*Deleted by L.N. 52 of 2010*).

Electric motors.

77. The starting and accelerating current drawn from the line shall not exceed two-and-a-half times full-load current for motors of 2 BHP to 10 BHP, and twice full-load current for motors rated 12 BHP to 40 BHP.

Motors rated at over 40 BHP. *Amended by: L.N. 125 of 1979; XXXIV. 2014.39.*

78. It shall be at the discretion of the distribution system operator to specify the current-limiting conditions under which a supply will be given for the purpose of running motors rated at over 40 BHP.

Motors rated above $1^1/_2$ BHP.
Substituted by: G.N. 339 of 1955. Amended by: L.N. 125 of 1979; XXXIV. 2014.39.

79. Motors rated above $1^1/_2$ BHP shall be of the 3 phase, 3 wire type wherever in the opinion of the distribution system operator a 3 phase supply is readily available. Where a 3 phase supply is not so readily available, the distribution system operator shall decide whether to permit the use of a single-phase motor or to cause or require the extension of the 3 phase mains. Single-phase motors rated at 3 BHP or over will only be permitted in exceptional cases.

"Across-the-line" starting.
Substituted by: G.N. 399 of 1955. Amended by: L.N. 125 of 1979; XXXIV. 2014.39.

80. Direct "across-the-line" starting will not be allowed for 3 phase motors at more than 2 BHP. The starting current of a single-phase motor shall be subject to the approval of the distribution system operator.

Non-operation of regulations 77, 79 and 80.
Added by: L.N. 35 of 1960. Amended by: L.N. 125 of 1979.

81. The provisions of regulations 77, 79 and 80 shall not operate where the Chairman is for good reason satisfied that their requirements may be waived.

Apparatus inhibiting automatic restarting.
Added by: L.N. 165 of 1993.

82. An apparatus inhibiting automatic restarting of motors is to be provided wherever such restart may cause danger.

Access to premises.
Substituted by: L.N. 88 of 1959. Amended by: L.N. 35 of 1960; L.N. 17 of 1974; L.N. 125 of 1979; L.N. 52 of 2010; XXXIV. 2014.39.

83. (1) Subject to the provisions of regulation 83A, consumers shall at all reasonable times allow access to their premises to officials of the distribution system operator for the purposes of -

(*a*) inspecting or testing the installation of electrical appliances; or

(*b*) reading, testing, removing or replacing the meter; or

(*c*) removing or replacing the main fuses; or

(*d*) inspecting, removing, altering or replacing any other portion of the service belonging to the distribution system operator; or

(*e*) enabling them to carry out inspections of the premises for the purpose of ascertaining the load in lighting or horse power installed in the premises;

(*f*) installing, inspecting, testing, replacing, removing or doing any other work as may be deemed necessary by the distribution system operator on a smart meter, or any related works.

(2) Any person who, without reasonable excuse -

(*a*) refuses to admit into any premises occupied by him an official of the distribution system operator who seeks admission thereto for the purpose of doing anything which he is authorised or required to do under these regulations; or

(*b*) hinders or obstructs any official of the distribution system operator in the performance of his duties,

shall be guilty of an offence against these regulations.

Notification of appointments to install, etc., smart meters.
Added by: L.N. 52 of 2010.
Amended by: XXXIV. 2014.39.

83A. (1) Prior to installing or doing any other work relating to smart meters on the premises of a consumer, the distribution system operator shall notify in writing the consumer of the date of the appointment when such work shall be undertaken by the distribution system operator at the premises of the consumer:

Provided that in notifying an appointment, the distribution system operator shall endeavour to provide the consumer with an approximate indication of the time of the appointment.

(2) A notification of an appointment shall be communicated to the consumer at least four working days prior to the date proposed for the undertaking of the said works and shall clearly state the purpose of the appointment providing the consumer with contact details to communicate with a representative of the distribution system operator in case of queries.

(3) The consumer may request the distribution system operator to reschedule any such appointment:

Provided that such a rescheduled appointment shall be held within a period of fifteen working days from the date of the appointment originally notified by the distribution system operator to the consumer:

Provided further that the consumer shall, under pain of nullity, communicate his request for a rescheduling at least two working days before the scheduled day for the appointment communicated to him by the distribution system operator.

(4) The consumer may request a rescheduling of the appointment beyond the period of fifteen working days if he provides the distribution system operator with written documentation which demonstrates that the consumer shall not be able to be present within such a period due to any of the following reasons:

(*a*) his ill-health conditions or those relating to a close family member;

(*b*) the death of a close family member;

(*c*) travel reasons;

(*d*) jury service;

(*e*) at the discretion of the Chairman:

Provided that in no instance may the consumer request a rescheduling beyond the period of sixty working days from the date of the original appointment.

(5) Where the consumer requests the distribution system operator to reschedule an appointment in any of the following instances:

(*a*) between 8.00 a.m. and 4.00 p.m. on any day from Monday to Friday, not being a public holiday, and not beyond the period of fifteen working days of the first scheduled visit, the distribution system operator shall not issue any charges;

(*b*) between 4.00 pm and 8.00 pm on any day from

Monday to Friday not being a public holiday, or between 8.00 am and 4.00 pm on a Saturday, as long as the appointment is not beyond the period of fifteen working days of the first scheduled visit, the distribution system operator may issue a charge equivalent to an after hours fee of €10; and, or

(*c*) between 8.00 a.m. to 4.00 pm on a Sunday or a public holiday, or beyond the period of fifteen working days of the first notified visit, the distribution system operator may issue a charge equivalent to an after hours fee of €25.

(6) The consumer shall be refunded any after hours fee paid to the distribution system operator for an appointment held in accordance with this regulation if the consumer requested rescheduling because of any of the following:

(*a*) performance of jury service;

(*b*) a court summons;

(*c*) travel abroad;

(*d*) a previously scheduled medical appointment, whether of the consumer or of a close family member who needs to be accompanied by the consumer;

(*e*) where the consumer is undergoing medical treatment or a close family member is undergoing medical treatment which necessitates the presence of the consumer; or

(*f*) at the discretion of the Chairman:

Provided that in any of the instances listed in this sub-regulation, the distribution system operator may require the consumer to furnish proof as it may reasonably require to substantiate the reason why the consumer is requesting a rescheduling of the appointment.

(7) Without prejudice to the provisions of this regulation, an appointment scheduled in accordance with this regulation which is not honored by the consumer shall, for the purposes of these regulations, be considered to be an unsuccessful scheduled visit.

Failure to afford facilities for reading of meters. *Substituted by: L.N. 88 of 1959; L.N. 66 of 1974. Amended by: L.N. 125 of 1979; L.N. 117 of 1981; XXXIV. 2014.39.*

84. Where a consumer, after being given reasonable notice, fails to afford facilities to an official of the distribution system operator for the reading of meters the Chairman, saving the provisions of regulations 83 and 85, shall charge the consumer the meter charge as applicable but shall not, in the absence of a reasonable explanation for such failure, credit the consumer with any free consumption for periods during which the premises were not open for the taking of meter readings.

Suspension of supply. *Amended by: L.N. 125 of 1979; L.N. 52 of 2010; XXXIV. 2014.39.*

85. The Chairman shall have power to suspend the supply if access to any premises for the purposes stated in regulations 83 or 84 is refused or rendered difficult or impossible or if the consumer does not comply with the requirements of regulation 51 after being given two months notice in writing to carry out the necessary alterations as required by the distribution system operator to be

compliant with that regulation:

Provided that for the purposes of this regulation, access shall be deemed to have been refused, if the distribution system operator, or its representatives, for any reason whatsoever, are not afforded access to premises in terms of regulations 83 or 84, notwithstanding their reasonable efforts to notify the consumer or the occupant of the premises of their requirement to enter the premises.

Replacement of fuses.
Amended by:
L.N. 74 of 1967;
L.N. 165 of 1993;
L.N. 426 of 2007.

86. Where the repairs consist only in the replacement of fuses, a fee of four euro and sixty-six cents (€4.66) will be charged.

Restrictions on use of supply.
Added by:
L.N. 11 of 1980.
Amended by:
L.N. 102 of 1981.

87. (*Deleted by Legal Notice 330 of 2008*).

Tampered meters, theft of electricity and unregistered consumption.
Added by:
L.N. 18 of 2006.
Amended by:
XXXIV. 2014.39;
L.N. 308 of 2014;
L.N. 390 of 2014.

88. (1) Where duly authorised representatives of the distribution system operator are reasonably satisfied that an electricity meter has been tampered with or that a consumer or a person has obtained an unlawful supply of electricity, or that a consumer or a person is responsible for theft of electricity, the distribution system operator shall have the right to:

(*a*) immediately suspend the supply of electricity to the relative meter that was tampered with or to the consumer or person it deems responsible for obtaining the unlawful supply or for the theft and to continue with the suspension until such time as the consumer or person responsible settles all dues to the distribution system operator or, if such person disputes the fact or the amount due by him, until such time as the dispute is settled; and

(*b*) demand in writing the payment, by the consumer or persons concerned, of the amount which is calculated by the distribution system operator to be due to it for the supply of electricity obtained in the unlawful manner mentioned in this regulation, which amount shall be based on a maximum period of five years, with interests calculated on the basis of the rate established by regulation 66(3), and interest will continue to accrue until all dues are finally settled; and

(*c*) demand the additional payment of a settlement charge for potential damages suffered by the distribution system operator equivalent to 200% of the amount due for the supply of electricity obtained in an unlawful manner; and

(*d*) demand the fee due to the distribution system operator for the removal of the tampered meter and where applicable the re-installation of an electricity meter; and

(*e*) refuse to restore the supply of electricity before all amounts due by the consumer as prescribed by paragraphs (*a*), (*b*), (*c*), and (*d*) have been paid or a written agreement for their payment has been made with the distribution system operator.

(2) The findings in terms of sub-regulation (1)(*a*) and the sums due to the distribution system operator in terms of sub-regulation (1)(*b*), (*c*) and (*d*) shall be served in writing to the consumer or to the person concerned either by registered mail or by official letter filed in court, and any consumer or person wanting to contest the findings or any amount due shall do so by filing a claim in the Arbitration Tribunal as provided for in Schedule IV to the Arbitration Act: Cap. 387.

Provided that the criminal proceedings that may be instituted against the consumer or person concerned under the Criminal Code or any other law, shall be independent of the above-mentioned procedures, but no civil action for the recovery of the amounts due to the distribution system operator shall be instituted against the consumer or person concerned if such consumer or person concerned agrees to pay the distribution system operator the amounts due in terms of sub-regulation (1)(*b*) to (*d*): Cap. 9.

Provided further that the Chairman of the distribution system operator shall, in his absolute discretion:

(*a*) waive criminal proceedings against any person or consumer as aforesaid;

(*b*) for good and sufficient cause to be stated in writing, alter, vary or do away with altogether the effects of any provision of this regulation with respect to any individual consumer or person or any particular class of consumers or persons.

(3) In the event that an offender is a repeat offender in that the said person had been on a previous occasion already found by the distribution system operator according to the provisions of this regulation to be responsible for theft of electricity or of having obtained an unlawful supply of electricity, on the second offence the settlement charge to make good for any potential damages suffered by the distribution system operator shall amount to twice the charge which would have been due had the said offence been the first offence.

(4) In the event that an offender is a repeat offender in that the said person had been on at least two previous occasions already found by the distribution system operator according to the provisions of this regulation to be responsible for theft of electricity or of having obtained an unlawful supply of electricity, the settlement charge to make good for any potential damages suffered by the distribution system operator shall amount to the charge which would have been due had the said offence been the first offence multiplied by the number of times that the offender was found responsible for theft of electricity or of having obtained an unlawful supply of electricity as aforesaid.

FIRST SCHEDULE
Regulation 36(6)

Added by:
L.N. 35 of 1960.
Amended by:
L.N. 49 of 1972;
L.N. 99 of 1972.
Substituted by:
L.N. 17 of 1974.
Amended by:
L.N. 119 of 1974.
L.N. 92 of 1975;
L.N. 12 of 1979;
L.N. 38 of 1979;
L.N. 125 of 1979;
L.N. 103 of 1980.
Substituted by:
L.N. 27 of 1999.
Amended by:
L.N. 132 of 2005;
L.N. 409 of 2005;
L.N. 37 of 2006;
L.N. 109 of 2006;
L.N. 138 of 2006;
L.N. 172 of 2006;
L.N. 236 of 2006;
L.N. 283 of 2006;
L.N 12 of 2007;
L.N. 45 of 2007;
L.N. 249 of 2007.
Substituted by:
L.N. 426 of 2007.
Amended by:
L.N. 187 of 2008.
Substituted by:
L.N. 330 of 2008.
Amended by:
L.N. 338 of 2008;
L.N. 164 of 2009;
L.N. 34 of 2010;
L.N. 103 of 2012;
L.N. 108 of 2014;
XXXIV. 2014.39.
Substituted by:
L.N. 244 of 2022.

1. Maximum Tariff for a Residential Premises Service

(1) A Residential Premises Service shall be billed, for any period or periods as the distribution system operator may, from time to time determine, such fees and tariffs which shall not exceed the following fees and tariffs:

(*a*) without prejudice to the other provisions of these regulations a Residential Premises Service shall be subject to an Annual Service Fee of sixty-five Euro (€65) for a Single Phase Service and one hundred ninety-five Euro (€195) for a Three Phase Service; and

(*b*) without prejudice to the other provisions of these regulations, a Residential Premises Service shall be subject to the following maximum Consumption Tariff, which may be billed on a *pro rata* basis. This maximum Consumption Tariff shall be based on a cumulative consumption, which shall consist of the amounts derived from the cumulative application of each of the following thresholds, per annum:

(i) for every kWh of the first two thousand (2,000) kWh…… zero point one zero four seven Euro (€0.1047); and

(ii) for every kWh of the next four thousand (4,000) kWh…… zero point one two nine eight Euro (€0.1298); and

(iii) for every kWh of the next four thousand (4,000) kWh…… zero point one six zero seven Euro (€0.1607); and

(iv) for every kWh of the next ten thousand (10,000) kWh…… zero point three four two zero Euro (€0.3420); and

(v) for every kWh of the remaining consumption…… zero point six zero seven six Euro (€0.6076).

(2) Without prejudice to the other provisions of these regulations a Residential Premises Three Phase Service exceeding sixty (60) Amps per phase shall also be subject to a Maximum Demand Tariff at the rate of twenty-one Euro and five cents (€21.05) per annum per kW of the Maximum Demand in any period during the year.

(3) All the rates provided for in items 1(1) and (2) are inclusive of Value Added Tax.

2. Methodology for the Calculation of Tariffs for a Residential Premises Service

(1) The distribution system operator shall be entitled to use its own discretion as to how to calculate and bill the amounts derived from the application of the Consumption Tariff in item 1(1)(b) on a *pro rata* basis:

Provided that:

(*a*) the amount which is billed by the distribution system operator for a period of a calendar year shall not exceed the amounts derived from the application of the Maximum Tariff as established by the Regulator in accordance with regulation 36 and within the limits prescribed in item 1; and

(*b*) the distribution system operator shall keep the Regulator informed of any methodology it adopts in calculating and billing the Consumption Tariff on a *pro rata* basis.

(2) Notwithstanding the provisions of item 2(1)(a) and that the distribution system operator may adopt an adjustment mechanism to ensure compliance with the provisions of item 2(1)(a), any bill issued by a distribution system operator, whether for a *pro rata* period of any calendar year or otherwise, shall be due to be paid on the date as indicated on the bill by the distribution system operator, notwithstanding that such bill may only refer to a part of a calendar year.

(3) In order to give effect to the provisions of item 2(1), the distribution system operator shall use all reasonable endeavours and procedures, in accordance with the provisions of these regulations, to obtain a reading of actual consumption incurred by the consumer. Where the distribution system operator is unable to obtain such a reading of the actual consumption incurred for reasons beyond its control, it may thereafter rely on estimates of the actual consumption incurred by the consumer.

(4) Where a Residential Premises Service is only provided for a part of a calendar year, the maximum Consumption Tariff shall be computed by applying the

cumulative thresholds referred to in item 1(2) proportionately to the days during which a Residential Premises Service is actually provided by the distribution system operator, so that each of the units (kWh) referred to in item 1(2) shall be divided by the number of days in a calendar year and applied accordingly to the days during which a Residential Premises Service is actually provided.

(5) Without prejudice to the other provisions of these regulations, a Residential Premises Service, which is provided to the primary residence of an individual, shall be eligible for an eco-reduction of the amount due for consumption of electricity for the billing period in question, which shall be computed in accordance with the following rates, on a *pro rata* basis of the relative billing period:

(*a*) where only one (1) individual is registered on a Residential Premises Service, the Service shall be eligible for an eco-reduction of twenty-five percent (25%) of all the amount due for consumption of electricity for the billing period in question if the consumption does not exceed the *pro rata* equivalent of two thousand (2,000) kWh per annum; or

(*b*) where more than one (1) individual is registered on a Residential Premises Service, the Service shall be eligible for the following eco-reduction:

(i) where the consumption for the billing period in question does not exceed the *pro rata* equivalent of one thousand (1,000) kWh per annum per individual registered, an eco-reduction of twenty-five percent (25%) of all the amount due for consumption of electricity for the period in question; or

(ii) where the consumption for the billing period in question exceeds the *pro rata* equivalent of one thousand (1,000) kWh per annum per individual registered but does not exceed or is equal to the *pro rata* equivalent consumption of one thousand seven hundred and fifty (1,750) kWh per annum per individual registered, an eco-reduction of twenty-five percent (25%) for that part of the consumption which is the *pro rata* equivalent of one thousand (1,000) kWh per annum per individual registered and of fifteen percent (15%) for the remainder which is the *pro rata* equivalent of up to seven hundred fifty (750) kWh per annum per individual registered for the period in question:

Provided that no one (1) individual shall be registered on more than one (1) Service at the same time and that the eco-reduction shall only apply to the primary residence of an individual registered in accordance with regulation 36(6):

Provided further that an eco-reduction shall only be calculated on the basis of an Actual Reading of the consumption taken by a representative of the distribution system operator or by a Consumer Reading provided to a representative of the distribution system operator through an established procedure, by the consumer registered on the Service, and notwithstanding the provisions of any other law, if an Actual Reading or a Consumer Reading as defined in this proviso are not be available for the billing period in question, the Service's eligibility for an eco-reduction for that billing shall be forfeited permanently.

SECOND SCHEDULE
Regulation 36(7)

Added by:
L.N. 35 of 1960.
Amended by:
L.N. 21 of 1967;
L.N. 49 of 1972;
L.N. 99 of 1972.
Substituted by:
L.N. 17 of 1974;
L.N. 119 of 1974.
Amended by:
L.N. 92 of 1975;
L.N. 12 of 1979;
L.N. 125 of 1979;
L.N. 103 of 1980.
Substituted by:
L.N. 56 of 1983.
Amended by:
L.N. 172 of 1990;
L.N. 27 of 1999;
L.N. 99 of 2003;
L.N. 132 of 2005;
L.N. 409 of 2005;
L.N. 37 of 2006;
L.N. 109 of 2006;
L.N. 138 of 2006;
L.N. 172 of 2006;
L.N. 236 of 2006;
L.N. 283 of 2006;
L.N. 12 of 2007;
L.N. 45 of 2007;
L.N. 249 of 2007.
Substituted by:
L.N. 426 of 2007.
Amended by:
L.N. 187 of 2008.
Substituted by:
L.N. 330 of 2008.
Amended by:
L.N. 164 of 2009;
L.N. 34 of 2010;
XXXIV. 2014.39;
L.N. 107 of 2015.
Substituted by:
L.N. 244 of 2022.

1. Maximum Tariff for a Non-Residential Premises Service

A Non-Residential Premises Service shall be billed, for any period or periods as the distribution system operator may, from time to time determine, such fees and tariffs which shall not exceed the following fees and tariffs:

(1) Without prejudice to the other provisions of these regulations a Non-Residential Single Phase Service shall be subject to an annual Service Fee of not more than one hundred twenty Euro (€120) and a Non-Residential Three Phase Service shall be subject to an annual Service Fee of not more than three hundred sixty Euro (€360).

(2) Without prejudice to the other provisions of these regulations, a Non-Residential Premises Service shall be subject to one (1) of the following annual Consumption Tariffs which may be computed on a *pro rata* basis:

Provided that a distribution system operator may charge lower fees and

tariffs for each of the below categories as may be approved from time to time in accordance with the provisions of regulation 36:

(*a*) electricity consumption shall be metered in kWh and shall be billed at the following tariffs:

(i) for every kWh of the first two thousand (2,000) kWh…… zero point one two one five Euro (€0.1215); and

(ii) for every kWh of the next four thousand (4,000) kWh…… zero point one two seven five Euro (€0.1275); and

(iii) for every kWh of the next four thousand (4,000) kWh…… zero point one three seven three Euro (€0.1373); and

(iv) for every kWh of the next ten thousand (10,000) kWh…… zero point one four eight five Euro (€0.1485); and

(v) for every kWh of the next forty thousand (40,000) kWh…… zero point one six one three Euro (€0.1613) and;

(vi) for every kWh of the next forty thousand (40,000) kWh…… zero point one five zero zero (€0.1500); and

(vii) for every kWh of the next nine hundred thousand (900,000) kWh…… zero point one four zero three Euro (€0.1403); and

(viii) for every kWh of the next four million (4,000,000) kWh…… zero point one two seven five Euro (€0.1275); and

(ix) for every kWh of the remaining consumption…… zero point one zero eight zero Euro (€0.1080); or

(*b*) the registered consumer on a Non-Residential Premises Service with a consumption exceeding five million (5,000,000) kWh may apply to be billed at day and night kWh rates at the following tariffs:

(i) day consumption shall be subject to the following tariff:

(aa) for every kWh of the first two thousand (2,000) kWh…… zero point one two three zero Euro (€0.1230); and

(bb) for every kWh of the next four thousand (4,000) kWh…… zero point one two nine zero Euro (€0.1290); and

(cc) for every kWh of the next four thousand (4,000) kWh…… zero point one three eight eight Euro (€0.1388); and

(dd) for every kWh of the next ten thousand (10,000) kWh…… zero point one five zero zero Euro (€0.1500); and

(ee) for every kWh of the next forty thousand (40,000) kWh…… zero point one six two eight Euro (€0.1628); and

(ff) for every kWh of the next forty thousand (40,000) kWh…… zero point one five one five Euro (€0.1515); and

(gg) for every kWh of the next nine hundred thousand (900,000) kWh…… zero point one four one eight Euro (€0.1418); and

(hh) for every kWh of the next four million (4,000,000) kWh…… zero point one two nine zero Euro (€0.1290); and

(ii) for every kWh of the remaining consumption…… zero point one zero nine five Euro (€0.1095); and

(ii) night consumption shall be subject to the following tariff:

(aa) for every kWh of the first two thousand (2,000) kWh…… zero point zero nine five three Euro (€0.0953); and

(bb) for every kWh of the next four thousand (4,000) kWh…… zero point one zero one three Euro (€0.1013); and

(cc) for every kWh of the next four thousand (4,000) kWh…… zero point one one one zero Euro (€0.1110); and

(dd) for every kWh of the next ten thousand (10,000) kWh…… zero point one two two three Euro (€0.1223); and

(ee) for every kWh of the next forty thousand (40,000) kWh…… zero point one three five zero Euro (€0.1350); and

(ff) for every kWh of the next forty thousand (40,000) kWh…… zero point one two three eight Euro (€0.1238); and

(gg) for every kWh of the next nine hundred thousand (900,000) kWh…… zero point one one four zero Euro (€0.1140); and

(hh) for every kWh of the next four million (4,000,000) kWh…… zero point one zero one three Euro (€0.1013); and

(ii) for every kWh of the remaining consumption…… zero point zero eight one eight Euro (€0.0818); or

(*c*) the registered consumer on a Non-Residential Premises Service that is rated above a hundred (100) Amps per phase may apply to be metered and billed in kVAh at the following tariffs:

(i) for every kVAh of the first two thousand (2,000) kVAh…… zero point one one one eight Euro (€0.1118); and

(ii) for every kVAh of the next four thousand (4,000) kVAh…… zero point one one seven zero Euro (€0.1170); and

(iii) for every kVAh of the next four thousand (4,000) kVAh…… zero point one two six zero Euro (€0.1260); and

(iv) for every kVAh of the next ten thousand (10,000) kVAh…… zero point one three six five Euro (€0.1365); and

(v) for every kVAh of the next forty thousand (40,000) kVAh…… zero point one four eight five Euro (€0.1485); and

(vi) for every kVAh of the next forty thousand (40,000) kVAh…… zero point one three eight zero Euro (€0.1380); and

(vii) for every kVAh of the next nine hundred thousand (900,000) kVAh…… zero point one two nine zero Euro (€0.1290); and

(viii) for every kVAh of the next four million (4,000,000) kVAh…… zero point one one seven zero Euro (€0.1170); and

(ix) for every kVAh of the remaining consumption…… zero point zero nine nine zero Euro (€0.0990); or

(*d*) the registered consumer on a Non-Residential Premises Service that is rated above a hundred (100) Amps per phase and has a consumption exceeding five million five hundred thousand (5,500,000) kVAh may apply to be billed at day and night kVAh rates at the following tariffs:

(i) day consumption shall be subject to the following tariff:

(aa) for every kVAh of the first two thousand (2,000) kVAh…… zero point one one one three Euro (€0.1113); and

(bb) for every kVAh of the first four thousand (4,000) kVAh …… zero point one one eight five Euro (€0.1185); and

(cc) for every kVAh of the next four thousand (4,000) kVAh …… zero point one two seven five Euro (€0.1275); and

(dd) for every kVAh of the first ten thousand (10,000) kVAh …… zero point one three eight zero Euro (€0.1380); and

(ee) for every kVAh of the next forty thousand (40,000) kVAh …… zero point one five zero zero Euro (€0.1500); and

(ff) for every kVAh of the first forty thousand (40,000) kVAh …… zero point one three nine five Euro (€0.1395); and

(gg) for every kVAh of the next nine hundred thousand (900,000) kVAh …… zero point one three zero five Euro (€0.1305);

(hh) for every kVAh of the first four million (4,000,000) kVAh …… zero point one one eight five Euro (€0.1185); and

(ii) for every kVAh of the remaining consumption……

zero point one zero zero five Euro (€0.1005); and

(ii) night consumption shall be subject to the following tariff:

(aa) for every kVAh of the first two thousand (2,000) kVAh…… zero point zero eight five five Euro (€0.0855); and

(bb) for every kVAh of the first four thousand (4,000) kVAh …… zero point zero nine zero eight Euro (€0.0908); and

(cc) for every kVAh of the next four thousand (4,000) kVAh …… zero point zero nine nine eight Euro (€0.0998); and

(dd) for every kVAh of the first ten thousand (10,000) kVAh …… zero point one one zero three Euro (€0.1103); and

(ee) for every kVAh of the next forty thousand (40,000) kVAh …… zero point one two two three Euro (€0.1223); and

(ff) for every kVAh of the first forty thousand (40,000) kVAh …… zero point one one one eight Euro (€0.1118); and

(gg) for every kVAh of the next nine hundred thousand (900,000) kVAh …… zero point one zero two eight Euro (€0.1028);

(hh) for every kVAh of the first four million (4,000,000) kVAh …… zero point zero nine zero eight Euro (€0.0908); and

(ii) for every kVAh of the remaining consumption…… zero point zero seven two eight Euro (€0.0728).

(3) Without prejudice to the other provisions of these regulations a Non-Residential Premises Three Phase Service exceeding sixty (60) Amps per phase shall also be subject to a Maximum Demand Tariff at the following annual cumulative consumption rates:

(*a*) where consumption does not exceed or is equal to five million (5,000,000) kWh, at a rate of twenty Euro, fifty cents (€20.50) per kWh of the Maximum Demand in any period during the year; or

(*b*) where consumption does not exceed or is equal to five million five hundred thousand (5,500,000) kVAh, at a rate of nineteen Euro twenty cents (€19.20) per kVAh of the Maximum Demand in any period during the year;

(*c*) where consumption exceeds five million (5,000,000) kWh or five million five hundred thousand (5,500,000) kVAh, at a rate of seventeen Euro twenty cents (€17.20) of the Maximum Demand in any period during the year.

(4) All the rates in this Schedule are exclusive of Value Added Tax.

2. Methodology for the Calculation of Tariffs for the Provision of a Non-Residential Premises Service

(1) The distribution system operator shall be entitled to use its own discretion as to how to calculate and bill the amounts derived from the application of the Consumption Tariffs for a Non-Residential Premises Services in item 1(2) on a *pro rata* basis, such that the distribution system operator shall also be entitled to apportion the relative thresholds in each of the Consumption Tariffs referred to in item 1(2) to specific billing periods throughout a year at its discretion, and apply such thresholds accordingly, on a *pro rata* basis:

Provided that the distribution system operator shall keep the Regulator informed of any methodology it adopts in calculating and billing the Consumption Tariffs on a *pro rata* basis.

(2) Any bill issued by a distribution system operator for a Non-Residential Premises Services, whether for a *pro rata* period of any calendar year or otherwise, shall be due to be paid on the date as indicated on the bill by the distribution system operator, notwithstanding that such bill may only refer to a part of a calendar year.

(3) In order to give effect to the provisions of item 2(1), the distribution system operator shall use all reasonable endeavours and procedures, in accordance with the provisions of these regulations, to obtain a reading of actual consumption incurred by the consumer. Where the distribution system operator is unable to obtain such a reading of the actual consumption incurred for reasons beyond its control, it may thereafter rely on estimates of the actual consumption incurred by the consumer.

(4) Where a Non-Residential Premises Service is only provided for a part of a calendar year, the maximum Consumption Tariffs shall be computed by applying the cumulative thresholds referred to in item 1(2) proportionately to the days during which a Non-Residential Premises Service is actually provided by the distribution system operator, such that each of the units (kWh or kVAh) referred to in item 1(2) shall be divided by the number of days in a calendar year and applied accordingly to the applicable billing period during which a Non-Residential Premises Service is actually provided.

Added by:
L.N. 164 of 2009.
Amended by:
L.N. 34 of 2010;
L.N. 103 of 2012;
L.N. 108 of 2014;
XXXIV. 2014.39.
Substituted by:
L.N. 244 of 2022.

THIRD SCHEDULE

Regulation 36(8)

1. Maximum Tariff for a Domestic Premises Service

A Domestic Premises Service shall be billed, for any period or periods as the distribution system operator may, from time to time determine, such fees and tariffs which shall not exceed the following fees and tariffs:

(1) Without prejudice to the other provisions of these regulations, a Domestic Premises Service shall be subject to an Annual Service Fee of sixty-five Euro (€65) for a Single Phase Service and one hundred ninety-five Euro (€195) for a Three

Phase Service.

(2) Without prejudice to the other provisions of these regulations, a Domestic Premises Service shall be subject to the following maximum Consumption Tariff, which may be billed on a *pro rata* basis. The maximum Consumption Tariff shall be based on a cumulative consumption, which shall consist of the amounts derived from the cumulative application of each of the following thresholds, per annum:

(*a*) for every kWh of the first two thousand (2,000 kWh)…… zero point one three six five Euro (€0.1365); and

(*b*) for every kWh of the next four thousand (4,000 kWh)…… zero point one six seven three Euro (€0.1673); and

(*c*) for every kWh of the next four thousand (4,000 kWh)…… zero point two zero two three Euro (€0.2023); and

(*d*) for every kWh of the next ten thousand (10,000 kWh)…… zero point four one eight zero Euro (€0.4180); and

(*e*) for every kWh of the remaining consumption…… zero point six eight six zero Euro (€0.6860).

(3) Without prejudice to the other provisions of these regulations, a Domestic Premises Three Phase Service exceeding sixty (60) Amps per phase shall also be subject to a Maximum Demand Tariff at the rate of twenty-one Euro five cents (€21.05) per annum per kW of the Maximum Demand in any period during the year.

(4) All the rates in this Schedule are inclusive of Value Added Tax.

2. Methodology for the Calculation of Tariffs for the Provision of a Domestic Premises Service

(1) The distribution system operator shall be entitled to use its own discretion as to how to calculate and bill the amounts derived from the application of the Consumption Tariff in item 1(2) on a *pro rata* basis:

Provided that:

(*a*) the amount which is billed by the distribution system operator for a period of a calendar year shall not exceed the amounts derived from the application of the Maximum Tariff as established by the Regulator in accordance with regulation 36 and within the limits prescribed in item 1; and

(*b*) the distribution system operator shall keep the Regulator informed of any methodology it adopts in calculating and billing the Consumption Tariff on a *pro rata* basis.

(2) Notwithstanding the provisions of item 2(1)(a) and that the distribution system operator may adopt an adjustment mechanism to ensure compliance with the provisions of item 2(1)(a), any bill issued by a distribution system operator, whether for a *pro rata* period of any calendar year or otherwise, shall be due to be paid on the date as indicated on the bill by the distribution system operator, notwithstanding that such bill may only refer to a part of a calendar year.

(3) In order to give effect to the provisions of item 2(2), the distribution system operator shall use all reasonable endeavours and procedures, in accordance with the

provisions of these regulations, to obtain a reading of actual consumption incurred by the consumer. Where the distribution system operator is unable to obtain such a reading of the actual consumption incurred for reasons beyond its control, it may thereafter rely on estimates of the actual consumption incurred by the consumer.

(4) Where a Domestic Premises Service is only provided for a part of a calendar year, the maximum Consumption Tariff shall be computed by applying the cumulative thresholds referred to in item 1(2) proportionately to the days during which a Domestic Premises Service is actually provided by the distribution system operator, such that each of the units (kWh) referred to in item 1(2) shall be divided by the number of days in a calendar year and applied accordingly to the days during which a Domestic Premises Service is actually provided.

Added by:
L.N. 337 of 2021

FOURTH SCHEDULE
(Regulation 36(14))

1. Without prejudice to the other provisions of these regulations, a service for the charging of electric vehicles in a non-Residential Premises shall be subject to the following monthly charges:

(a) six euro (€6) per month service charge (VAT inclusive) in case of a single-phase EV meter; and

(b) eight euro (€8) per month service charge (VAT inclusive) in case of a three-phase EV meter.

In the case of public EV charging stations the service charges and tariffs in the Second Schedule shall not apply and the service charges and tariffs in this Schedule shall apply instead.

2. Without prejudice to the other provisions of these regulations, the consumption for the charging of electric vehicles in a non-Residential Premises, as measured by the EV meter installed for such purpose, and during the time periods between midnight (00:00a.m.) and five fifty-nine (05:59a.m.) and between mid-day (12:00 p.m.) and fifteen fifty-nine (15:59p.m.), and Sundays all day from mid-night (00:00a.m.) to twenty-three, fifty-nine (23:59p.m.), shall be billed at the rate of zero point one, two, nine, eight (€0.1298/kWh), which is inclusive of VAT.

3. The consumption of electricity for the charging of electric vehicles in a Non-Residential Premises as measured by the EV meter outside the time periods between mid-night (00:00a.m.) and five fifty-nine (05:59a.m.), between mid-day (12:00p.m.) and fifteen fifty-nine (15:59p.m.) and Sundays all day between mid-night (00:00a.m.) to twenty-three fifty-nine (23:59p.m.), and as measured by the meter installed for such purpose, shall be billed at the rate of zero point one, four, eight, five (€0.1485/kWh), which is inclusive of VAT.

4. Where the EV meter is installed as a supplementary meter to the main

consumption meter supplying the premises, the consumption as measured by the EV meter shall be deducted for billing proposes from the consumption measured by the main consumption meter.

5. In the case of public EV charging stations, only the service charges and the tariffs of this Schedule shall apply.

Added by:
L.N. 337 of 2021
Amended by:
L.N. 162 of 2022.

FIFTH SCHEDULE
(Regulation 36(15))

1. Without prejudice to the other provisions of these regulations, a service for the charging of electric vehicles in a Residential or Domestic Premises shall be subject to the following monthly service charges:

(a) four euro (€4) per month in case of a single-phase EV meter installation; and

(b) six euro (€6) per month in case of a three-phase EV meter installation.

2. Without prejudice to the other provisions of these regulations, the consumption for the charging of electric vehicles in a Residential or Domestic Premises, as measured by the meter installed for such purpose, and during the time periods between mid-night (00:00a.m.) and five fifty-nine (05:59 a.m.) and between mid-day (12:00p.m.) and fifteen fifty-nine (15:59p.m.) and Sundays all day between mid-night (00:00a.m.) to twenty-three fifty-nine (23:59p.m.) shall be billed at the rate of zero point one, two, nine, eight (€0.1298/kWh), which is inclusive of VAT.

Any consumption of electricity for the charging of electric vehicles in a Residential or Domestic Premises, as measured outside the time periods between mid-night (00:00a.m.) and five fifty-nine (05:59a.m.) and between mid-day (12:00p.m.) and fifteen fifty-nine (15:59p.m.) and Sundays all day between mid-night (00:00a.m.) to twenty-three fifty-nine (23:59p.m.) shall be added to the normal consumption of the Residential or Domestic Premises service for the respective billing period and charged in accordance with the First Schedule or Third Schedule respectively.

The consumption measured during the time periods between mid-night (00:00a.m.) and five fifty-nine (05:59a.m.) and between mid-day (12:00p.m.) and fifteen fifty-nine (15:59p.m.) and Sundays all day between mid-night (00:00a.m.) to twenty-three fifty-nine (23:59p.m.) by the EV meter installed as a supplementary meter to the main consumption meter supplying the premises, shall be deducted for billing proposes from the consumption measured by the main consumption meter.

In the case of an EV installation as provided for in regulation 37 (6), where the EV meter is not installed as a supplementary meter, any consumption of electricity for the charging of electric vehicles as measured outside the time periods between mid-night (00:00a.m.) and five fifty-nine (05:59a.m.) and between mid-day (12:00p.m.) and fifteen

fifty-nine (15:59p.m.) and Sundays all day between mid-night (00:00a.m.) and twenty-three fifty-nine (23:59p.m.) shall be charged in accordance with the Third Schedule.