

L.N. 132 of 2005

**ENEMALTA ACT
(CAP. 272)**

Electricity Supply (Amendment) Regulations, 2005

IN exercise of the powers conferred by article 39 of the Enemalta Act, Enemalta, with the approval of the Minister for Investment, Industry and Information Technology and of the Minister for Resources and Infrastructure, has made the following regulations:-

1. (1) The title of these regulations is the Electricity Supply (Amendment) Regulations, 2005 and they shall be read and construed as one with the Electricity Supply Regulations, 1939 hereinafter referred to as “the principal regulations”.

Citation and
commencement.

G.N.223 of 1940.

(2) These regulations shall be deemed to have come into force on the 1st January, 2005.

2. Sub-regulation (1) of regulation 72 of the principal regulations shall be substituted as follows:

Amends regulation
72 of the principal
regulations.

“(1) Accounts shall be made for such period or periods as Enemalta 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:

Provided that the Corporation 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 Corporation, on a request made by a consumer, may modify such requests for provisional payment in the light of the circumstances of the particular case.”.

Substitutes
regulation 73 of the
principal
regulations.

3. Regulations 73 of the principal regulations shall be substituted as follows:

“73. 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 of these regulations 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.”.

Amends First
Schedule to the
principal
regulations.

4. The First Schedule to the principal regulations shall be amended as follows:

a) immediately after item (v) thereof there shall be added the following:

“(vi) A fuel surcharge at the rate of 17% on the net billed consumption of water and electricity during a determined period:

Provided that the surcharge shall not apply in the case of consumers satisfying the criteria established by paragraph (4) of item (v).

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(vii) Tariffs mentioned in this schedule shall be deemed to be inclusive of Value Added Tax.”.

Amends Second
Schedule to the
principal
regulations.

5. The Second Schedule to the principal regulations shall be amended as follows:

a) immediately after item (2) thereof there shall be added the following:

“(3) A fuel surcharge, at the rate of 17%, on the net billed consumption of water and electricity during a determined period:

Provided that in the case of electricity supplied to Hotels and Guesthouses as defined in item (2) such surcharge shall not exceed the following amounts:

(a) where the water and electricity consumption does not exceed or is equal to LM10,000 per annum the applicable surcharge will in no case exceed LM1,500 per annum;

(b) where the water and electricity consumption exceeds LM10,000 per annum but does not exceed or is equal to LM20,000 per annum the applicable surcharge will in no case exceed LM2,000 per annum;

(c) where the water and electricity consumption exceeds LM20,000 per annum but does not exceed or is equal to LM30,000 per annum the applicable surcharge will in no case exceed LM3,000 per annum;

(d) where the water and electricity consumption exceeds LM30,000 per annum but does not exceed or is equal to LM40,000 per annum the applicable surcharge will in no case exceed LM4,000 per annum;

(e) where the water and electricity consumption exceeds LM40,000 per annum but does not exceed or is equal to LM50,000 per annum the applicable surcharge will in no case exceed LM5,000 per annum;

(f) where the water and electricity consumption exceeds LM50,000 per annum but does not exceed or is equal to LM100,000 per annum the applicable surcharge will in no case exceed LM6,000 per annum;

(g) where the water and electricity consumption exceeds LM100,000 per annum but does not exceed or is equal to LM150,000 per annum the applicable surcharge will in no case exceed LM7,000 per annum;

(h) where the water and electricity consumption exceeds LM150,000 per annum the applicable surcharge will in no case exceed LM8,000 per annum.

(4) Tariffs mentioned in this Schedule shall be deemed to be exclusive of Value Added Tax.”.

6. The Fourth Schedule to the principal regulations shall be amended by adding immediately after item (11) thereof the following:

Amends Fourth Schedule to the principal regulations.

“(12) A fuel surcharge, at the rate of 17% on the net billed consumption of water and electricity during a determined period:

Provided that in the case of factories the applicable surcharge shall not exceed the amount of LM5,000 per annum.

(13) Tariffs mentioned in this Schedule shall be deemed to be exclusive of Value Added Tax.”.