Revised Regulations of Anguilla: E35-3

ELECTRICITY ACT (R.S.A. c. E35)

ELECTRICITY SUPPLY REGULATIONS

Note: These Regulations are enabled under section 44 of the Electricity Act, R.S.A. c. E35.

TABLE OF CONTENTS

SECTION

1. Interpretation
2. Public supplier's licence
3. Private supplier's licence
4. Financial information
5. Schedule 3
6. Amendment of Schedule 1 or Schedule 2
7. System of supply
8. Compliance with requirements and standards of Electrical Code
9. Inspectors
10. Inspection and testing of electrical wiring and installations
11. Interference
12. Exposed live wire, etc.
13. Measurement of consumption of electricity otherwise than by meter in certain cases
14. Penalties for failure to pay licence fee
15. Penalty
16. Citation

SCHEDULE 1: Public Supplier's Licence
SCHEDULE 2: Private Supplier's Licence
SCHEDULE 3: Payment of Licence Fees by Supplier of Electricity
SCHEDULE 4: Specification of Electrical Installation and Inspection Certificate
SCHEDULE 5: Prohibited Electrical Apparatus or Equipment

Interpretation

1. (1) In these Regulations—

"Electrical Code" means the National Electrical Code as published by the National Fire Protection Association of Boston, Massachusetts, United States of America as amended or replaced from time to time;

"inspector", in relation to any public supplier, means a person designated or appointed under section 9 to act as an inspector within the area of supply of that supplier.

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

(2) Any technical expression used in these Regulations shall have the meaning assigned to it by the Electrical Code or, failing this, by the Glossary of Terms used in Electrical Engineering issued by the British Standards Institution.

Public supplier's licence

2. A public supplier's licence shall be in the Form set out in Schedule 1.

Private supplier's licence

3. A private supplier's licence shall be in the Form set out in Schedule 2.

Financial information

4. (1) In order to determine the licence fee payable, the public or private supplier shall submit to the permanent secretary the following financial information—

(a) financial statements;

(b) the report of the auditor; and

(c) any other financial information that the permanent secretary considers reasonable.

(2) The financial information shall be submitted to the permanent secretary no later than 5 days after the annual general meeting of the company of the public or private supplier or no later than 31 October of each year.

(3) Notwithstanding subsection (2), the permanent secretary may request financial information from the Registrar of Companies regarding the financial position of a public or private supplier.

(R.A. 13/2016, s. 2)

Schedule 3

5. (1) Schedule 3, entitled "Notice of Payment of Licence Fees by Supplier of Electricity", shall provide for—

(a) the amount of the licence fee payable and the manner in which it should be paid;

(b) the time when each portion of the payment shall be made;

(c) the period that the licence fee as calculated should remain enforced but such period shall not exceed—

(i) for public suppliers, 5 years from the date of enforcement, or

(ii) for private suppliers, 2 years from the date of enforcement; and

(d) other information as stated.

(2) The licence fees payable by a public or private supplier shall consist of—

(a) a fixed annual fee payable in accordance with Schedule 3; and

(b) a variable portion calculated as a percentage of the audited gross revenue of the public or private supplier from the previous year's audited financial statements, as stated in Schedule 3.

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

(3) Schedule 3 may be amended from time to time by the permanent secretary on the approval of the Executive Council.

(4) Prior to the licence fee being approved by the Executive Council, the permanent secretary shall consult with the public or private supplier.

(5) Schedule 3 shall be numbered and filed by the permanent secretary and published in the *Gazette*.
(R.A. 13/2016, s. 4)

Amendment of Schedule 1 or Schedule 2

6. (1) After a licence has been issued, the Executive Council may, after consultation with the public or private supplier, amend Schedule 1 or Schedule 2.

(2) Any amendments made under subsection (1) shall be published in the *Gazette*.
(R.A. 13/2016, s. 4)

System of supply

7. (1) Subject to subsection (2), electricity shall be supplied by a public supplier within the supplier's area of supply at the following voltages—

(a) high voltage supply at 13,800 volts, three phase, 60 Hertz; and

(b) low voltage supply at—

(i) three phase, 60 Hertz, 415/240 volts, 4 – wire (neutral wire earthed),

(ii) three phase, 60 Hertz, 208/120 volts, 4 – wire (neutral wire earthed),

(iii) three phase, 60 Hertz, 240/120 volts, 4 – wire (neutral wire earthed),

(iv) single phase, 60 Hertz, 240/120 volts, 3 – wire (neutral wire earthed).

(2) The voltages mentioned in subsection (1) may be subject to a variation of 6% above or below those voltages and shall be, in every case, subject to a 2% variation above or below the declared frequency.

Compliance with requirements and standards of Electrical Code

8. The conditions, essential requirements and minimum standards set out in the Electrical Code in respect of electrical wiring and any electrical installations shall be observed in respect of the electrical wiring and any electrical installations at any premises supplied, or intended to be supplied, with electricity by a public supplier.

Inspectors

9. A public supplier shall designate or appoint fit and proper persons approved by the Electricity Commissioner to inspect electrical wiring and electrical installations at any premises supplied, or intended to be supplied, with electricity by the supplier, and to perform such other duties as may be prescribed by these or any other Regulations made under the Act.

Inspection and testing of electrical wiring and installations

10. (1) Before any new wiring or electrical installation, or any alteration, extension or modification of any existing wiring or electrical installation, is carried out or installed, the person by whom the wiring is to be carried out or the installation fitted (hereafter in this section referred to as the "electrician") shall in the Form set out in Schedule 4 furnish the Government Electrical Inspector with a specification of the work intended to be carried out.

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

(2) The Government Electrical Inspector shall consider the specification and inspect the installation in respect of which the Form has been completed and if satisfied that the installation complies with the requirements of these Regulations shall complete an Inspection Certificate in the Form as set out in Schedule 4.

(3) The owner, occupier or agent to whose electricity supply the wiring or installation is intended to be connected shall furnish the public supplier with the completed Specification of Electrical Installation and Inspection Certificate signed by the Government Electrical Inspector and the public supplier may approve the Specification of Electrical Installation and accept the Inspection Certificate with or without modifications.

(4) No work in connection with any wiring or installation such as mentioned in subsection (1) shall be carried out otherwise than in accordance with the Specification of Electrical Installation in the Form set out in Schedule 4 as approved by the Government Electrical Inspector to whom the specification was submitted for approval.

(5) No new electrical fitting or any alteration, extension or modification to an existing electrical installation may be connected to the electrical supply of a public supplier unless it has been inspected and tested by the Government Electrical Inspector and approved by the Inspector in respect of that installation.

(6) An Inspection Certificate completed by the Government Electrical Inspector and accepted by the public supplier on any approved electrical installation connected, or intended to be connected, to the electricity supply of a public supplier shall be kept by the supplier in the supplier's custody and shall be produced, on request, by the supplier to the Electricity Commissioner for inspection or for the purpose of enabling the Electricity Commissioner to make a copy of the certificate.

(7) The Government Electrical Inspector, whenever required to do so by the Electricity Commissioner, shall cause any electrical installation on any premises connected to the electricity supply of a public supplier to be inspected and tested by him and shall cause a report on the inspection to be made to the Electricity Commissioner.

(8) If—

(a) any electrical wiring or installation on any premises is found by the Government Electrical Inspector or by an inspector not to have been approved under this section, being electrical wiring or an electrical installation required to be approved under this section; or

(b) any electrical wiring or installation on any premises is found by the Government Electrical Inspector or an inspector not to conform to the minimum standards set out in the Electrical Code;

the Electricity Commissioner may order the public supplier to disconnect, and the inspector shall, if the electrical wiring or installation is connected to the electricity supply of a public supplier, disconnect, the premises from that supplier, until the wiring or installation is so approved or that deficiency made good, as the case may be.

(9) The owner or occupier of any premises shall afford all such facilities as may be reasonably required by the Electricity Commissioner, the Government Electrical Inspector or an inspector to enable the Government Electrical Inspector or the inspector to carry out any inspection or test for the purposes of this section.

Interference

11. (1) Where any person shall—

(a) use, or permit any third party to use, any electrical fittings, or electricity supplied to the premises for any purpose; or

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

(b) deal, or permit any third party to deal, with the electricity supplied to the premises;

in any manner so as to interfere unduly or improperly with the efficient supply of electricity by a public supplier to any consumer or potential consumer, or to cause interference with the lawful emission or reception of any radio communication, telecommunication, telegraph, telephone or the lawful use of any electrical signalling equipment process or circuit by other persons, the supplier may cease to supply electricity to those premises for so long as he has reasonable cause to believe that the electrical fittings or electricity will be so used or dealt with.

(2) The Electricity Commissioner or an inspector, acting within his area of supply, may require any person who uses, or permits the use of, any electrical installation in contravention of subsection (1) to cease to do so, and that person shall comply with such requirement within 14 days from the date on which the requirement is imposed.

(3) No person shall use any electrical apparatus or equipment set out in Schedule 4.

Exposed live wire, etc.

12. (1) Subject to subsection (2), no person shall have under his control any bare wire, terminals or other parts of any electrical apparatus or equipment carrying current.

(2) Subsection (1) shall not apply to any apparatus or equipment connected otherwise than to the electricity supply of a public supplier and which is connected to an electricity supply of a potential of less than 30 volts above earth potential.

Measurement of consumption of electricity otherwise than by meter in certain cases

13. (1) Where a person authorized by a public supplier to ascertain the quantity of electricity consumed on any premises is unable to gain access to those premises, or to the meter on those premises used or intended to be used for the purpose of ascertaining the quantity of electricity supplied to those premises, the supplier may send to the consumer occupying those premises a bill for an amount which may be calculated on the basis of the previous consumption of electricity by the consumer; and the account maintained by the supplier in respect of electricity consumed by the consumer shall be adjusted accordingly when the next regular reading of the meter is taken.

(2) Where a meter fails to register the quantity of electricity consumed by a consumer, the consumer shall pay for any electricity supplied during the period of the failure of the meter so to register an amount which may be calculated on the basis of the average quantity of electricity consumed by the consumer during a similar period.

Penalties for failure to pay licence fee

14. (1) The licence fee imposed under these Regulations and the sum payable under subsection (4) constitute a debt due to the Government and is recoverable accordingly in a court of competent jurisdiction.

(2) Where the licence fee is not paid in accordance with Schedule 3, the permanent secretary may grant a grace period of up to 30 days after the fee becomes due and payable or impose a 2% monthly penalty on the amount due or both.

(3) Where the licence fee and any penalty imposed is not paid in full or an agreement to pay is not settled to the satisfaction of the permanent secretary for up to 6 months after it is due, the permanent secretary may take legal action to recover the debt due and the licensee shall be liable for the debt due, the monthly penalty imposed, accrued interest, collection costs and legal costs.

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

(4) Notwithstanding any penalty imposed under subsections (2) and (3), the licensee is liable to pay the sum of $50,000.

(R.A. 13/2016, s. 5)

Penalty

15. Any person who contravenes any of the provisions of these Regulations is guilty of an offence and is liable on summary conviction to a fine of $1,000 and, if the offence is continued after the conviction, he is guilty of a further offence and is liable to a fine of $50 for each day on which the offence is so continued.

Citation

16. These Regulations may be cited as the Electricity Supply Regulations, Revised Regulations of Anguilla, E35-3.

———————

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

SCHEDULE 1

(Section 2)

PUBLIC SUPPLIER'S LICENCE

THIS LICENCE is made the ..... day of ..... , 20…….

BETWEEN—

(1) HIS EXCELLENCY, ..., GOVERNOR OF ANGUILLA (hereinafter referred to as the "Governor") of the one part; and

(2) .....…….. (hereinafter referred to as the "Licensee"), a company incorporated under the laws of Anguilla and whose registered office is at ..... of the other part.

WHEREAS—

This Licence is a public supplier's licence granted pursuant to section 3 of the Electricity Act, R.S.A. c. E35.

NOW IT IS HEREBY AGREED as follows—

1. Interpretation

1.1 In this Licence, the following words shall have the following meanings—

1.1.1 "Act" means the Electricity Act;

1.1.2 "Anguillian" means a person who is regarded as an Anguillian under section 80(2) of the Constitution of Anguilla;

(U.K. S.I. 2019 No. 852, s. 13(c))

1.1.3 "Arbitrator" means the single arbitrator referred to in Clause 4.3;

1.1.4 "Area of Supply" means the whole of Anguilla;

1.1.5 "Bill" means any demand and/or request for payment for electricity consumed (or reasonably estimated by the Licensee to have been consumed);

1.1.6 "Existing Consumers" means all persons (including the Government) who, immediately prior to the commencement of the Licence Period, were legally obtaining a supply of electricity from the Government;

1.1.7 "Financial Year" means a financial period of the Licensee, that is a period (whether or not comprising twelve months) for which accounts of the Licensee are prepared and laid before the Licensee as a company in general meeting;

1.1.8 "Government" means the Government of Anguilla;

1.1.9 "Licence Period" means the period of 50 years from ..... together with any period in respect of which this Licence may be renewed pursuant to section 3 of the Act;

1.1.10 "Minister" means the Minister responsible for electricity;

1.1.11 "New Consumers" means all persons other than Existing Consumers who, in accordance with section 11 of the Act, require, after the commencement of the Licence Period, a supply of electricity to premises owned or occupied by them within the Area of Supply;

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

1.1.12 "Ordinary Shareholders' Equity" means the sum of—

1.1.12.1 the stated or par value of the issued ordinary shares of the Licensee;

1.1.12.2 reserves of whatever kind excluding any amount written off or retained by way of providing for depreciation, renewals or diminution in value of assets or retained by way of providing for any known liability (which shall be deemed to include all liabilities in respect of expenditure contracted for and all disputed or contingent liabilities); and

1.1.12.3 share premium on ordinary shares and any other sum which, by standard accounting practice adopted in Anguilla, is treated as part of ordinary shareholders' equity;

1.1.13 "Private Supplier's Licence" has the meaning attributed thereto in the Act;

1.1.14 "Public Supplier's Licence" has the meaning attributed thereto in the Act.

1.2 References to Clauses are to Clauses of this Licence. Headings appearing in this Licence are inserted only for convenience of reference and shall not affect the construction of this Licence.

1.3 This Licence shall be read and construed subject in all respects to the provisions of the Act.

2. Grant of Licence

2.1 The Governor, in consideration of the Licensee's obligations under this Licence, hereby grants to the Licensee an exclusive Public Supplier's Licence for the Licence Period in respect of the Area of Supply.

3. Obligations of Licensee

3.1 The Licensee shall discharge its obligations and perform its duties imposed or authorised under the Act and shall enjoy the rights and exercise all powers conferred by the Act. Electricity shall be supplied by the Licensee continuously (subject to the provisions of this Licence), unless the Licensee is prevented from doing so by war or hostilities, actual or reasonably apprehended acts of violence (including sabotage), civil disorders, or industrial action by the Licensee's employees, epidemic, unavoidable accident, flood, hurricane or other act of God or any other cause of any kind whatsoever outside the Licensee's reasonable control: PROVIDED THAT the Licensee uses its reasonable endeavours to ensure the maintenance of electricity supplies under this Licence in the Area of Supply.

3.2 The Licensee shall operate, control, manage and maintain the system for the generation, transmission, distribution and supply of electricity to the public in the Area of Supply with a view to providing a regular, sufficient and continuous supply of electricity (subject to the provisions of the Act).

3.3 The Licensee shall not, so long as an Existing Consumer continues to pay and discharge any Bill delivered to such Existing Consumer, for any charges the Licensee is entitled to make under the provisions of this Licence and the Act within thirty days of the Bill being delivered by the Licensee to such Existing Consumer, require such Existing Consumer pursuant to section 11 of the Act, to furnish to the Licensee security for the payment of all moneys which may become due to the Licensee in respect of the supply of electricity to such Existing Consumer: PROVIDED THAT such Existing Consumer shall be deemed to be a New Consumer where such Existing Consumer requires a supply of electricity to premises in addition to (but not in replacement of) his existing premises.

3.4 The above provisions of this Clause shall not prevent the Licensee from discontinuing a supply of electricity to an Existing Consumer if the Licensee is entitled to discontinue such supply under the Act.

3.5 The Licensee shall only be obliged to furnish a supply of electricity in accordance with the provisions of the Act.

3.6 The licensee shall pay the annual licence fee in accordance with Schedule 3.
(R.A. 13/2016, s. 6)

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

4. Tariff of Rates and Charges

4.1 Subject as set out below, the Licensee shall be bound by and adhere to any tariff of rates and charges set out in electricity (rates and charges) regulations for the time being in force made under the Act: PROVIDED THAT if, having due regard to the nature and circumstances of a supply of electricity to any consumer or potential consumer, the Licensee considers that the terms and conditions of affording such a supply under the provisions of this Licence are inappropriate, any or all of such terms and conditions may be amended by agreement in writing between the Licensee and such consumer or potential consumer: PROVIDED FURTHER THAT details of any such amendment shall be notified to the Governor in writing and published in the *Gazette*.

4.2 The Licensee shall be at liberty to serve on the Minister at any time and from time to time a notice in writing proposing that the tariff of rates and charges for the time being in force be varied with effect from the commencement date specified in such notice (such commencement date to be at least 90 days after the date of service of such notice) and in the manner specified in such notice. The Licensee shall also submit its most recent audited accounts and its estimates for the five next following Financial Years.

4.3 The Licensee shall, within seven days of the date of service of any such notice as is referred to in Clause 4.2, cause such notice to be published in writing in manner appropriate to inform as many of its consumers as possible. Within thirty days (or such later date as may be agreed in writing between the Government and the Licensee) of the date of service of any such notice, the Minister shall approve the variation of the tariff of rates and charges proposed in such notice; failing such approval, the matter shall on the application of the Licensee be referred to an Arbitrator either to be appointed by agreement between the Licensee and the Minister or, in default of agreement, the Arbitrator shall be the judge assigned to Anguilla: PROVIDED THAT, until such judge is permanently resident in Anguilla, the Arbitrator shall be appointed by the Governor after consultation with the Licensee. Such matter shall be determined by the Arbitrator within forty-five days of the date of such referral, and the costs of such arbitration shall be borne in such a manner as the Arbitrator shall decide.

4.4 In determining whether any or what variation of the tariff of rates and charges should be made, the Minister or the Arbitrator shall have regard to the principle that the Licensee's revenues must be at least sufficient to enable the Licensee—

4.4.1 to meet all expenses reasonably incurred in the production of such revenues, including (without limitation) depreciation of assets, provision for bad debts and interest on indebtedness; and

4.4.2 to repay its indebtedness; and

4.4.3 to provide for the cost of replacement of its capital assets; and

4.4.4 to provide a reasonable proportion of the capital costs of expanding its undertaking to meet any demand for an increased service to the public; and

4.4.5 to provide an annual return on its Ordinary Shareholders' Equity at a rate which is not less than the average twelve-month deposit rate paid by commercial banks in Anguilla plus three per cent: PROVIDED THAT such return shall be at a rate not less than twelve per cent per annum.

4.5 Where a reference has been made to the Arbitrator under Clause 4.3, the Licensee shall be entitled to introduce, from the commencement date specified in its notice under Clause 4.2 provisional rates (which shall supersede the then existing rates set out in the electricity (rates and charges) regulations then in force) by way of variation of all the then existing rates for the supply of electricity in accordance with the following—

4.5.1 the Licensee shall ascertain the percentage which results from dividing "A" by "B" and shall vary all the then existing rates for the supply of electricity by such percentage. For these purposes—

"A" = Anticipated average price per unit of electricity (i.e. the total estimated gross revenue excluding fuel cost adjustment (to be derived from units of electricity to be sold) of

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

the Licensee in the period in respect of which the variation of the tariff of rates and charges has been proposed in the Licensee's notice under Clause 4.2 or in the next following Financial Year whichever shall be the shorter period divided by the total number of units of electricity estimated to be sold by the Licensee in such period (as such figures are given by the Licensee)); and

"B" = Existing average price per unit of electricity (i.e. the total existing gross revenue excluding fuel cost adjustment (derived from units of electricity sold) of the Licensee in the period since the last revision of tariffs or in the current Financial Year whichever shall be the shorter period divided by the total number of units of electricity sold by the Licensee in such period (as such figures are given by the Licensee)):

PROVIDED THAT the rates applicable by reason of a determination by the Arbitrator shall supersede the said provisional rates and, where such applicable rates are lower than the said provisional rates, the Licensee shall, from the commencement date of such applicable rates, cease to apply the said provisional rates and shall grant to each consumer a rebate (by way of adjustment to the next following Bills rendered to such consumer) equivalent to any amount previously charged by way of provisional rates in excess of the applicable rates.

4.6 The tariff of rates and charges adjusted in accordance with the foregoing provisions of this Clause shall remain in force until next adjusted in accordance with this Clause.

4.7 The Governor shall issue new electricity (rates and charges) regulations to correspond with the tariff of rates and charges as adjusted in accordance with the foregoing provisions of this Clause (other than in respect of provisional rates) with effect from the commencement date of such adjusted tariff. For the avoidance of doubt, such new regulations shall repeal the then existing regulations relating thereto.

5. Fuel Cost Adjustment

5.1 In addition to any adjustment in the tariff of rates and charges as provided for in Clause 4, adjustments shall also be made by the Licensee to the price of a unit of electricity when variations occur in the cost to the Licensee of fuel oil used in the generation of electricity under this Licence as provided in the electricity (rates and charges) regulations for the time being in force.

6. Renewal of Licence

6.1 On application made to the Governor in writing by the Licensee, not later than one year before the expiration of the first fifty years of the Licence Period, the Governor may renew this Licence for such period not exceeding fifty years and subject to such terms and conditions as shall be endorsed on this Licence.

7. Revocation of Licence

7.1 This Licence shall be revocable by the Governor in accordance with the provisions of section 6 of the Act, subject to the provisions of section 8 of the Act.

8. Private Supplier's Licence

8.1 On receiving an application for the grant, or for the renewal, of a Private Supplier's Licence for the supply of electricity within the Area of Supply, the Governor shall give the Licensee written notice of such application, the applicant's name and address and the grounds stated in support of such application. Within thirty working days from the date of receipt of such notice, the Licensee may inform the Governor in writing of whether or not it objects to the grant or renewal of such Private Supplier's Licence and any reasons therefor.

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

9. Non-Anguillians

9.1 The Government hereby undertakes to the Licensee that, throughout the Licence Period—

9.1.1 it will favourably consider all applications for work permits under the Control of Employment Act*, or any subsequent legislation relating thereto for personnel required by the Licensee to undertake tasks for which no trained Anguillian is available: PROVIDED THAT the Licensee undertakes a training programme with a view to employing Anguillians at every level; and

9.1.2 the Chief Immigration Officer shall not require persons who visit Anguilla on a temporary basis for the purposes of the Licensee's business pursuant to this Licence to obtain work permits: PROVIDED SUCH persons are not full-time employees of the Licensee and are not in receipt of remuneration from the Licensee; and

9.1.3 expatriate personnel from time to time employed in Anguilla by the Licensee (and members of their families residing with them) shall have access (if they so wish) to Government operated public schools and to medical services available in Anguilla on the same basis as expatriate personnel in Government service.

10. Office

10.1 The Licensee shall maintain an office within the Area of Supply at which consumers shall be able to pay Bills.

11. Assignment

11.1 This Licence (or the benefit of the whole or any part of it) shall not be assigned or transferred without the prior written consent of the Governor.

12 . Continuation

12.1 This Licence shall continue in full force and effect if Anguilla were to become an independent nation.

IN WITNESS WHEREOF this Licence has been duly executed by the parties hereto on the date first above written.

SIGNED by HIS EXCELLENCY,

THE GOVERNOR OF ANGUILLA

in the presence of—

SIGNED by

For and on behalf of

in the presence of—

(U.K. S.I. 2019 No. 852, s. 13(c))

* Labour (Relations) Act, 2018 (Act 14/2018) *repealed* the Control of Employment Act, R.S.A. c. C105.

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

SCHEDULE 2

(Section 3)

PRIVATE SUPPLIER'S LICENCE

THIS LICENCE is made the ..... day of ....., 20.....

BETWEEN—

(1) HIS EXCELLENCY, ...……..., GOVERNOR OF ANGUILLA (hereinafter referred to as the "Governor") of the one part; and

(2) ..…….....…….... (hereinafter referred to as the "licensee"), of the other part.

WHEREAS—

The licensee wishes to generate electricity for supply to his own premises at …… …… (the "premises"); and for that purpose has applied to the Governor for a private supplier's licence (the "licence") pursuant to section 3 of the Electricity Act (the "Act").

NOW IT IS HEREBY AGREED as follows—

1. Grant of Licence

The licensee may generate electricity for supply to the premises for a period of …… (subject to a maximum of 5) years from the date hereof.

2. Payment of licence Fee

The licensee shall pay the annual licence fee in accordance with Schedule 3.

3. Termination of Licence

The licensee may determine this licence at any time within the licence period by one week's written notice to the Governor and to the public supplier of electricity for the area in which the premises are situate (the "public supplier"); PROVIDED THAT if the licensee shall require the public supplier to supply the premises with a public supply of electricity in accordance with the provisions of the Act, the licensee shall give six months' written notice to the public supplier.

4. Revocation of Licence

This licence shall be revocable by the Governor in accordance with the provisions of the Act.

5. Renewal of Licence

The licensee may make application to the Governor for a renewal of this licence by one year's written notice to that effect.

IN WITNESS WHEREOF this licence has been duly executed by the parties hereto on the date first above written

SIGNED by HIS EXCELLENCY,
THE GOVERNOR OF ANGUILLA

in the presence of—

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

SIGNED by

in the presence of—

(R.A. 13/2016, s. 7)

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

SCHEDULE 3

(Sections 3 and 4)

PAYMENT OF LICENCE FEES BY SUPPLIER OF ELECTRICITY

Type of Licence: Public Supplier

Name of Supplier: Anguilla Electricity Company Ltd.

Period of time Licence issued: 50 years:

commencing on the 1st April 1991; and

ending on the 1st April 2041.

Payment of Fees

The Anguilla Electricity Company Ltd. shall pay to the Government the following licence fee—

i. a fixed portion in the amount of $750,000 payable by January 31st of each year commencing January 1st 2021 and ending on December 31st 2023; and

ii. a variable portion in the amount of 0.65% of the audited gross revenue of the Supplier from the previous year's audited financial statements and payable in the last quarter in the year in which it is due.

The payment of these fees shall be enforced for a period of 3 years:

commencing on the 1st day of January 2021; and

ending on the 31st day of December 2023.

(R.A. 18/2022, s. 2)

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

SCHEDULE 4

(Section 7)

SPECIFICATION OF ELECTRICAL INSTALLATION AND INSPECTION CERTIFICATE

SPECIFICATION OF ELECTRICAL INSTALLATION

SPEC. NO. .....

A. Property Owner .....……..... Address .....…….....

Architect or Agent .....……..... Address .....…….....

Location of premises .....…….....…….....

Total floor area ..... sq.ft.

Occupancy:

Residential .....…….....…….....

Commercial .....…….....…….....

Industrial .....…….....…….....

Other .....…….....…….....

B. Supply Required:

Overhead .....…….....……..... Underground …….....

High Voltage (13.8kV) .....…….…….. Low Voltage .....

3–wire: 240/120 volts (single phase) .....…….....…….....

4–wire: 208/120 volts (three phase) .....…….....……..

240/120 volts (three phase) .....…….....…….....

415/240 volts (three phase) .....…….....…….....

C. Proposed wiring system .....…….....……...

Size of main switch .....……..... Number of circuits .....….....

D. Load	kW	Phases
(a) Lighting .....…….....		.....…...
(b) Water heating .....…….....		.....…..
(c) Space heating .....…….....		.....….
(d) Cooking .....…….....		.....…
	H.P.	
(e) Air conditioning .....……		...….....
(f) Other motors or loads .....……..		....….....

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai

E. The supplier's service will terminate …….....……..... .....……..... The meter(s) will be located 4.5 feet from ground/floor level: visible from the road side/…....……..... ……..... and in a position to which access is continuously available.

F. Approx. date it is proposed to commence work .....……..... Approx. date ready for rough-in inspection .....……..... Approx. date ready for final test .....……..... .....……..... .....…….....

SCHEDULE 5

(Section 8(3))

PROHIBITED ELECTRICAL APPARATUS OR EQUIPMENT

[None]

© Government of Anguilla
Copying/unauthorised distribution strictly prohibited
Printed by Authority by
The Regional Law Revision Centre Inc
www.lawrevision.ai