



ELECTRICITY (AMENDMENT) ACT 2023

(NO. 11 OF 2023)



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PASSED by the National Parliament this 19th day of October 2023.

(This printed impression has been carefully compared by me with the Bill passed by Parliament and found by me to be a true and correct copy of the Bill)

David Kusilifu
Clerk to National Parliament

ASSENTED to in His Majesty's name and on His Majesty's behalf this 3rd day of November 2023.

Sir David Vunagi
Governor-General

Date of Commencement: see section 2.

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

ENACTED BY THE NATIONAL PARLIAMENT OF SOLOMON ISLANDS.

ELECTRICITY (AMENDMENT) ACT 2023

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ELECTRICITY (AMENDMENT) ACT 2023

1 Short title

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

2 Commencement

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

3 Amendment of Electricity Act (Cap. 128)

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

4 Section 2 amended

Section 2 of the Principal Act is amended:

- (a) in the definition of "installation":
 - (i) insert after "electricity," the following "and includes any electricity generation equipment,"; and
 - (ii) repeal "including prime movers, if any,"; and
- (b) by repealing the term "prime mover" and its definition.

5 Section 21 amended

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

6 Section 30 amended

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

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

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

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

7 Section 42 amended

Section 42 of the Principal Act is amended:

(a) in subsection (1), by:

(i) placing a full stop at the end of “an offence” and repealing the rest of subsection (1); and

(ii) inserting after subsection (1) the following:

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

(b) in subsection (2):

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

(ii) inserting after paragraph (e) the following:

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

(c) in subsection (3), by:

(ii) placing a full stop at the end of “an offence” and repealing the rest of subsection (3); and

(iii) inserting after subsection (3) the following:

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

(d) in subsection (4), by:

- (i) placing a full stop at the end of “an offence” and repealing the rest of the subsection; and
- (ii) inserting after subsection (4) the following:

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

(e) in subsection (5), by:

- (i) placing a full stop at the end of “an offence” and repealing the rest of subsection (5); and
- (ii) inserting after subsection (5) the following:

“Maximum penalty: 2,150 penalty units.”; and

(f) in subsection (6):

- (i) after paragraph (b), by placing a full stop at the end of “an offence” and repealing the rest of subsection (6); and
- (ii) by inserting after subsection (6) the following:

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

(g) in subsection (7), by:

- (i) placing a full stop at the end of “an offence” and repealing the rest of subsection (7); and
- (ii) inserting after subsection (7) the following:

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

(h) in subsection (8), by:

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

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

8 Savings and Transitional

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