

*Government Notice No. 144 of 2022***THE ELECTRICITY ACT 2005****Regulations made by the Minister, after consultation with the
Utility Regulatory Authority, under section 44 of
the Electricity Act 2005**

1. These regulations may be cited as the Electricity (Transitional Licence) Regulations 2022.
2. In these regulations –
 - “Act” means the Electricity Act 2005;
 - “Authority” means the Utility Regulatory Authority;
 - “Board” has the same meaning as in the Central Electricity Board Act;
 - “online platform” means the Authority e-licensing platform found on its website;
 - “electricity service operator” means an electricity operator who was providing a generation electricity service prior to the coming into operation of the Act, other than the Board.
3. (1) Any electricity service operator shall, not later than 14 days of the coming into operation of these regulations, register its activity with the Authority on the online platform.

(2) The Board shall, not later than 21 days, of the coming into operation of these regulations, register its activities with the Authority on the online platform.

(3) The Authority shall, not later than 7 days of receipt of an application for registration, issue a registration number to the applicant.

4. (1) An electricity service operator shall, not later than 30 days after having been registered under these regulations, make an application to the Authority through the online platform for a transitional licence and provide such information as the Authority may require, including the plan of action specified in paragraph (2).

(2) An electricity service operator shall be required to submit to the Authority a plan of action to comply with the provisions of the Act during the term of his transitional licence.

(3) The Authority shall, upon payment of the fee specified in the second column of the First Schedule, issue the relevant transitional licence on such terms and conditions as it may determine.

(4) A transitional licence issued to an electricity service operator shall be valid for a period of 6 months from the date it is issued or for such other period as may be agreed between an existing electricity service operator and the Authority.

5. (1) The Authority shall, upon payment of the fee specified in the second column of the First Schedule, issue transitional licences to the Board to act as a generation licensee, transmission licensee, system operator, distribution licensee and single buyer.

(2) The Board shall submit to the Authority a yearly plan of action to indicate how it will ensure compliance with the provisions of the Act.

6. (1) (a) Where a licensee under these regulations intends to transfer his activities specified in his transitional generation licence, he may make an application to the Authority on the online platform for a transfer of the licence and provide such information as the Authority may require.

(b) The Authority may, on payment by the licensee of the fee specified in the third column of the First Schedule, transfer the transitional generation licence.

(2) (a) Where a licensee under these regulations intends to amend his activities specified in his licence, he may make an application to the Authority on the online platform for an amended licence and provide such information as the Authority may require.

(b) The Authority may, on payment by the licensee of the fee specified in the fourth column of the First Schedule, issue an amended transitional licence.

(3) (a) Where a licensee under these regulations intends to renew his transitional licence, he shall make an application to the Authority on the online platform and provide such information as the Authority may require.

(b) Where the Authority grants the application, it shall, on payment by the applicant of the fee specified in the fifth column of the First Schedule, renew the transitional licence.

7. The holder of a transitional licence shall, during the period specified in a transitional licence –

- (a) start the process of aligning his operations with the new requirements under the Act;
- (b) ensure that the terms and conditions of his licence are complied with.

8. Every holder of a transitional licence shall, in respect of the activity specified in the first column of the Second Schedule, pay the fees specified in the corresponding second column.

9. These regulations shall come into operation on 10 June 2022.

Made by the Minister, after consultation with the Utility Regulatory Authority, on 10 June 2022.

FIRST SCHEDULE
[Regulations 4(3), 5(1) and 6]

**APPLICATION, TRANSFER, AMENDMENT AND
RENEWAL FEES FOR A TRANSITIONAL
LICENCE**

Description	Application			
	Initial fee (Rs)	Transfer fee (Rs)	Amendment fee (Rs)	Renewal fee (Rs)
Generation not exceeding 5 kW	Nil	Nil	Nil	Nil
Generation exceeding 5 kW but not exceeding 50 kW	125	125	125	100
Generation exceeding 50 kW but not exceeding 200 kW	250	250	250	150
Generation exceeding 200 kW but not exceeding 400 kW	500	500	500	300
Generation exceeding 400 kW	7,500	7,500	7,500	5,000
Transmission, Distribution, Single Buyer and System Operation	7,500	7,500	7,500	5,000

SECOND SCHEDULE

[Regulation 8]

**ANNUAL FEES PAYABLE FOR A
TRANSITIONAL LICENCE**

Type of licence	(Rs)
Generation not exceeding 5 kW	Nil
Generation exceeding 5 kW	5,200 per MW installed
Transmission	1,700 per MW of annual peak demand
System operation	200 per MW of annual peak demand
Single buyer	200 per MW of annual peak demand
Distribution	1,400 per GWh of annual electricity sold
