GOVERNMENT NOTICE NO. 91

ELECTRICITY ACT

(CAP.73:01)

ELECTRICITY (AMENDMENT) BY-LAWS, 2018

ARRANGEMENT OF BY-LAWS

BY-LAW

1. Citation
2. Amendment of by-law 2 to Cap. 70:01 sub. leg. p.27
3. Amendment of by-law 8 (2) of the principal By-laws
4. Amendment of by-law 12 of the principal By-laws
5. Amendment of by-law 13 (1) of the principal By-laws
6. Amendment of by-law 89 of the principal By-laws
7. Amendment of by-law 160 of the principal By-laws
8. Amendment of the Second Schedule to the principal By-laws

IN EXERCISE of the powers conferred by section 52 of the Electricity Act, the Malawi Energy Regulatory Authority makes the following By-laws—

Citation

1. These By-laws may be cited as the Electricity (Amendment) By-laws, 2018.

Amendment of by-law 2 to Cap.70:01 sub. leg. p.27

2. The Electricity By-laws (hereinafter referred to as the "principal By-laws") are amended, in By-law 2, by inserting, in the correct alphabetical order, the following new definitions—

""NCHE" means the National Council for Higher Education established under section 3 of the National Council for Higher Education Act;

Cap 30:12

"NCIC" means the National Construction Industry Council established under section 3 of the National Construction Industry Act; and

Cap 53:05

"TEVETA" means the Technical, Entrepreneurial Vocation Education and Training Authority established under section 4 of the Technical, Entrepreneurial Vocation Education and Training Act;".

3. By-law 8 (2) of the principal By-laws is revoked and replaced as follows— Amendment of By-law 8(2) of the principal By-laws

"(2) The Committee shall consist of the following members—

(*a*) two persons representing the Authority who shall be Chairperson and Secretary respectively;

(*b*) one person representing the holders of a distribution and supply licences;

(*c*) one qualified and practicing electrical engineer appointed by the Board of Engineers;

(*d*) one person representing NCIC;

(*e*) one person representing the renewable testing and training centre for renewable energies;

(*f*) one person representing TEVETA; and

(*g*) one person representing a faculty of electrical engineering from an accredited institution of higher learning.".

4. By-law 12 of the principal By-laws is revoked and replaced with the following new By-law 12— Amendment of by-law 12 of the principal By-laws

"Technical qualifications

"12—(1) A person shall not be considered for a permit under these By-laws, unless he possesses any of the following technical qualifications—

(*a*) a University Degree in the relevant field of study from any institution accredited by the NCHE;

(*b*) a University Diploma in the relevant field of study from any institution accredited by NCHE;

(*c*) a Technician's Diploma in the relevant field of study from any institution accredited by TEVETA;

(*d*) a City and Guilds Diploma accredited by TEVETA;

(*e*) TEVETA qualifications of a minimum level of 3;

(*f*) a Degree, Diploma or Certificate from university or institution in the relevant field of renewable energy technologies accredited by NCHE; or

(*g*) any other technical qualification recognized by NCHE or TEVETA.

(2) In addition to the qualification under paragraph (1), the Committee may consider the relevant practical experience in order to determine the class of permit to issue to an applicant.

(3) An applicant with foreign qualifications shall be responsible for the accreditation or recognition of his or her qualifications with NCHE or TEVETA.".

Amendment of by-law 13(1) of the principal By-laws

5. By-law 13 (1) of the principal By-laws is revoked and replaced as follows—

"(1) The Committee may, subject to such conditions as it may impose, issue any of the following types of permit—

(*a*) CLASS A for carrying out installation works at all voltage levels;

(*b*) CLASS A-1 for carrying out high voltage line installation works of 33,000 V and above;

(*c*) CLASS A-2 for carrying out industrial electrical wiring installations of 33,000 V and above;

(*d*) CLASS B-1 for carrying out high voltage line installation works of up to 33,000V;

(*e*) CLASS B-2 for carrying out industrial electrical wiring installations of up to 33,000 V;

(*f*) CLASS C for carrying out overhead and underground medium voltage installations of up to 400 V including—

(i) installations in multi-storied building and other big buildings of complex design and commercial buildings; or

(ii) installations of light plants of up to a level of 400 V;

(*g*) CLASS D for carrying out electrical wiring installations of up to 400V;

(*h*) CLASS E for installations of 3 phase grid connected renewable energy mini grid systems;

(*i*) CLASS E-1 for installations of 3 phase off-grid renewable energy mini grid systems;

(*j*) CLASS E-2 for installations of 3 phase stand-alone renewable energy generation and supply systems; and

(*k*) CLASS F for installations of 1 phase stand-alone renewable energy generation and supply systems.".

Amendment of by-law 89 to the principal By-laws

6. By-law 89 of the principal By-laws is amended, by inserting the following new paragraphs—

"(3) A person shall not practice as an inspector of electrical installations under this By-law, unless he is in possession of an Inspection Certificate issued by the Authority.

Amendment of by-law 160 (1) to the principal By-laws

(4) A person who intends to practice as an inspector of electrical installations shall apply to the Authority in the form as prescribed in Second Schedule hereto and upon payment of a prescribed fee.

(5) Upon receiving an application referred to under paragraph (4), the Authority, through the Committee, shall assess the application and shall, when satisfied with the application, issue an Inspection Certificate to the applicant.

(6) A person who has been issued with an Inspection Certificate under this by-law shall, within seven days of receipt of that certificate, surrender his installer's permit to the Authority.

(7) An Inspection Certificate issued under this by-law shall be valid for a period of three years and thereafter shall be subject to renewal.".

Amendment of by-law 160 (1) to the principal By-laws

7. By-law 160 (1) of the principal by-laws is amended, by inserting a new paragraph (*h*), as follows—

"(*h*) the applicant's electrical installation works have been undertaken by a person without a permit issued by the Authority and the installation works have not been certified by a person with a valid permit issued by the Authority in accordance with by-law 27(2) and (3).".

Amendment of the Second Schedule to the principal By-laws

8. The Second Schedule to the principal By-laws is amended, by revoking the Application Form For An Electrical Installation Permit and replacing it with the following Forms—

"REPUBLIC OF MALAWI

ELECTRICITY REGULATION ACT

(CAP.73:01)

ELECTRICITY REGULATION BY-LAWS, 2018

APPLICATION FORMS (by-law 10)

APPLICATION FOR ELECTRICAL INSTALLATIONS PERMIT BY INDIVIDUAL PERSON

TO: The Chief Executive Officer
Malawi Energy Regulatory Authority (MERA)
P/Bag B-496
LILONGWE 3

SECTION—A

A.1 Full Name of Applicant: .....

A.2 Physical and Postal Address of applicant: .....

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.....

A.3 Telephone Number: .....

A.4 Fax Number: .....(*If applicable*)

A.5 E-mail of Applicant.....(*If applicable*)

A.6 Nationality: .....

A.7 Identification (ID) Number: .....

A.8 Where and when ID was issued: .....

A.9 ID Expiry date: .....

A.10 Attach copy of old Permit (if upgrading): .....

A.11 Class in which permit is sought: .....

SECTION—B

B.1 Give details of the technical qualifications attained by the applicant and attach copy(s) of certificates for relevant qualifications.

B.2 Give TEVETA accreditation if foreign qualifications.

B.3 For those applying for upgrading only.

Give details of works completed during the past three years

VALUE OF CONTRACT	*CLASS OF WORK*	*LOCATION OF PROJECT*	*CLIENT*

B.4 Have you ever failed to complete any work awarded to you? If yes why?

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.....

.....

.....

B.5 Give two names and full addresses of referees (Electrical Engineers/consultants or other relevant competent professionals) who know you or under whom you have recently carried out work (Reference letters to be attached)

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SECTION—C

C.1 Are you familiar with the Laws of Malawi relating to your trade. If so please list them down. Do you hold copies of these relevant legislations?

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.....

C.2 Remarks on C.1.....

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.....

C.3 An Authority appointed official shall make a physical verification of the information given herein. Do you have any objections?

.....

C.4 Declaration:

I, the above mentioned applicant, hereby solemnly and sincerely declare that the information I have given above is true in every respect to the best of my knowledge and belief and that I have read the Act and the regulations made under Act and understanding that, if registered, I shall be bound thereby and by any amendments thereto, for as long as my name shall remain on the register.

Declared at .....

Signature of Applicant

Before me on this .....day of....., 20..

.....

Commissioner for Oaths

C.5 FOR OFFICIAL USE ONLY –

(*1*) Date Received: .....

(*2*) Date sent to the Installations Permits Committee: .....

(*3*) Date of approval/rejection of application: .....

(*4*) MERA Identification Number: .....

(*5*) Receipt number of application fees: .....

(*6*) Remarks: .....

Dated this.....day of ..... 20.....

Chief Executive Officer
Malawi Energy Regulatory Authority (*MERA*)

REPUBLIC OF MALAWI

ELECTRICITY REGULATION ACT

(CAP.73:01)

ELECTRICITY REGULATION BY-LAWS, 2018

APPLICATION FORMS (by-law 10)

APPLICATION FOR ELECTRICAL INSTALLATION PERMITS BY COMPANY/FIRM

TO: The Chief Executive Officer
Malawi Energy Regulatory Authority (MERA)
P/Bag B-496
LILONGWE 3

SECTION—A

A.1 Full Name of Company/Firm: .....

A.2 Physical/ Postal Address of applicant, the registered head office:

.....

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A.3 Name of company/firm for which Permit is required: .....

A.4 Telephone Number: .....

A.5 Fax Number: ..... (*If applicable*)

A.6 E-mail of Applicant: ..... (*If applicable*)

A.7 Nationality: .....

A.8 Give copy and number of Company Registration Certificate: ..... (*Attach copy*)

A.9 Copy of old Permit (if upgrading): .....

A.10 Class in which permit is sought: .....

A.11 State the following—

(1) Foreign/Local Malawian: .....

(2) Paid – up capital: K.....

(3) Date of incorporation: .....

(4) Place of incorporation: .....

(5) Name and contact details of directors:

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(*f*) Directors email address: .....

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SECTION—B

B.1 Give details of the technical qualifications of your staff for whom this application is being made. Attach copy(s) of their permits.

NAME	*POSITION IN ORGANIZATION*	*CLASS & PERMIT NUMBER*

B.2 For those applying for upgrading only.

Give details of works completed during the past three years

VALUE OF CONTRACT	CLASS OF WORK	LOCATION OF THE PROJECT	CLIENT

B.3 Has your company failed to complete any work awarded to you? If yes, why?

.....

.....

B.4 Give two names and full addresses of referees (Electrical Engineers/ consultants or other relevant competent professionals) who know you or under whom you have recently carried out work (Reference letters to be attached)

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SECTION—C

C.1 List standards, guidelines or any relevant pieces of legislation currently used by your company. Indicate if you have copies of the standards, guidelines or pieces of legislation

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C.2 Indicate if you have copies of the standards, guidelines or pieces of legislation

Standards: .....

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Guidelines: .....

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Pieces of Legislation: .....

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C.3 Remarks on C.1 and C. 2: .....

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C.4 An Authority appointed official shall make a physical verification of the information given herein. Do you have any objections?

.....

C.4 Declaration:

I, the above mentioned applicant, hereby solemnly and sincerely declare that the information I have given above is true in every respect to the best of my knowledge and belief and that I have read the Act and the regulations made under the Act and understanding that, if registered, I shall be bound thereby and by any amendments thereto, for as long as my name shall remain on the register.

Declared at .....

Signature of authorized Company representative

Before me on this.....day of ....., 20.....

.....

Commissioner for Oaths

This declaration must be signed by a duly authorized representative, in the case of an application by a limited liability company.

C.5 FOR OFFICIAL USE ONLY—

(1) Date received.....

(2) Date sent to the Installations Permits Committee.....

(3) Date of approval/rejection of application .....

(4) MERA Identification Number .....

(5) Receipt Number of application fees.....

(6) Remarks.....

Dated this .....day of....., 20.....

Chief Executive Officer
Malawi Energy Regulatory Authority (MERA)

ELECTRICITY ACT

(CAP 73:01)

ELECTRICITY BY-LAWS, 2018 (by-law 10)

ELECTRICAL INSTALLATIONS PERMIT FOR INDIVIDUAL APPLICANT

Permit No.: .....

The Malawi Energy Regulatory Authority in exercise of powers conferred to it by By-Law 10 of the Electricity By-laws, and the Electricity Act, hereby issues a (CLASS OF PERMIT) to (NATURAL NAME OF APPLICANT) of (POSTAL/PHYSICAL ADDRESS OF THE APPLICANT) to carryout Electrical Installations in the Republic of Malawi, in accordance with provisions of (CLASS OF PERMIT).

This Permit shall expire on the 31st day of December, 20..... and may be renewed on application being made for this purpose.

Issued this (DATE OF ISSUE)

THE COMMON SEAL OF THE MALAWI ENERGY REGULATORY AUTHORITY WAS HEREUNTO AFFIXED

.....

for Malawi Energy Regulatory Authority

This Electrical Installations Permit is issued subject to the Electricity By-laws, and the Electricity Act of which the Licensee admits cognizance.

ELECTRICITY ACT

(CAP 73:01)

ELECTRICITY BY-LAWS, 2018 (by-law 10)

ELECTRICAL INSTALLATIONS PERMIT FOR COMPANY APPLICANT

Permit No.: .....

The Malawi Energy Regulatory Authority in exercise of powers conferred to it by By-Law 10 of the Electricity By-laws, and the Electricity Act, hereby issues a (CLASS OF PERMIT) to (NAME OF COMPANY) of (POSTAL/PHYSICAL ADDRESS OF THE APPLICANT) at the competency of (LIST OF NAME(S) being certified person(s) employed to carryout Electrical Installations in the Republic of Malawi, in accordance with provisions of (CLASS OF PERMIT).

This Permit shall expire on the 31st day of December, 20.... and may be renewed on application being made for this purpose.

Issued this (DATE OF ISSUE)

THE COMMON SEAL OF THE MALAWI ENERGY REGULATORY AUTHORITY WAS HEREUNTO AFFIXED

.....

for Malawi Energy Regulatory Authority

This Electrical Installations Permit is issued subject to the Electricity By-laws, and the Electricity Act of which the Licensee admits cognizance.

REPUBLIC OF MALAWI

ELECTRICITY REGULATION ACT

(CAP.73:01)

ELECTRICITY REGULATION BY-LAWS, 2018

APPLICATION FORMS (by-law 89)

APPLICATION FOR ELECTRICAL INSPECTION CERTIFICATE

TO: The Chief Executive Officer
Malawi Energy Regulatory Authority (MERA)
P/Bag B - 496
LILONGWE 3

SECTION—A

A.1 Full Name of Applicant: .....

.....

A.2 Address of applicant, the registered head office:

.....

.....

A.3 Name of company for which Registration is required: .....

A.4 Telephone Number: .....

A.5 Fax Number: .....

A.6 E-mail of Contractor: .....

A.7 Nationality: ..... Passport Number: .....where/when issued: .....

SECTION—B

B.1 Give details of your technical qualifications and experience.

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B.2 Give, below, details of what tools, equipment and transport facilities you own and which are in sound working order and have valid certificates and are currently licensed where required:

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B.3 Give two names and full addresses of referees (Electrical Engineers/ consultants or other relevant competent professionals) who know you or under whom you have recently carried out work (Reference letters to be attached)

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SECTION—C

C.1 Are you familiar with the Laws of Malawi relating to your trade. If yes please list them down. Do you hold copies of these relevant legislations?

.....

.....

C.2 Remarks .....

.....

.....

C.3 An Authority appointed official might be required to make a physical verification of the information given herein. Do you have any objections?

.....

C.4 Declaration:

I, the above mentioned applicant, hereby solemnly and sincerely declare that the information I have given above is true in every respect to the best of my knowledge and belief and that I have read the Act and the regulations made under the Act and understanding that, if registered, I shall be bound thereby and by any amendments thereto, for as long as my name shall remain on the register.

Declared at .....

Signature of Applicant

Before me on this .....day of ....., 20.....

.....

Commissioner for Oaths

This declaration must be signed, in the case of an application by a limited liability company, by the Managing Director or Secretary, and in the case of a partnership, by the principal partner or where none is resident in Malawi, by the local representative.

C.5 FOR OFFICIAL USE ONLY—

(1) Date received: .....

(2) Date sent to the Installations Permits Committee: .....

(3) Date of approval of application: .....

(4) Allocated Contractor Identification Number: .....

(5) Registration Certificate Number: .....

(6) Receipt Number of registration fees: .....

(7) Allocated MERA Working Licence Number: .....

(8) Remarks: .....

Dated this .....day of .....,20.....

Chief Executive Officer
Malawi Energy Regulatory Authority (MERA)

ELECTRICITY ACT

(CAP 73:01)

ELECTRICITY BY-LAWS, 2018 (by-law 89)

ELECTRICAL INSPECTION CERTIFICATE

Certificate No.: .....

The Malawi Energy Regulatory Authority in exercise of powers conferred to it by By-Law 10 of the Electricity By-laws, and the Electricity Act, hereby issues this Inspection Certificate to ..... of ..... to carryout Electrical Inspections in the Republic of Malawi, in accordance with provisions of Electricity By-laws.

This Certificate shall expire on the 31st day of December, 20..... and may be renewed on application being made for this purpose.

Issued this ..... day of .....

THE COMMON SEAL OF THE MALAWI ENERGY REGULATORY AUTHORITY WAS HEREUNTO AFFIXED

.....
for Malawi Energy Regulatory Authority

This Electrical Inspection Certificate is issued subject to the Electricity By-laws and the Electricity Act of which the Licensee admits cognizance.".

Made this 16th day of November, 2018.

BISHOP JOSEPH BVUMBWE
Chairperson

(FILE NO. MERA/LA/1/9)