AN ACT TO AMEND THE ELECTRIC POWER SECTOR REFORMS ACT, 2005 TO PROHIBIT AND CRIMINALISE ESTIMATED BILLING BY ELECTRIC DISTRIBUTION COMPANIES AND PROVIDE FOR COMPULSORY INSTALLATION OF PRE-PAID METERS TO ALL POWER CONSUMERS IN NIGERIA; AND FOR RELATED MATTERS, 2019 (HB. 1384).

ENACTED by the National Assembly of the Federal Republic of Nigeria –

PROVISION OF BILL	COMMITTEE'S RECOMMENDATION	REMARK
Amendment of the Principal Act. **1.** The Electric Power Sector Reform Act (herein referred to as "the Principal Act") is hereby amended as set out hereunder.	Retained	
Amendment of section 35. **Terms of office and conditions of service of Commissioners.** **2.** Section 35 (2) of the Principal Act is amended by inserting immediately after the word "term" the phrase "except reappointed under subsection 4 of this section.	Retained	
Amendment of section 67. **Distribution licences.** **3.** Section 67 (1) of the Principal Act is amended by deleting the entire paragraph (b) and replacing same with a new paragraph (b) as follows: "the installations, maintenance and checking of pre-paid meters, tariff methodology and proscription of estimated billings".	Retained	
Insertion of new sections 68 - 71. **4.** The Principal Act is amended by creating new sections 68 to 71 as follows: "**68.** (1) Estimated billing methodology is hereby prohibited in Nigeria. (2) Every electricity consumer in Nigeria shall apply to the Electricity Distribution Company carrying out business within his jurisdiction for a pre-paid meter and such consumer shall pay the regulated fee for pre-paid meter to be installed in his premises and the Electricity Distribution Company shall within 30 days of receiving the application and payment install the pre-paid meter applied for in the premises of the consumer. (3) Customers who elect to buy their pre-paid meters through Credit Advancement Metering Implementation must state it in their applications and such customers must be metered within	Retained	

30 days of the receipt of their applications. (4) All electricity charges or billings to the premises of every consumer shall be based strictly on pre-paid metering and no consumer shall be made to pay any bill without a pre-paid meter first being installed at the premises of the consumer. (5) Notwithstanding the provisions of subsection (1) and (4) above, an unmetered Customer may be issued with estimated bill for a stipulated period: Provided that the estimated bill has been issued through the Commission's approved centralized automated system that reflects the Commission's approved estimated billing methodology. (6) If a customer is not metered within 30 days after application has been duly made, the relevant electricity distribution company is prohibited from refusing to connect the customer or disconnect the customer in the event that the customer has been connected. **69.** Upon connection, the Electricity Distribution Company serving the Consumer must inform the customer in writing on the nature of the meter installed, tariff methodology and all other services available to the customer. **70.** In giving effect to the provisions of this Bill, the Nigerian Electricity Regulatory Commission as the Regulatory body must ensure that all licensed Distribution Companies comply with the provisions of this Bill. **71.** All cases of illegal disconnection, refusal of the relevant Distribution Company to connect a customer after application, un-metering within 30 (thirty) days of a customer applying for a pre-paid meter and estimated billing shall attract both civil and criminal liability and any officer found guilty shall be liable to a fine of ₦500,000 (Five Hundred Thousand Naira) or imprisonment for a term of 6 months or to both such fine and imprisonment as the Court may deem fit.		
Amendment of section 94. **Offences.** **5.** Section 94 of the Principal Act is amended by creating a new sub-section (4) as follows: "(4) any person who performs any act or does anything or refuses, fails and/or neglected to carry out his lawful duties with intention to contravene or frustrate the implementation of sections 68 and 71 of this Bill is said to have committed an offence; and upon conviction shall be liable to six (6) months imprisonment or a minimum fine of ₦1,000,000 (One Million Naira) or both such fine and imprisonment without prejudice to	**Retained**	

the right of the Commission to cancel or suspend any license under this Bill".		
Amendment of section 100. **6.** Section 100 of the Principal Act is amended by inserting the following definition: "Un-metered Customer" means either an electricity Consumer who has applied for a pre-paid meter in accordance with the provisions of section 68 (2) and is yet to be issued with a meter by the Electricity Distribution Company or an electricity consumer who has reported a faulty pre-paid meter and is awaiting replacement or repair.	**Retained**	
Citation. **7.** This Bill may be cited as the Electric Power Sector Reform Act (Amendment) Bill, 2019.	**Retained**	
EXPLANATORY MEMORANDUM This Bill seeks to amend the Electric Power Sector Reforms Act 2005 to provide and criminalize estimated Billing by Electricity Distribution Companies and provide for the compulsory installation of Pre-Paid Meters to all consumers in Nigeria.	**Retained**	