

AS

**[TO BE INTRODUCED IN THE SENATE]**

**A**

**Bill**

*to amend the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997*

**WHEREAS** it is expedient to amend the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.** (1) This Act may be called the Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act, 2019.

(2) It shall come into force at once.

**2. Amendment of section 3, Act XL of 1997.-** In the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), hereinafter referred to as the said Act, in section 3,-

(i) for sub-sections (1) and (2), the following shall be substituted, namely:-

“(1) As soon as may be, after the commencement of this Act, the Federal Government shall, by notification in the official Gazette, establish an Authority to be known as the a National Electric Power Regulatory Authority which shall be a body corporate, having perpetual succession and a common seal with powers, subject to the provisions of this Act, to acquire and hold property, both moveable and immovable, and to sue and be sued by its name.

(2) The Authority shall consist of a Chairman and four Members out of whom one shall be designated as Member Tariff & Finance, one as Member Technical, one as Member Law and one as Member Admin & Enforcement. The Chairman and Members of the Authority shall be appointed by the Federal Government for a term of four years and shall be eligible for appointment for a similar term or terms.”

- (ii) for sub-section (4), the following shall be substituted, namely:-

"(4) The Member tariff & finance shall be a person holding degree in the field of Economics, corporate finance or accounting and is a professional of known integrity and eminence with a minimum of ten years of related experience in the field of corporate finance or accounting."

- (iii) after sub-section (4A), the following new sub-sections (4B), (4C) and (4D) shall be inserted, namely:-

"(4B) The Member Technical shall be a person holding an engineering degree in the field of electric and energy or power and is a professional of known integrity and eminence with a minimum of ten years of related experience in the field of electric and power services.

(4C) The Member Law shall be a person holding a degree in the field of law preferably in the corporate and economics sectors and is a professional of known integrity and eminence with a minimum of ten years of related experience in the field of law.

(4D) The Member Admin & Enforcement shall be a person holding a degree in the field of social sciences and is a professional of known integrity and eminence with a minimum of ten years of related experience in the field of public policy and administration."

- (iv) in sub-section (5), for the first and second provisos, following shall be substituted, namely:-

"Provided that the Chairman or a Member appointed under sub-section (1) shall not be less than the age of forty five years;

Provided further that the process of appointment of new Chairman or Member under sub-section (1) shall be finalized six months prior to the retirement of incumbent Chairman or Member as the case may be."

**3. Amendment of section 5, Act XL of 1997.** In the said Act, in section 5, for sub-section (2), the following shall be substituted, namely:-

"(2) The Chairman and two other Members shall constitute a quorum for a meeting of the Authority requiring a decision by the Authority."

**STATEMENT OF OBJECTS AND REASONS**

The competency of senior management of the regulatory body is of vital importance as it establishes a vision and policy for the provision of services, strategies and plans for delivery. The amendment in this Act aims at strengthening the administration of the regulator in Power sector. Hence, the criterion prescribed in the proposed amendment for the appointment of the Members is made explicit according to the positions they hold, which is also in line with the national and international best practices being followed by the regulators. Furthermore, the minimum age prescribed for the appointments of the Members and the Chairman is decreased and proposed to be as per logical availability in market to engage the experienced as well as professional work force for the same.

**SENATOR SYED SHIBLI FARAZ**  
**Member-in-Charge**