

**THE ELECTRICITY ACT, 2019**

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GOVERNMENT OF ZAMBIA

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**ACT**

**No. 11 of 2019**

Date of Assent: 27th December, 2019

**An Act to regulate the generation, transmission, distribution and supply of electricity so as to enhance the security and reliability of the supply of electricity; provide for the sale and purchase of electricity within and outside the Republic; facilitate the achievement of the efficient, effective, sustainable development and operation of electricity infrastructure; provide the roles and responsibilities of various participants in the electricity sector; facilitate adequate levels of investment in the electricity sector; provide for a multi-year tariff framework; promote transparency in the identification and allocation of risks, costs and revenues within and between participants in the electricity sector; ensure the protection and safety of consumers of electricity and the public; repeal and replace the Electricity Act, 1995; and provide for matters connected with, or incidental to, the foregoing.**

[27th December, 2019

ENACTED by the Parliament of Zambia.

Enactment

PART I

PRELIMINARY PROVISIONS

**1.** This Act may be cited as the Electricity Act, 2019, and shall come into operation on the date appointed by the Minister by statutory instrument.

Short title  
and  
commence-  
ment  
Act No. 11  
of 2019

Interpretation	2. In this Act, unless the context otherwise requires—
	“ancillary service” means a service comprising reactive power, black start, operating reserve and a service required to control power system stability;
Act No. 12 of 2019	“base tariff” means a reference to a retail tariff determined by the Energy Regulation Board at the beginning of the multi-year tariff period;
	“base year” means the latest historical full financial year prior to a retail tariff application;
	“bilateral tariff” means the tariff at which electricity is sold under a power purchase agreement or a power supply agreement, excluding a retail tariff;
	“black start” means the process of restoring a generating station or part of the electricity network following a total system collapse without the use of an external transmission system;
Act No. 12 of 2019	“Board” means the Board of the Energy Regulation Board established under the Energy Regulation Act, 2019;
	“charge” includes the price, fee, rate, surcharge, levy, fine, penalty, deposit, connection charge or fee, use of system charge or any other charge made for the provision of a service or product that a licensee provides in the course of carrying out the licensed activity;
Cap. 1	“chief” has the meaning assigned to the word in the Constitution;
	“common carrier” means a transmission or distribution line declared as a common carrier by the Minister under section 15;
	“consumer” means a person to whom electricity is sold under a contract of supply or a person who has applied and paid for the supply of electricity;
	“contract of supply” means a contract between a licensee and a consumer for the supply of electricity to that consumer;
	“cost reflective” includes—
	(a) in relation to a tariff, the recovery of the allowable costs of each regulated and licensed activity within the electricity generation, transmission, distribution and supply value chain;

(b) charges reflecting any combination of the fixed, variable or marginal costs of the generation, network maintenance or retail and operational segments of the power system and interest and depreciation costs which enable the asset to be replaced or refurbished as necessary and for the assets to be expanded as demand for electricity grows; and

(c) the revenue received from electricity tariffs covering the full and efficient operation and maintenance costs including staff, overhead, primary energy and the full capital costs and an allowable rate of return;

“distribution” means the transportation of electricity on a distribution system for delivery to a consumer;

“distribution line” means a cable, overhead or underground line for the distribution of an electric voltage whose upper limit is sixty-six kilovolts and includes—

(a) a transformer, switchgear or other works necessary for, and used in connection with, the cable, overhead or underground line; and

(b) a building or a part of the building required to accommodate the transformer, switchgear or other works;

“distribution network service provider” means a licensee responsible for operating, maintaining and developing a distribution system in an area and, where applicable, the distribution system’s interconnection with other systems;

“distribution system” means a portion of an electricity network which delivers electric energy from transformation points on the transmission network of bulk power system to an enterprise at a voltage whose upper limit is sixty-six kilovolts;

“electric line” means a line that is used for transmitting electricity for any purpose, and includes—

(a) any support for a line, structure, tower or pole by or from which a line may be supported, carried or suspended;

(b) an apparatus connected to a line for the purpose of carrying electricity; and