

[AS PASSED BY THE NATIONAL ASSEMBLY]

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

Whereas it is expedient further 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 shall be called the Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act, 2017.

(2) It shall come into force at once.

2. Amendment of preamble, Act XL of 1997.— In the Regulation of Generation, Transmission and Distribution of Electric Power Act, 1997 (XL of 1997), hereinafter called as the said Act, in the preamble, after the first paragraph, the following paragraphs shall be added, namely:—

“AND WHEREAS it is expedient to ensure the elimination of energy poverty in the country, to ensure the highest standards of transparent, certain and effective regulation of the electric power markets of Pakistan, to provide the legal framework within which a competitive electric power market can develop and sustain, to make special provisions for the development of renewable electricity markets in accordance with the international commitments of Pakistan as well as the responsibility of Pakistan to support and encourage measures to effectively mitigate adverse climate change and to effectively manage conflict of interest of the State in relation to development of the electric power markets of Pakistan;”.

3. Amendment of section 1, Act XL of 1997.— In the said Act, in section 1, for subsection (3), the following shall be substituted, namely:—

“(3) It shall come into force at once, except sections 23A, 23B, 23G and 23H which shall come into force within a period of five years of coming into force of the Regulation of Generation, Transmission and Distribution of Electric Power (Amendment) Act, 2017 or on such earlier date as the Federal Government may, by notification in the official Gazette, appoint.”.

4. Amendment of section 2, Act XL of 1997.— In the said Act, in section 2,—

(a) in clause (ii) for the word “determine”, wherever occurring, the word “specify” shall be substituted;

(b) after clause (ii), amended as aforesaid, the following new clause shall be inserted, namely:—

“(iia) “captive generating plant” means a power plant setup by any person to generate electricity primarily for his own use and

includes a power plant setup by any co-operative society or association of persons for generating electricity primarily for use of members of such co-operative society or association;”;

- (c) after clause (iv), the following new clause shall be inserted, namely:—
“(iva) “consumer category” means such category of consumers as may be prescribed;”;
- (d) in clause (v), the expression “or sale” shall be omitted;
- (e) for clause (x), the following shall be substituted, namely:—
“(x) “electric power service” includes the generation, transmission, distribution, supply, sale or trading of electric power and all other services incidental thereto;”;
- (f) after clause (x), substituted as aforesaid, the following new clauses shall be substituted, namely:—
“(xa) “electric power supplier” means a person who has been granted a licence under this Act to undertake supply of electricity;
(xb) “electric power trader” means a person who has been granted a licence under this Act to undertake trading in electricity;”;
- (g) in clause (xvi), the expression “for generation, transmission or distribution” shall be omitted;
- (h) after clause (xvii), the following new clause shall be inserted, namely:—
“(xviiia) “market operator” means a person responsible for the organization and administration of trade in electricity and payment settlements among generators, licensees and consumers;”;
- (i) in clause (xviii), after the word “Chairman”, the words “or a member of the Appellate Tribunal where the context so requires” shall be added;
- (j) after clause (xix), the following new clauses shall be inserted, namely:—
“(xixa) “national electricity policy” means the policy approved by the Council of Common Interests and made under section 14A;
(xixb) “national electricity plan” means the plan made under section 14A;”;
- (k) after clause (xx), the following new clause shall be inserted, namely:—
“(xxa) “Pakhtunkhwa Energy Development Organization” or “PEDO” means the Pakhtunkhwa Energy Development Organization established under the Pakhtunkhwa Energy Development Organization Act, 1993 (Khyber Pakhtunkhwa Act No. I of 1993);”;