

# Ministry of Energy and Mineral Resources

*(Unofficial Translation)*

We Abdullah II Ibn Al-Hussein King of the Hashemite Kingdom of Jordan, pursuant to paragraph (1) of Article (94) of the Constitution and based on what the Council of Ministers has decided, approve pursuant to Article (31) of the Constitution the following temporary law, and order to have it issued and provisionally enforced and added to the laws of the state on the basis that it shall be presented to the Parliament in its first meeting:-

## Temporary Law No. (64) for the Year 2003

### General Electricity Law

#### **Article (1):**

This Law shall be called (the General Electricity Law for the year 2002) and shall be put into effect as of the day of its publication in the Official Gazette.

### Definitions

#### **Article (2):**

The following words and phrases, wherever mentioned in this Law, shall have the meanings assigned to them hereunder unless the context provides otherwise:

**THE MINISTRY:** The Ministry of Energy & Mineral Resources.

**THE MINISTER:** The Minister of Energy & Mineral Resources.

**THE SECTOR:** The electric power sector of the Kingdom

**THE COMMISSION:** The Electricity Sector Regulatory Commission.

**THE COUNCIL:** The Council of Commissioners.

**CHIEF COMMISSIONER:** The Chairman of the Council.

**THE COMMISSIONER:** The member of the Council.

**GENERATION:** The production of electric power.

**AUTO-GENERATION:** The generation of electric power from a power station not connected to the transmissions system for the purposes of consumption by the generator who undertakes such kind of generation and not for sale to third parties.

**INDEPENDENT POWER PRODUCER:** A non-governmental entity, which establishes a power, station to sell electric power.

**POWER STATION:** Any station comprising of one or more units for generation of electric power including lands, buildings and installations used for such purpose.

**TRANSMISSION:** The transmission of electric power over a transmission system.

**TRANSMISSION SYSTEM:** A system consisting of high voltage electric lines having design voltage above 33kV, for the purpose of transmission of electric power from a power station to a substation or to another power station or between two sub-stations or to any external interconnection, and includes all bays and equipments of design voltage of above 33kV used for interconnection with the distribution system or a power station.

**DISTRUBUTION:**The conveyance and distribution of electric power over a distribution system.

**DISTRIBUTION SYSTEM:** A system consisting of cables, overhead lines, electrical plant and apparatus, having design voltage of 33 kV or lower, used for the distribution of electric power from interconnection points of the transmission system with the distribution system to the point of delivery to consumers, but shall not include any part of a transmission system.

**SUPPLY:** Bulk supply or retail supply of electric power or both, depending on the context.

**BULK SUPPLY:** Wholesale of electric power to a retail supply licensee, or to a principal consumer.

**RETAIL SUPPLY:** Sale of electric power to consumers.

**PRINCIPAL CONSUMER:**The consumer which is directly connected to the transmission system and supplied by electric power from the bulk supply licensee.

**CONSUMER:**A natural or juridical person purchasing electric power for his own needs.

**UNDERTAKING:**Anyundertaking for generation, transmission, operation of the transmission system, distribution or supply.

**ELECTRICAL INSTALLATIONS:**Constructions, power stations, transmission system, distribution system, equipment, appliances or tools meant for the purposes of generation, transmission, operation of the transmission system or distribution.

**ELECTRIC APPLIANCES:**The electric appliances and wires used by a consumer.

**DISTRIBUTOR:** A holder of license for distribution.

**LICENSE:** A license granted by the Commission pursuant to the provisions of this Law.

**LICENSEE:** A company licensed by the Commission to undertake generation, transmission, operation of the transmission system, bulk supply, retail supply or distribution, as the case may be.

**HOLDING COMPANY:** A company directly or indirectly controlling another company through holding more than half of its voting securities, or enjoying the ability to appoint more than half of its management board.

**SUBSIDIARY COMPANY:**A company in which another company holds more than half of its voting securities or in which the other company enjoys the ability to appoint more than half of the management board of such company.

**AFFILIATE COMPANY:** Any holding company or subsidiary company of a licensee or any subsidiary company of a holding company of a licensee.

**ELECTRICITY COMPANIES SET FOR PRIVATISATION:**Companies licensed for generation or distribution and retail supply or holding concession from the Government, as the case may be, before the date of coming into force of this Law, in which the Government holds all or majority of their securities.

**ELECTRICITY COMPANIES:**The electricity companies set for privatization or the transmission licensee existing before the date of coming into force of this Law.

**CONCESSION COMPANY:**The company engaged in the sector before the date of coming into force of this Law by virtue of a concession from the Government *and* in which the Government does not hold securities.

**SINGLE BUYER MODEL:**The structure for the sector under which the bulk supply licensee exclusively shall have the right to buy electric power from generation licensees, other than from embedded generation stations, and resell it to distribution licensees or to principal consumers.

**EMBEDDED GENERATION STATION:** A generation station that is connected to the distribution system and not to the transmission system and that does not have an impact on the operation of the transmission system in the manner specified in the grid code.

**GRID CODE:** The code established by the transmission licensee for the operation of the transmission system with the approval of the Commission and covering all material technical aspects relating to connections to and the operation and use of, the transmission system or the operation of electrical installations required for the operation of the transmission system.

**LIFELINE TARIFF:** A tariff set by the Council incorporating subsidies from a category of consumers to another category of consumers.

**INITIAL PRIVATISATION CONTRACTS:** Contracts entered into after the date of coming into force of this Law by the electricity companies set for privatization or its legal successors with the bulk supply licensee or with the Government for the purpose of their privatization.

**INITIAL IPP CONTRACTS:** Contracts entered into after the date of coming into force of this Law by the first four independent power producers with the bulk supply licensee or with the Government, which involves two undertakings of thermal power stations and two undertakings for generation through the use of renewable energy.

**RENEWABLE ENERGY:** Energy originating from natural non-fossil resources including solar energy, wind energy, hydra energy and bio energy.

**CODES OF CONDUCT:** Any rules established by the Commission governing behaviour and relationships between licensees and their affiliate companies.

**ANCILLARY SERVICES:** Electrical services that enhance the stability and reliability of transmission, including frequency regulations, spinning reserves, voltage control and black start capability.

**ELECTRIC SYSTEM:** The electric system consisting of power stations, the transmission system, the distribution system, and control centers and required equipments for their operation.

**ELECTRIC SAFETY CLEARANCE:** The minimum distance permissible between electric conductors carrying electric current and any nearby construction at which the electric current will have no adverse effect on such construction.

**Article (3):**

This Law shall seek to achieve the following:

- A-** Development of the sector in a way that shall take into account the public interest and protect the interest of the undertakings operating in the sector.
- B-** Encouraging local and foreign investment in the sector so as to achieve an adequate and reliable supply of electric power to the consumers at a reasonable cost.
- C-** Strengthen the role of the Commission in the development of the Sector.

**Article (4):**

The Ministry shall assume the following mandate and powers:

- A-** To set and prepare the general policies of the sector and submit them to the Council of Ministers for approval in accordance with the needs of economic and social development in the Kingdom, and to follow up the development of these policies.
- B-** To co-operate with other countries for the purpose of the electrical inter-connection and trade of electric power, as well as to conclude the agreements necessary to that effect with the consent of the Council of Ministers, and to follow up performance of the contractual obligations with those countries.
- C-** To promote the interests of the Kingdom with other countries and regional and international organizations on issues relating to electric power, and to represent the Kingdom before such organizations.
- D-** To adopt the necessary measures for the provision of supplemental source of generation of electric power in case of prolonged shortfalls in electric power if no alternative means to overcome the shortfall are available.
- E-** To request the bulk supply licensee, if necessary, to provide fuel for electricity companies set for privatization and licensed for generation,

whether before or after their privatization, and for independent power producers.

**F-** To promote the use of renewable energy for generation.

**G-** To recommend to the Council of Ministers to switch to the competitive electricity market pursuant to Article (48) of this Law.

**Article (5):**

Notwithstanding anything contained in this Law:

**A –1-** The Council of Ministers, upon a recommendation of the Minister, and with a view to facilitating implementation of the initial privatization contracts and initial IPP contracts, may issue a decree specifying the terms and conditions of said contracts which shall be binding on the Commission and all third parties.

**2-** The Minister shall be empowered to enforce the provisions of said decree for a transitional period which shall terminate upon the fulfillment of such requirements for termination as the Council of Ministers thinks fit.

**B-** the provisions to be incorporated in the Council of Ministers' decree pursuant to paragraph (A) of this Article shall specifically include the following:

1. the principles for determination of tariffs for sale and purchase of electric power, during the transitional period, and thereafter;
2. the incentives of which a licensee could benefit;
3. the standards of performance to be observed by a licensee;
4. the earnings that a licensee would be entitled to retain from its revenues;
5. the arrangements, if any, for application of revenue of a distribution licensee from its distribution and retail supply businesses;
6. the grant of subsidy from the Government to any person or licensee;
7. penalties that may be imposed on a licensee for failure to achieve standards of performance;

8. the circumstances in which the transitional period may be terminated and the requirements therefore;
9. such other terms and conditions as the Council of Ministers may deem necessary.

**C-** From the date of issuing the decree of the Council of Ministers referred to in paragraph (A) of this Article, the terms and conditions of said decree shall be deemed to form part of the existing license of the relevant licensee, and in the event of any inconsistency between such provisions and those of such existing license, the former shall prevail.

**D-** The Commission, if requested by a licensee to whom this Article applies, shall amend forthwith the existing license of the licensee to make its terms and conditions consistent with the provisions referred to in paragraph (B) of this Article or grant a new license on terms and conditions consistent with such provisions and such amended license or new license shall be deemed to be effective from the date of issuing the Council of Ministers' decree referred to in paragraph (A) of this Article.

---

---

## **The Electricity Sector Regulatory Commission**

---

---

### **Article (6):**

**A-** An agency called “The Electricity Sector Regulatory Commission” is hereby established which shall enjoy a juridical personality and financial and administrative independence and which shall be entitled to by virtue of this status to own movable and immovable properties necessary for the realization of its objectives and to carry out all legal activities including the conclusion of contracts, acceptance of aid, donations, grants and gifts, and shall have the right to litigate and to appoint the Public Prosecutor or the Civil Attorney General or any other attorney to act on its behalf in judicial proceedings.

**B-** The Commission shall be related to the Prime Minister.

**C-** The Commission consists of the following:

- The Council,
- The administrative staff.

## **Article (7):**

**A-**The Commission shall seek to achieve the following:

- 1- To maintain an efficient structure for the sector as well as to develop it to ensure its economic feasibility.
- 2- To encourage investment in the sector in addition to improving the operational efficiency and sale of electric power at reasonable prices.
- 3- To ensure the provision of safe, secure, reliable and high quality services in the field of electric power generation, transmission, distribution, supply and system operation.
- 4- To ensure that the undertakings operating in the Sector shall comply with applicable environment protection standards and general public safety conditions enforced in the Kingdom by virtue of the laws in force.
- 5- To ensure that sufficient supply of electric power is being provided by licensees to consumers.
- 6- To ensure that prices charged by a licensee are sufficient to finance its activities and allow it to earn a reasonable return on its investments.
- 7- To protect the interests of consumers, provided that they comply with the terms set by the licensees with the consent of the Commission for providing electricity service.
- 8- To ensure that the regulation of the sector is fair and balanced to consumers, licensees, investors and other stakeholders.

**B-** In order to achieve its objectives, the Commission shall have the following powers:

- 1- To license persons engaged in generation, transmission, supply, distribution and system operation.
- 2- To regulate persons engaged in generation, transmission, supply, distribution and system operation in the Kingdom so as to provide reliable electricity service to consumers in an efficient and economic manner that accords with the developments in electricity technology, provided taking into account the provisions of Article (5) of this Law.
- 3- To determine the electric tariff, subscription fees, services fees, disbursements, royalties, and the connection charges to the transmission system and distribution system.



- 4- To participate in determining the technical standards relating to the electric appliances and electrical installations, by way of consulting with other concerned parties in order to have such standards issued by the Standards and Meteorology Corporation.
- 5- To participate in determining the necessary requirements for the implementation of the environmental standards to which electrical installations ought to conform by way of consulting with other concerned parties and to have them issued according to the legislations in force.
- 6- To render expert advice and opinion on any issue that is related to the sector in a way that fulfils the Commission's purposes and objectives.
- 7- To make recommendations to the Ministry to switch from the single buyer model to a competitive electricity market structure in accordance with this Law.
- 8- Any other activity or mandate pertaining to the functions of the Commission pursuant to the provisions of this Law.

**Article (8):**

- A- The Commission shall be managed and supervised by a Council called "the Council of Commissioners" which shall be constituted of five fulltime Commissioners including the Chief Commissioner and Deputy Chief Commissioner to be appointed by the Council of Ministers upon the recommendation of the Prime Minister, and their salaries and remuneration and all financial rights shall be fixed by virtue of the appointment decision.
- B- The Deputy Chief Commissioner shall assume the powers of the Chief Commissioner during his absence.
- C- The duties and mandates of each commissioner with respect to supervising the administrative staff of the Commission shall be fixed by virtue of a directive to be issued by the Council for that purpose which shall include the power to supervise the Commission in the absence of the Chief Commissioner and the Deputy Chief Commissioner.

## **Article (9):**

The Council shall conduct the mandates and powers referred to in this Law or in the bylaws or directives issued by virtue of this Law including the following:

- A-** The issuing of licenses in accordance with the provisions of this Law.
- B-** To establish the methodological basis for computing electric tariffs, including subscription fees and other charges payable for connection to a transmission system or distribution system.
- C-** To approve the electric power measuring meters installed by licensees for measuring electric power sold to other licensees or consumers, as the case may be, as well as to prescribe directives for inspection and testing of such meters.
- D-** To ensure the compliance by licensees with the terms of their licenses and with other legal requirements, including directives issued by the Commission.
- E-** To establish the appropriate operating codes and safety, security, and reliability standards and to assess the performance of the licensees against those standards, and to approve any codes or standards for which the licensees are responsible to prepare.
- F-** To settle disputes arising between the licensees and consumers or between the licensees *inter se* in accordance with Article (18) of this Law.
- G-** To issue the required directives to ensure that the Commission obtains from the licensees technical and financial data and any other information for the purposes of discharging its functions under this Law.
- H-** To prepare the draft by-laws relating to the Sector.
- I-** Any other power of issues that the Chief-Commissioner thinks fit to present to the Council.

## **Article (10):**

- A-** The Council shall meet as often as it deems necessary but not less than once every month, upon an invitation from the Chief Commissioner or the Deputy Chief Commissioner in the absence of the Chief Commissioner. The quorum for the meeting of the Council shall be

four Commissioners, provided that the Chief Commissioner or Deputy Chief Commissioner shall be among them.

- B-** A Commissioner is prohibited from participating in deliberations or voting on resolutions dealing with matters, which relate to him or to his spouse or relatives from the first and second degrees.
- C-** The Council shall adopt its resolutions by a majority vote of those Commissioners attending and in the event of an equality of votes, the side on which the Commissioner presiding the meeting has voted shall prevail. No Commissioner shall abstain from voting and a dissenting Commissioner shall record his dissent in the minutes of the meeting.
- D-** Three Commissioners may apply in writing to the Chief Commissioner to convene a meeting of the Council to discuss specified matters. On receiving such a request the Chief Commissioner shall invite the Council for a meeting within a period that shall not exceed four days from the date of receiving the request.
- E-** The Council shall appoint an individual from among the Commission's employees to act as its secretary. The secretary shall assume responsibility for arranging the agenda of the Council's meeting, registering the minutes of the meetings and maintaining the entries as well as records relating to business conducted by the Council.
- F-** The Council may decide to call upon experts or consultants to deliver their opinions and suggestions on matters submitted to them, and shall be entitled to form a technical and consultative committee or committees to render advice to it, and the Council is entitled to pay rewards or remuneration to them.
- G-** The Council shall establish the procedures for holding and conducting its meetings.

**Article (11):**

An appointee of the Council is required to enjoy the following:

- A-** to be a Jordanian national.
- B-** full civil competency.
- C-** has not been convicted of a crime or a misdemeanor breaching honor.
- D-** holds at least a bachelors degree in the subjects of law, accounts, administration, economics, engineering, or general finance and has a minimum of fifteen years experience in the profession related to the

degree he possesses; or possesses at least a bachelor's degree and has a minimum of ten years experience in public or private sector in the field of generation, transmission, system operation, supply and distribution.

**E-** does not have a financial interest in any business connected, either directly or indirectly, with generation, transmission, distribution, supply of electric power, or system operation, in The Kingdom, or is not engaged in any activity (whether for remuneration or otherwise) relating thereto, and is not a spouse or relative of the first and second degree of a person who has such an interest or is engaged in such an activity, unless the Prime Minister is satisfied that the interest or activity will not interfere with the person's impartial discharge of his duties as a Commissioner.

**F-** is not an employee with any of the licensees and has not worked for any of them during the year preceding the date of his appointment.

**Article (12):**

**A- 1-** The term of a Commissioner shall be four years except for the first Commissioners of the Council of which the Chief Commissioner and the Deputy Chief Commissioner shall be appointed for a term of four years, one of the Commissioner shall be appointed for three years and the remaining Commissioners shall be appointed for two years.

2- The term of a Commissioner may be renewed for one time for a term of four years.

**B-** Before assuming their duties, the Chief Commissioner and the Council members shall render the following oath before the Prime Minister:

(I swear in the name of Almighty God to be loyal for the King and Country, and to observe the laws and regulations in force and to perform the duties assigned to me with honor and sincerity).

**C-** A Commissioner shall continue in office after the expiry of his term until he has been re-appointed, or his successor has been appointed, in accordance with Articles (8) and (11) of this Law, provided that a Commissioner shall not hold office pursuant to this paragraph for longer than three months.

**D-** Where the post of any of the Commissioners becomes vacant before the expiration of his term for any reason whatsoever, then the Council of Ministers shall appoint a replacement Commissioner within one month from the date when the vacancy arose in accordance with Articles (8) and (11) of this Law to complete the remaining term of the Commissioner who vacated the post or two years, whichever is greater.

### **Article (13):**

A-The Chairman shall be the Commission's Chief Executive and shall represent it before third parties and all other bodies.

B- The Chairman shall assume the following mandates and powers:

- 1- Implementing the Council's decisions;
- 2- Supervising the administrative staff of the Commission and follow up its financial and administrative affairs and co-operate the work between it and any other concerned body;
- 3- Propose the regulatory structure of the Commission's administrative staff and endeavor to provide the human and technical resources necessary for the Commission to conduct its mandates;
- 4- Signing contracts and agreements as authorized by the Council;
- 5- Prepare the estimated annual draft budget of the Commission and present to the Council;
- 6- Prepare the annual report of the activities of the Commission, its balance sheet and year-end accounts of the previous fiscal year and present it to the Council;
- 7- Any other power accorded thereto in accordance with the by-laws issued pursuant to this Law or delegated thereto by the Council.

C- The Chief Commissioner may delegate any of his authorities stipulated in this Law and the by-laws issued pursuant thereto to the Deputy Chief-Commissioner, any Council member or any employee of the Commission, provided that such delegation shall be in writing and specific.

### **Article (14):**

Until the Council is appointed pursuant to the provisions of this Law:

A- The Board of Directors of the Electricity Sector Regulatory Commission acting at the time this Law comes into force, shall assume the powers assigned to the Council by virtue of the provisions of this Law.

B- The current Director General of the Commission shall assume the powers assigned to the Chief Commissioner by virtue of the provisions of this Law.

## **Article (15):**

- A- Commissioners, their spouses or relatives of the first and second degree shall not acquire, hold or maintain directly or indirectly any financial interest, office or consultancy arrangements, either for remuneration or otherwise, connected with generation, transmission, system operation, distribution or supply throughout their term of appointment and for a period of one year after the termination of the appointment.
- B- At the time of his appointment, each Commissioner shall submit a statement in writing to the effect that he does not have any such interest either personally or through his spouse or relatives from the first and second degrees, and he has to notify the Council of any such interest if it arises. If such an interest arises by way of succession/testamentary disposition or for any other reason, the Commissioner shall divest himself from such interest within a period of three months of such interest being acquired.
- C- 1- Failure to comply with the provisions of this Article will subject such the Council member to the penalty of being dismissed from the Council in addition to becoming subject for prosecution for the crime of misutilisation of public office or breach of trust, as the case may be, and shall be liable to reimburse all the sums or benefits gained by him as a result of committing such violation in addition to paying compensation to any party that would have incurred a loss, as decided by the competent court.
- 2- A spouse or relatives from the first and second degrees referred to in this Article shall be bound to reimburse all the sums or benefits gained by him as a result of violating the provisions of this Article, in addition to paying compensation to any party that would have incurred a loss, as decided by the competent court.

## **Article (16):**

- A- Neither a Council member nor any of the Commission's employees, subject to legal prosecution, shall disclose any confidential information related to the Commission, the licensees or the sector in the Kingdom which would have been obtained by them while performing their functions pursuant to this Law, or otherwise to use said information for personal purposes or benefits, except for the purpose of legal proceedings or in order to apply this Law or to enable another Commissioner or employee of the Commission to discharge their responsibilities pursuant to this Law.

B-The prohibition under paragraph (A) of this Article shall continue to apply for a period of two years after a Commissioner or an employee of the Commission vacates his position at the Commission.

**Article (17):**

A Commissioner's membership of the Council shall be terminated in any of the following cases:

A- Expiry of its term.

B- Resignation.

C- Loss of one of the membership conditions.

D- Being absent from three consecutive or six non-consecutive meetings per year for reasons within his control and not acceptable to the Council.

E- The inability to perform his duties for mental or physical reasons.

F- To be sentenced with a criminal or misdemeanor penalty breaching honor such as bribery, embezzlement, theft, forgery, misuse of trust, false affidavit or any other crime that is contrary to public morals, or otherwise to be declared bankrupt unless his standing is restored.

G – To be dismissed pursuant to the provisions of Article (15) of this Law.

**Article (18):**

A- Notwithstanding the provisions of any other law, the Council shall settle disputes that arise between licensees if the contracts signed between them permits the same or if they agree to refer such disputes to the Commission, and it shall settle disputes that arise between licensees and consumers involving matters of connection and supply of electric power, quality of service and electric tariffs, and the decision of the Council on such disputes shall be subject to appeal to the High Court of Justice .

B- If disputes are referred to the Commission pursuant to Paragraph (A) of this Article, the parties to a dispute are entitled to appoint advocates to represent them before the Council.

C- 1- The Council may summon and enforce attendance of witnesses and hear their testimonies, oblige parties to produce documentary evidence, receive evidence by way of affidavits, and seize documents or records required for deciding a dispute that are likely to be destroyed lost or altered.

- 2- The Council shall issue a directive defining the procedures for a proceeding before it, provided that such proceedings shall be carried out publicly except for deliberations by the Commissioners to render their decision, and the Council shall issue its decisions supported by sufficient reasoning.

**Article (19):**

The Council may review its decisions, other than those issued pursuant to Article (18), and revoke them, at its own initiative or upon the request of any of the parties involved in the sector and aggrieved by the decision, and the final decisions of the Council with this respect may be challenged before the High Court of Justice.

**Article (20):**

- A- Terms and conditions for the employment of the Commission's administrative staff in addition to their salaries, remunerations and all matters relating to them shall be fixed by virtue of a by-law issued for this purpose.
- B- The Commissioner, within the mandates and powers authorized to him by the Council, may assign to any of the Commission's employees any of these powers, provided that any such assignment shall be in writing and specific, and the Commissioner shall be entitled to revoke the assignment as he thinks fit.

**Article (21):**

The Chief-Commissioner or the Commissioner may order any of the Commission's employees to investigate any violations of this Law, by-laws, directives or decisions of the Council and licenses it issues. Such employees shall be deemed to be law officers and any minutes prepared by them shall be deemed to be valid evidence, until proved otherwise, and the public authorities concerned shall provide them with assistance to enable them to perform their duties relating to conducting searches and seizures.

---

## **The Financial Matters of the Commission**

---

**Article (22):**

- A- The Commission's fiscal year shall commence on the first day of the month of January and shall end on the thirty first day of the month of December of the same year.
- B- The Commission shall have its independent annual budget, which shall be prepared by the Council and approved by the Council of Ministers.



C- Yearly Surpluses realized by the Commission after deducting all its expenses, shall accrue to the State treasury.

**Article (23):**

A- The Commission shall be entitled to all the exemptions and facilities accorded to the Ministries, Governmental departments and public official institutions.

B- The funds of the Commission and rights owed to it by third parties shall be deemed to be public properties that are levied and collected pursuant to the provisions of the State Properties Collection Law in force and shall not be subject to attachment. For the purposes of applying the provisions of this paragraph, the Chief Commissioner is empowered with all the powers vested in the Governor and the State Properties Collection Committee pursuant to the said Law.

**Article (24):**

A- Subject to paragraphs (B) and (C) of Article (28) and paragraph (B) of Article (29) and paragraph (C) of Article (30) of this Law, the Commission shall charge fees for licenses it grants or renews in accordance with the provisions of this Law, which shall be determined pursuant to a by-law issued for that purpose.

B- The Commission shall also charge fees for administrative services rendered to other parties, which shall be determined pursuant to a directive issued by the Council.

**Article (25):**

The Commission's financial resources shall consist of the following:

A- The funds earned by it from licenses fees in respect of grant of licenses and their renewal.

B- The fees charged by the Commission for administrative services it renders.

C- The funds allocated to it in emergencies in the general budget of the Government.

D- The grants, subsidies and any other sources accepted by the Council and approved by the Council of Ministers.

## **Article (26):**

- A- The accounts of the Commission in addition to its budget shall be audited in accordance with the international accounting standards by a certified legal auditor to be appointed by and whose fees shall be determined by the Council.
- B- The Council shall carry out all required activities for proper keeping of any books and account records relating to the Commission's activities, funds and property.
- C- The auditor shall be entitled to require all books and other account records, which are maintained by the Commission, and to require from any Council member such information and explanations as in the auditor's opinion are necessary for the purposes of his audit.

## **Article (27):**

- A-The Commission shall through the Minister provide the Council of Ministers with the annual report of the Sector and any other decision or report relating to the sector, which the Council of Ministers may require.
- B- The Commission shall publish the non-confidential decisions and the resolutions it issues, together with reasons for those decisions and resolutions as well as the annual report via such publishing and advertising tools at it thinks fit.
- C- The Council shall issue directives determining the procedures for and the conditions of allowing the public to examine non-confidential documents available at the Commission.

---

## **Licenses**

---

## **Article (28)**

- A- No person is allowed to construct, own or operate an undertaking or in any way engage in the business of generation, transmission, system operation, supply or distribution, except in accordance with a licence issued pursuant to this Law or in accordance with a permission granted by the Council of Ministers in accordance with paragraph (D) of Article (35) of this Law.
- B- Notwithstanding paragraph (A) of this Article, a person may without holding a license:

- 1- Construct, own or operate an undertaking for generating electric power not exceeding 1 megawatt (MW) in aggregate at the same site.
  - 2- Construct, own or operate an undertaking for distribution of electric power to serve a peak demand not exceeding 100 kilowatts (kW) in aggregate at the same site.
  - 3- Construct, own or operate an undertaking for auto-generation.
- C- The Commission may by a directive grant exemption to a class of persons from the requirement of:
- 1- having a generation license for a power station with an installed capacity not exceeding 5 megawatt in aggregate at the same site, subject to compliance with such conditions as may be specified by the Council for that purpose.
  - 2- having a supply license, subject to compliance with such conditions as may be specified by the Council for that purpose, provided that the Council shall not grant any exemption in any area falling within the area of supply of a licensee except with the consent of that licensee.

### **Article (29)**

- A- Any licence which was issued before the enactment of the provisions this Law, shall, until terminated or replaced in accordance with its terms and the provisions of this Law, continue to have effect, *mutatis mutandis*, for the remainder of its period of validity.
- B- 1- Subject to Article (5) of this Law and paragraph (C) of this Article, the Commission may issue an interim licence for any or all of the activities specified in paragraph (A) of Article (28) of this Law for a period not exceeding eighteen months in accordance with the conditions it specifies for that purpose, if it determines that it is necessary in the public interest to do so.
- 2- Where a license fee has been paid on the grant of an interim license, no licensing fees shall be payable on the grant of a final license to replace the interim license.
- C- 1- If the business or an asset of an electricity company is transferred to another company which does not hold a licence, the transferee shall be deemed to hold an interim licence for a period not exceeding eighteen months from the date of the contract signed between them on the same terms and conditions as those of the licence of the licensee.

- 2- The company holding an interim license in accordance with this paragraph shall apply for a final licence at least three months before the expiry of the term of the interim licence.

**Article (30) :**

- A- An application for a licence shall be made to the Commission accompanied by such documents and information as prescribed by the Council by virtue of a directive issued by it for that purpose and after payment of the application fee prescribed by the Commission for reviewing the application.
- B- The Council shall dispose of an application for a license after making it public and inviting representations from interested parties.
- C- The Council shall approve granting the license if it determines that the applicant has satisfied all required terms and after the licensee pays the prescribed license fees.
- D- Subject to Article (5) of this Law, and paragraph (E) of this Article, the Council shall issue the license on such terms and conditions as the Council may determine, including the following:
  - 1- the term for which the license shall remain effective and conditions and terms for its renewal by the Council;
  - 2- the terms and conditions on which the Council can revoke or modify the license;
  - 3- procedures which the licensee has to follow at the end of its license term;
  - 4- refer disputes agreed to be referred to by the licensees for determination by the Council for the purpose of settling them;
  - 5- any issues relating to the rights and obligations of the licensee at the end of the term of its license or the termination of its license;
  - 6- any other terms or conditions as the Council considers appropriate.
- E-
  - 1 - The Council shall include in the license the tariff methodology applicable to the licensee and approved by the Commission pursuant to Article (47) of this Law.
  - 2 - The Council may take into consideration when determining the terms and conditions of a license any contract entered into between a licensee and the Government or between licensees *inter se*.

**Article (31) :**

A- The provisions of paragraphs (B), (C) and (D) of Article (30) of this Law shall not apply to the following:

- 1- The grant of a license pursuant to Article (5) of this Law.
- 2- The grant of an interim license pursuant to paragraph (B) of Article (29) of this Law.
- 3- The grant of a license to independent power producers who are parties to initial IPP contracts.
- 4- The grant of a final licence to an electricity company holding an interim license, or a company deemed to hold an interim license, for generation, transmission, system operation, supply or distribution.
- 5- The grant of an interim and a final license to a Concession Company.

B- The grant of a license to a Concession Company or an electricity company set for privatization that is operating under a concession awarded to it by the Government shall be in accordance with the terms and conditions of the concession granted to each of them.

**Article (32):**

A generation licensee shall construct, own, operate and maintain a power station for purposes of generation of electric power and to sell electric power and ancillary services in accordance with this Law and the terms and conditions specified in its license.

**Article (33):**

A- A transmission licensee shall carry out the following:

- 1- construction, operation, and maintenance of transmission system within The Kingdom, and a transmission system that connects The Kingdom with other countries, in accordance with this Law and the terms and conditions as specified in its license.
- 2- provision of non-discriminatory access to the users of the transmission system in accordance with such terms and conditions as may be specified in its license.

B- The electricity company owning the transmission system before the coming into force of the provisions of this Law is the only transmission licensee for the Kingdom.

### **Article (34):**

A- Subject to such terms and conditions as fixed in the license for system operation, the licensee shall, and especially, carry on the following activities:

- 1- generation scheduling, commitment and dispatch;
- 2- transmission scheduling and generation outage co-ordination;
- 3- transmission congestion management;
- 4- international transmission co-ordination;
- 5- scheduling the procurement of ancillary services;
- 6- carrying out necessary studies for the operation of the transmission system and the assurance of its continuity and reliability; and
- 7- such other activities as may be required and relied upon by the system operation.

B- The system operation licensee shall procure ancillary services by virtue of a competitive tender as specified in the license, unless the Commission allows or requires an alternative method, provided that the contracts for procurement of ancillary services under the initial privatization contracts entered into by a generation licensee or its legal successor or under the initial IPP contracts shall be deemed to have been done in a competitive manner for the purpose of this paragraph.

C- The transmission licensee shall have an obligation to carry out system operation, including the procurement of ancillary services, in accordance with a system operation license until such time a wholesale competitive electricity market is introduced pursuant to a decision of the Council of Ministers pursuant to Article (48) of this Law.

### **Article (35)**

A- Subject to such terms as fixed in a bulk supply license, the licensee shall:

- 1- purchase electric power from generation licensees and sell it to a retail supply licensee, subject to paragraph (C) of this Article.
- 2- carry out studies for long term system planning and ensure the availability of additional generation capacity to meet expected demand.

3- perform such activities as may be necessary to perform the functions mentioned in this paragraph.

B- Subject to such terms as fixed in a retail supply license, a retail supply licensee shall exclusively purchase electric power from a bulk supply licensee or an embedded generation station and resell it to consumers in a specified area.

C- A bulk supply licensee and a retail supply licensee shall, following the coming into force of this Law, procure electric power from power stations with installed capacity of 5MW or more in aggregate at a site by virtue of a competitive tender as specified in the license, unless the Commission allows or requires an alternative method, provided that the contracts for procurement of electric power under the initial privatization contracts entered into by a generation licensee or its legal successor or under the initial IPP contracts shall be deemed to have been done in a competitive manner for the purpose of this Article.

D- No body or licensee shall purchase electric power from any person outside the Kingdom or sell it to him without the permission of the Council of Ministers.

E- The transmission licensee shall be the sole bulk supply licensee pursuant to a bulk supply licence until such time as the Council of Ministers decides on the introduction of a competitive electricity market pursuant to Article (48) of this Law.

F- A distribution licensee for a specified area shall be the sole retail supply licensee for that area pursuant to the retail supply licence granted to him.

### **Article (36)**

A distribution licensee shall construct, operate and maintain a distribution system within a specified area subject to such terms and conditions as fixed in the license.

### **Article (37)**

A- 1- A licensee shall not assign or cede his license or transfer its assets, or any part thereof, by way of sale, mortgage, lease, exchange or otherwise, without the prior consent of the Council and in accordance with any such conditions prescribed by the Council in the license.

2- The provisions of this Paragraph (A) shall not apply to cases involving the restructuring of the electricity companies set for

privatisation or for the purposes of financing the activities authorized by a license.

B- 1- The transmission licensee, or any of its affiliate companies, their board members, directors, senior staff members, including their spouses or relatives of the first and second degrees, shall not:

- own, control or operate an electric power generation business;
- hold any share in a generation licensee or its affiliate company;
- enter into an arrangement with a generation licensee or its affiliate company, which brings about benefits to the transmission licensee.

2- The restriction referred to in section (1) of this paragraph shall cease to have effect if a provision to that effect provides so in the license or if the Council approves an application submitted by the licensee or its affiliate company or any of those mentioned in that section in order to be exempted from said restriction.

3- In all cases, the period for which a transmission licensee shall be allowed to hold securities in a company which has been licensed for generation before the coming into force of this Law, shall not exceed one year from the date of coming into force of this Law.

C- 1- A generation licensee, its affiliate companies, their board members, directors, senior staff members, including their relatives of the first and second degrees, shall not:

- own or operate a transmission system;
- hold any share in the transmission licensee, system operation licensee bulk supply licensee, or their affiliate companies; or
- enter into an arrangement, which brings about sharing of benefits with the transmission licensee, system operation licensee or bulk supply licensee or its affiliate company.

2- The restriction referred to in section (1) of this paragraph shall cease to have effect if a provision to that effect provides so in the license or if the Council approves an application submitted by the licensee or its affiliate company or any of those mentioned in that section in order to be exempted from said restriction.

D- The Council shall prescribe the procedures for submitting a request pursuant to paragraphs (A), (B) and (C) of this Article, and it shall not grant permission if the impact of the request would adversely affect



future competition in the Sector or the reliability of the transmission system.

E- Nothing in paragraphs (B) and (C) of this Article shall preclude a generation licensee and a bulk supply licensee from entering into agreements with each other for sale and purchase of electric power.

F- Subject to the provisions of Articles (38) and (39) of this Law, in the event of contravention of paragraph (B) or paragraph (C) of this Article, the Council shall have the power to amend or cancel the applicable licenses.

**Article (38):**

A- Subject to paragraphs (B) and (C) of this Article, the Council may amend the license of any licensee in the following circumstances:

1- at the request of the licensee;

2- where the amendment is pursuant to a condition of the license imposed pursuant to paragraph (E) of Article (39);

3- the licensee has committed a contravention described in paragraphs (B) and (C) of Article (37) of this Law;

4- upon receiving a complaint from a consumer, consumer protection associations or other licensees;

5- on its own initiative.

B- The Council shall not be entitled to amend the license of a licensee pursuant to sections (4) and (5) of paragraph (A) of this Article before obtaining the consent of the concerned licensee.

C- Before making an amendment in a licence, the Council shall publish the proposed amendments, stating the period within which objections or representations may be made to the Commission, and the Council shall take the appropriate decision with this respect after due consideration of all objections and representations submitted to it.

**Article (39):**

A- On its own initiative, or upon receiving a complaint from any consumer, consumer protection associations, or another licensee, the Council may, for the sole purpose of this Article, inquire into whether the licensee is carrying out its obligations under this Law, the bylaws issued under this Law, and any other legislation, in addition to his compliance with the Codes of Conduct, or the terms and conditions of the licence.

- B- Where the Council determines that the license ought to be cancelled, it shall do so in accordance with the terms and conditions fixed in the license and the procedures set in this Article.
- C- Before cancelling a licence, the Council shall notify the licensee in writing of its intention to cancel the licence concerned and the reasons for doing so, and shall allow the licensee an opportunity to demonstrate, in accordance with the terms of its licence that the licensee has taken measures to remedy the events complained of by the Commission.
- D- If the licensee has not remedied the events complained of by the Council in accordance with paragraph (C) of this Article and the Council is satisfied that it is in the public interest that the licence in question should be cancelled, the Council shall, by notice in writing to the licensee, cancel the licence and may in such a situation make orders to the licensee in regard to its undertaking and in accordance with the terms specified in the license including, but not limited to, the following:
- 1- to sell or transfer the undertaking of the licensee in the manner specified in its licence.
  - 2- to take interim arrangements pending sale of the licensee's undertaking including, notwithstanding the provisions of the companies law in force, appointing administrators, liquidators and additional directors for the undertaking.
- E- Notwithstanding paragraphs (B), (C) and (D) of this Article, the Council may allow the licence to remain in force provided it is amended by virtue of such further terms and conditions as it may deem necessary to impose, and such amendments shall form part of the licence.
- F- In the event that the Council decides to cancel a licence or amend it pursuant to the provisions of this Article, it shall serve on the licensee a notice fixing the date on which the cancellation or amendment shall take effect.

#### **Article (40)**

- A- Without prejudice to the provisions of Article (39), where the Council is satisfied that a licensee has contravened any of the conditions of the licence, the Council may, subject to paragraph (B) of this Article, serve upon the licensee an order requiring it to do, or not to do, such things for the purpose of rectifying the contravention of any condition of the licence within the period of the ultimatum specified.

B- Before issuing the order under paragraph (A) of this Article, the Council shall inform the concerned licensee the grounds upon which an order is proposed to be issued and afford an opportunity to the licensee to make a representation against the same in accordance with the procedure specified by the Council in a directive.

C- An order served pursuant to paragraph (A) of this Article may specify a penalty for each day that the licensee subjected to the order is in default of compliance with it, provided that such penalty shall not exceed one thousand Jordanian Dinar per day for the first such contravention, and three thousand Jordanian Dinar per day for subsequent such contraventions.

D- The Council shall inform concerned persons who are or likely to be affected by the contravention in such manner as it considers appropriate.

**Article (41):**

The officers, employees, and contractors of a generation licensee, transmission licensee, system operation licensee or distribution licensee may, for the purpose of performing the technical activities arising by virtue of the licensee's license, enter lands and buildings, and the concerned public authorities shall offer them assistance in that respect.

**Article (42):**

The quantity of electric power provided by a licensee to another licensee or to consumers, as the case may be, shall be measured by measuring meters to be installed by the relevant licensee.

**Article (43):**

A- Notwithstanding the provisions of any other law, a generation licensee, transmission licensee, or distribution licensee may:

- 1- Fit or otherwise install electric lines, equipment or installations underneath any road or street or otherwise through or over the same.
- 2- Fit or otherwise install electric lines, equipment or installations underneath any land or over the same except for the archeological sites, provided that the owner of the land in question, other than the Government and its institutions, shall be compensated pursuant to the provisions of this Law.
- 3- To fix electric equipment or appliances at any stairs, corridor or yard, through it, over the same or on any property to provide electric power to consumers, provided that the owner of the property in question,

other than the Government and its institutions, shall be compensated pursuant to the provisions of this Law.

B- Before initiating with the execution of any of the works mentioned in paragraph (A) of this Article, the concerned licensee shall publish a declaration in two daily newspapers at least fifteen days prior to the date of commencing the work in question.

**Article (44):**

A- A generation licensee, transmission licensee, or distribution licensee shall pay a fair compensation to the person who suffers a damage or whose properties, whether movable or immovable, is damaged as a result of works carried by the licensee.

B- Where an agreement cannot be reached between the concerned licensee and the aggrieved party on the amount of compensation, then compensation as determined by the court in accordance with the provisions of paragraph (C) of this Article, or otherwise by arbitration if chosen by the parties, shall be paid.

C- The aggrieved party shall be compensated pursuant to the provisions of this Law for the devaluation of the affected area of land due to installation of the electrical installations on the date of their installation, provided that when computing the affected area of the land the considerations of electrical clearance safety as determined by the Commission shall be taken into account.

D- The compensation determined pursuant to paragraph (C) of this Article shall be subject to an annual legal interest at a rate to be determined by the Council of Ministers provided that it shall be computed as from the date of construction of the electrical installations or from the date of purchasing the land, whichever is more recent, and until the payment of the determined compensation.

E- The provisions of paragraphs (C) and (D) of this Article shall apply to the electrical installations constructed before coming into force of this Law.

F- No claim for compensation or interest pursuant to paragraphs (C) and (D) of this Article shall be entertained after the expiry of three years from the date of coming into force of this Law with respect to electrical installations that have been constructed before the coming into force of this Law, or after the expiry of three years from the construction of such electrical installations that will be constructed after the coming into force of this Law.

**Article (45):**

A licensee may acquire the lands and the rights required for the purpose of executing its works and undertakings by agreeing with the owners of the lands and such rights, and where agreement cannot be reached and the Minister, upon a request submitted by the concerned licensee, determines that the land or right in question is required for the purpose of undertaking engaged into by the licensee, then the Minister may expropriate or acquire or promptly seize such land or right at the expense of the licensee in question in accordance with the provisions of the appropriation law in force.

**Article (46):**

**A-** In coordination with the Commission, the concerned licensee shall agree with the Ministry of Public Works, the concerned municipality or other Governmental institutions on the arrangements and considerations related to installing aerial wires or ground cables on roads and streets as well as in the fields and public squares that fall under the administration of said authorities and the cost for said activities.

**B-** Subject to the terms of the concession granted by the Government to a Concession Company or to an Electricity Company Set for Privatization operating under a concession, where a municipal council carries out municipal reorganization of organized roads and streets, then the replacement of the pathway of aerial wires or ground cables of the transmission system and the distribution system and Electrical Installations located therein shall be carried out in coordination with the Commission, and the municipal council and the licensee shall agree on the cost which each shall incur for said activities, and where an agreement cannot be reached the Council shall determine the cost for which each party shall incur.

---

---

**Electric Tariff**

---

---

**Article (47):**

**A-** Subject to the provisions of the decree of the Council of Ministers pursuant to paragraph (B) of Article (5), paragraph (B) of Article (31) of this Law, and paragraphs (C) and (E) of this Article, the Council shall determine the tariffs/prices for licensed services, according to methodologies it adopts for regulating electricity prices, and such tariff methodologies shall be specified in the licence of the licensee.

- B- Generation's tariff shall be excluded from the provisions of paragraph (A) of this Article and shall be determined in accordance with the arrangements entered into by the bulk supply licensee with the generation licensee.
- C- When determining the tariff methodologies, the following shall be taken into consideration:
- 1- allow a licensee that operates efficiently to recover the full costs of its business activities and to earn a reasonable return on the capital invested in business;
  - 2- provide incentives for the continued improvement of the technical and economic efficiency with which the services are provided, and for the continued improvement of quality of services;
  - 3- give to consumers economically efficient signals regarding the costs that their consumption imposes on the licensee's business;
  - 4- avoid undue discrimination between consumers of the same category and consumer categories; and
  - 5- gradually phase out or substantially reduce cross subsidies, except while providing lifeline tariffs.
- D- The Council shall take into account any subsidy, whether direct or by way of favourable financing terms, or in any other manner, other than cross-subsidy, in establishing its tariff methodologies.
- E- Notwithstanding paragraphs (A) and (C) of this Article, the Council shall establish tariff methodologies that reflect the terms and conditions of the initial privatisation contracts, initial IPP contracts and any contract that the Concession Company may enter into with the bulk supply licensee.
- F- In establishing tariff methodologies, the Council may allow a lifeline tariff for some consumers who require such a tariff due to their living conditions.
- G- Before establishing a tariff methodology, other than a methodology to be established in accordance with paragraph (E) of this Article, the Council shall grant an opportunity to the licensee to make representations in accordance with such procedures as may be established by the Council pursuant to a directive.
- H- The Council may declare the date from which a tariff methodology, or its amendment, if any, shall come into operation.

I- Any tariff, which, immediately before the coming into force of this Law, was chargeable, shall continue to be chargeable until a new tariff is determined pursuant to the provisions of this Law.

---

## **Competition in the Sector**

---

### **Article (48)**

A- The Commission shall have a continuing responsibility to monitor the sector in the Kingdom in regard to progression of the single buyer model to a competitive electricity market and to report on this subject to the Minister in accordance with paragraph (B) of this Article.

B- Until such time as the Minister has made a declaration in accordance with paragraph (C) of this Article, the Council shall prepare, each year or at such intervals as the Minister shall specify, reports for the Minister as to the potential for competition in the sector. The Council shall consult the licensees, consumers, potential investors *and* other interested parties and obtain their views on the subject. These reports shall present the Council's analysis and recommendations as to whether the Jordanian electricity supply industry has developed to the point where a competitive electricity market, based on bilateral trading arrangements between the generation licensee on the one hand and the distribution licensee or the supply licensee or the principal consumers on the other hand, and amongst distribution and supply licensees, ought to be established, having regard to:

- 1- the extent of existence of a sufficiently large number of potentially competitive entities, to the extent that the likelihood of an abuse of market power can be managed;
- 2- the extent of existence of necessary metering and information technology infrastructures required for the operation of a competitive electricity market;
- 3- the financial viability of the sector; and
- 4- the impact of competition on the prices payable by consumers.

C- The Minister shall present to the Council of Ministers the report submitted by the Council pursuant to paragraph (B) of this Article. When the Council of Ministers is satisfied that the sector has developed to the point where a competitive electricity market ought to be established, having regard to the criteria described in paragraph (B) of this Article, the Council of Ministers may, subject to paragraph (D) of this Article, issue a declaration that a competitive electricity market is to

be initiated, and the Council of Ministers may authorise the Minister to take such steps as may be necessary for establishing the arrangements to implement the competitive electricity market to be adopted.

D- Notwithstanding anything contained in this Article , the arrangements for implementation of a competitive electricity market shall not affect the economic benefits to which the generation licensees and distribution licensees are entitled to under their respective arrangements with the bulk supply licensee or the ability of the generation licensees and distribution licensees to continue to finance their activities.

---

---

## **Penalties**

---

### **Article (49):**

A- Without prejudice to the provisions of paragraphs (B) and (C) of Article (28) of this Law, whoever carries out the activity of generation, transmission, distribution, supply or system operation without obtaining a license or a permission from the Council of Ministers pursuant to paragraph (D) of Article (35) shall be liable to be sentenced to imprisonment for a term of one to three years, or be liable to pay to a fine of not less than fifty thousand Dinars but not exceeding one hundred thousand Dinars or to both such imprisonment and fine.

B- A person found guilty of an offence specified in paragraph (A) of this Article shall forthwith cease to operate the illegal activity, failing which the Council may adopt such measures as may be necessary for discontinuing such illegal activity and to prevent its recurrence and the concerned public authorities shall provide every possible assistance to the Commission.

C- Upon such guilty person ceasing the non-licensed activity and having paid the fine or served the imprisonment or both, as the case may be, an application may be made for the grant of a license from the Commission pursuant to the provisions of this Law.

### **Article (50):**

Whoever illegally uses the electric system or unlawfully connects to it or steals electric power, or assists a person in such activities, shall be liable to an imprisonment for a period from six months to two years, or a fine that shall not be less than two thousand Dinars but not more than ten thousand Dinars or both imprisonment and a fine.



**Article (51):**

Whoever deliberately tampers with or otherwise break the seals of an electrical meter, the seals of the electrical switch related to the supplier installed before the meter, or those of the main or branch distribution switchboards, for the purposes of stealing electric power, or assists a person in committing such activities, shall be liable to imprisonment for a period of one month to one year or a fine that shall not be less than five hundred Dinars but not more than two thousand Dinars or both imprisonment and a fine.

**Article (52):**

A- Whoever commits sabotage and causes damage to an electrical installation shall be liable to imprisonment for a period of one to three years or a fine that shall not be less than two thousand Dinars but not more than one hundred thousand Dinars or both imprisonment and a fine.

B- Whoever by negligence or mistake causes a damage to an electrical installation shall be liable to imprisonment for a period of one week to three months or a fine that shall not be more than five hundred Dinars or by both imprisonment and fine.

**Article (53):**

In case the acts mentioned in Articles (49), (50), (51) and (52) of this Law shall result in a risk to the safety of the general public, then the period of imprisonment and the amount of fine shall be doubled.

**Article (54):**

The penalties prescribed by the Penal Code in force for crimes committed against civil servants shall apply to the crimes committed against the employees of generation licensee, transmission licensee, distribution licensee, supply licensee or system operation licensee during the performance of their duties.

**Article (55):**

Without prejudice to what is mentioned in Articles (49), (50), (51) and (52) of this Law a bulk supply licensee or a retail supply licensee may, in accordance with a directive to be issued for this purpose, discontinue the supply of power to any consumer who fails to make the payment of any sum due from him in respect of the same, has obtained or diverted the electric power without permission of the licensee or has tampered with any part of

the transmission system or distribution system and the associated meters thereto, or electrical installations in a manner inconsistent with this Law.

---

---

## **General Rules**

---

---

### **Article (56):**

A- Where the Council of Ministers decides to restructure the Electricity Companies by way of merger, unbundling or both, the company or companies resulting from such restructuring shall be considered the factual and legal successor of the company that has been restructured whose rights and obligations shall transfer to the resulting companies.

B- The provisions of paragraph (A) of this Article shall apply to any generation company or distribution company that has emerged before the coming into force of this Law as a result of the restructuring of the National Electric Power Public Shareholding Company.

### **Article (57):**

The Commission shall be the factual and legal successor of the Electricity Sector Regulatory Commission established by virtue of the General Electricity Law number (13) for the year 1999.

### **Article (58):**

The General Electricity Law No. (13) for the Year 1999 shall be repealed provided that the by-laws and directives issued pursuant thereto, as well as pursuant to the General Electricity Law No. (16) for the Year 1986 and the General Electricity Law No. (10) for the Year 1996, shall remain in force to the extent that they shall not be inconsistent with the provisions of this Law until amended or replaced by by-laws or directives issued by virtue of the provisions hereof.

### **Article (59):**

The Council of Ministers may issue by-laws necessary for executing the provisions of this Law.

### **Article (60):**

The Prime Minister and Ministers are charged with the enforcement of the provisions of this Law.