

No. 13] *Electricity Supply (Amendment) (No. 2) Act* [2006.

I ASSENT

[L.S.]

PEARLETTE LOUISY,
Governor-General.

20th March, 2006.

SAINT LUCIA

No. 13 of 2006

AN ACT to amend the Electricity Supply Act 1994, No. 10.

[27th March, 2006]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Assembly and the Senate of Saint Lucia, and by the authority of the same, as follows :

No. 13] *Electricity Supply (Amendment) (No. 2) Act* [2006.

Short title

1. This Act may be cited as the Electricity Supply (Amendment) (No.2) Act 2006.

Interpretation

2. In this Act “principal Act “ means the Electricity Supply Act 1994, No. 10.

Amendment of section 26

3. Section 26 of the principal Act is amended by deleting subsection (3) and by substituting the following:

“(3) Where the interim rate of return for any financial year exceeds that permitted under the allowable rate of return calculated in accordance with Part A of the THIRD SCHEDULE then in respect of that financial year, the Company shall in respect of the month in which the relevant interim return is submitted and in respect of subsequent months, decrease the basic energy rates as prescribed in Part A of the FIRST SCHEDULE in respect of each kilowatt hour consumed by industrial and hotel consumers; and such decrease shall be calculated in respect of each kilowatt hour as to one half of the dollar value of the excess rate of return applied proportionately on the basis of the total kilowatt hours consumed by such industrial and hotel consumers in the preceding calendar year; provided that the Minister may by Order published in the Gazette determine that the decrease in basic energy rates may also be applied to consumers or groups of consumers in need of special protection in which case the calculation of the individual amounts shall be in accordance with the form prescribed in PART B of the FOURTH SCHEDULE; but any such decrease in either of the two calculations is independent of any adjustment with respect to fuel costs made in accordance with the SECOND SCHEDULE. ”.

Addition of section 65

4. The principal Act is amended by inserting the following new section 65 after section 64:

“Amendments to Schedules

65. The Minister may by Order published in the *Gazette* amend the SCHEDULES.”.

Amendment to FOURTH SCHEDULE

5. The FOURTH SCHEDULE to the principal Act is amended by renaming the current PART B as PART C and by inserting the following as the new PART B:

**“Part B
Decrease in Basic Energy Rates**

- (a) Value of excess return X 50% (1)
- (b) Total kilowatt hour sales for industrial consumers in the preceding calendar year (2)
- (c) Total kilowatt hour sales for hotel consumers in the preceding calendar year (3)
- (d) Total kilowatt hour sales for consumers or group of consumers in need of special protection in the preceding calendar year (4)
- (e) Sum of Sum (2) plus Sum (3) plus Sum (4) (5)
- (f) Decrease in basic energy rates for industrial consumers, hotel consumers or group of consumers in need of special protection in cents per kilowatt hour:
Sum (1) divided by Sum (5).”.

Passed in the House of Assembly this 7th day of February, 2006.

J. BADEN ALLAIN,
Speaker of the House of Assembly.

Passed in the Senate this 2nd day of March, 2006.

HILFORD DETERVILLE,
President of the Senate.