

*Electricity (Customer Code) Regulations***SAINT LUCIA**

STATUTORY INSTRUMENT, 2022, No.

[ ]

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[ ]

In exercise of the power conferred under section [62] of the Electricity Supply Services Act No. of 20[ ] the Minister responsible for public utilities makes these Regulations:

**PRELIMINARY****Citation**

1. These Regulations may be cited as the Electricity (Customer Code) Regulations, 2022.

**Interpretation**

2. In these Regulations —

“Act” means the Electricity Act, No. of 20[ ];

“ampere” means the unit used to measure an electric current or the rate of flow of electricity in the circuit;

“circuit breaker” means a device designed to open, under abnormal conditions, a current carrying circuit without injury to itself;

“commercial or industrial customer” means a customer other than a domestic customer;

“confined space” means a space which has restricted means of entry or exit and which, because of its location, design, contents, or work performed therein contains or is likely to contain potentially harmful levels of a hazardous substance, an unsafe oxygen level, or a quantity of liquid or free flowing solids in which a person could drown or suffocate;

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- “debt” means the aggregate of all obligations of the network licensee for the payment or repayment of money having original repayment terms of one year or longer and including, without limitation, any bank debt;
- “demand” means the total load for service on a utility system at a given time;
- “domestic customer” means a customer who subscribes to an electricity supply service for the supply of electricity to a dwelling house;
- “electric power” means the rate at which electrical energy is transferred by an electric circuit;
- “high voltage” means one thousand volts or higher;
- “installation” means the whole of any particular plant, apparatus or works designed for the supply or use, or both, as the case may be, of electricity, under one ownership and where management is prescribed, in charge of the same management, including prime movers, if any, with all necessary plant and buildings, in this connection, electric supply lines and consuming apparatus, if any;
- “kilowatt” means the unit of electric power equal to one thousand watts;
- “low voltage” means less than one thousand volts;
- “metering expenses” means the expenses under regulation 62(2);
- “ohm” means the unit of electrical resistance;
- “over current device” means an electrical automatic disconnect device such as a fuse or circuit breaker;
- “point of delivery” means the point where the network licensee’s wire or equipment is connected with those of the customer;
- “power factor” means the ratio of active or real power to apparent power often expressed in per cent;

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“road” —

(a) means a street or part of a street;

(b) includes a —

(i) bridges,

(ii) culvert,

(iii) embankment,

(iv) approach,

(v) drain,

(vi) verge,

(vii) pavement,

(viii) kerb,

(ix) footpath,

(x) parapet, and

(xi) other works or things, forming part of a street;

“service entrance conductors” means from the point of connection at the service drop to the service equipment;

“service entrance equipment” means licensee owned low voltage equipment up to the point of delivery;

“kilowatt” hour means the product of power measured in kilowatts and time measured in hours;

“special supply agreement” means an agreement for the supply of electricity which provides terms and conditions which are inconsistent with those provided for under these Regulations;

“substation” means a facility where the —

(a) transmission voltage is converted to distribution voltage;  
and

(b) the distribution voltage is converted to transmission voltage;

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“switching station” means a facility where electrical power is routed by circuit breakers and equipment on premises except to power plants, sub-stations and consumers;

“tree” means a bush or shrub;

“undertaking” means the network licensee’s electricity operations within Saint Lucia;

“volt” means the unit of electric force or pressure; the electromotive force which will produce a current of one ampere when applied to a conductor whose resistance is one ohm;

“voltage” means the electric force or pressure necessary to drive electricity through a circuit;

“watt” means the rate of work represented by a current of one ampere under a pressure of one volt in a circuit having unity power factor;

“metering equipment” means meters and other supplementary and associated devices necessary to measure the service used by the customer.

**Application and non-application**

**3.—**(1) Subject to subregulation (2), these Regulations apply to a network licensee and to a customer except in cases where a special supply agreement is entered into between the network licensee and the customer.

(2) For the purposes of subregulations (1) a network licensee may require a special supply agreement with a commercial customer or industrial customer but no such agreement shall provide for a waiver or alteration of the application of these Regulations unless with the prior written approval of the Commission which shall not be unreasonably withheld.



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REQUIREMENTS FOR SERVICE****Application for service**

**4.**—(1) A customer may in the form determined by a network licensee apply to the network licensee for an electricity service.

(2) For the purpose of subregulation (1), the network licensee shall make the application form available at its offices or in electronic form.

(3) An application form shall be signed by the customer or the customer's agent and must be accompanied by —

- (a) information necessary to identify the customer and the premises at which the service is required;
- (b) where the customer is the owner of the premises, proof of the customer's ownership of the premises at which the electricity supply service is required; or proof of consumers legal occupancy;
- (c) where a customer applies for an electricity service at premises held on a lease or where the customer is the tenant, the owner's written permission and proof of ownership;
- (d) in the case of a new installation or an extension or replacement of an existing installation for connection to the electricity service, a certificate of approval issued by the Chief Electrical Engineer in respect of that new, extended or replacement installation in accordance with the Electricity (Wiring) Regulations;
- (e) other information which may reasonably be requested by the network licensee to enable the network licensee to determine the nature of the electricity service required.

**Inspection of customer's installation by network licensee**

**5.** The network licensee may inspect a customer's installation prior to providing an electricity service and after providing the electricity service, notwithstanding that a certificate of approval is submitted

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under regulation 4(3)(d)) and is not responsible for compliance of the customer's installation with any applicable standards by so doing.

**Connection fee**

6. A customer shall pay to the network licensee, if applicable, a non-refundable connection fee determined by the network licensee and approved by the Commission in advance of connection of an electricity service by the network licensee.

**Deposit**

7.—(1) The network licensee may require a customer to deposit with the network licensee by way of security for sums due by the customer to the network licensee for the electricity service such sums of money as may be determined by the network licensee and approved by the Commission.

(2) Any sums of money determined under subregulation (1) must not exceed the charge for an estimated two months' supply of electricity and must be placed to the credit of a deposit account in the customer's name in the books of the network licensee and the deposit must bear interest at the prevailing banking rate set by the Eastern Caribbean Central Bank for a regular savings account.

(3) The network licensee shall have a reasonable time and not less than forty-eight hours in which to read and remove its meters and to ascertain that the obligations of the customer has been fully performed before being required to refund a deposit.

(4) A deposit may be refunded at the option of the network licensee, at any time before the electricity service is discontinued.

(5) Where over a period of five successive years a customer's electricity service has not been disconnected or the customer has not failed to pay his or her proper charges, the network licensee shall, on written application by the customer, pay to the customer interest as the deposit paid to the network licensee by the customer would have earned over the period if the deposit had been placed on a savings account in a commercial bank in Saint Lucia.

(6) Subregulation (5) does not affect the right of the deposit to continue to bear interest under subregulation (2) and the customer to

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payment of the deposit in accordance with this subregulation.

(7) On final discontinuance of the use of the electricity service and full settlement of all bills by the customer, any deposit and interest accrued, not previously refunded, must be returned to the customer, or it may be applied to the payment of any unpaid accounts of the customer and the balance, if any returned to the customer.

**Contributions**

8.—(1) The network licensee shall not require any monies to be paid in the form of a contribution or by way of a bond or security by an intended domestic customer towards the cost of construction and erection of power lines to any property where such service lines do not exceed four hundred feet in length from the nearest point of connection.

(2) The network licensee may require a customer or intended customer to pay a contribution determined by the network licensee and approved by the Commission in accordance with this regulation towards the cost of the erection and construction of service lines in excess of one hundred feet in length from the nearest point of connection to the customer's property excluding distance traversed across any road.

(3) Notwithstanding subregulation (2) and anything contained in these Regulations whereby a customer lawfully erects and constructs power lines on his or her property and pays a contribution in accordance with this regulation the transmission and supply lines is the property of the network licensee which is responsible for their proper maintenance, repair and safe condition.

(4) Where a customer, requests transmission and supply lines to be erected and constructed, whether or not on his or her own property, and makes a contribution in accordance with this regulation towards such erection or construction, such lines may be used by the network licensee for the purpose of supplying other customers or intended customers; but such use must not prejudicially affect the supply of electricity to the first customer.

(5) A customer or intended customer connected to the network licensee's electricity service shall pay to the network licensee on

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demand, such sum based on a formula for such determination approved by the Commission as may be determined by the network licensee to be a fair and just proportion of the contribution paid by the first customer, and the network licensee must promptly pay to the first customer the part determined by the network licensee to be a fair and just proportion of his or her contribution.

(6) In this regulation, “first customer” means the customer required to pay a contribution under subregulation (2).

**Refusal of service or prior indebtedness or unsafe installation**

**9.** The network licensee may refuse to provide an electricity service to a customer who makes an application under these Regulations

—

- (a) for failure to settle in full all present or previous accounts;
- (b) if there is an unsettled account of another customer at the same premises and that other customer continues to occupy the premises;
- (c) if the network licensee is not reasonably satisfied that any installation, other works or apparatus serving the customer’s premises, other than those belonging to the network licensee —
  - (i) is in good working order and condition,
  - (ii) is safe,
  - (iii) complies with the applicable standards and these Regulations, and
  - (iv) will not interfere with the efficient supply of electricity.

**PART II**  
**SUPPLY OF ELECTRICITY**

**Installation of equipment**

**10.—(1)** The network licensee may install and maintain in a convenient and suitable place on the premises of the customer to be agreed by the customer and free of charge, distribution and service lines, meters and other equipment necessary for the satisfactory supply

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of an electricity service to the customer.

(2) Equipment installed by the network licensee under subregulation (1) remains the property of the network licensee and the customer is liable for damages to or loss of the network licensee's property located on the customer's premises caused by the customer.

**Point of delivery**

**11.—**(1) The network licensee shall deliver an electricity service to a point of delivery, to be determined by the network licensee and approved by the customer, on the exterior of any premises or other place where the meter is located.

(2) The customer is responsible for wiring and other installation, work or apparatus on the premises beyond the point of delivery which are necessary for the customer's use of the electricity service.

**Relocating of electric line and meter**

**12.—**(1) Subject to subregulation (2), the network licensee may, at its cost, relocate an electric line or a meter to the exterior of a property and in such a case the customer is responsible for wiring or rewiring from the meter to the point of delivery.

(2) Where the property is fenced and the network licensee cannot access the property, the network licensee reserves the right to relocate the meter to a place agreed to by the customer to the exterior of the property for accessibility and to charge the customer for the reasonable cost of relocating meter to the exterior of the property for accessibility.

(3) Where the network licensee and the customer fail to reach an agreement as to the location of a meter under subregulation (2), the network licensee or the customer may refer the matter to be determined by the Commission by dispute resolution under section 84 of the Act and the network licensee may estimate the meter reading until such time as the matter is determined by the Commission.

**Change of occupancy**

**13.—**(1) Where there is a change of occupancy of premises supplied with an electricity service by the network licensee, the outgoing occupier shall give notice to the network licensee not less than five working days prior to the date of change.

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(2) Where notice is given under subregulation (1), the outgoing occupier is responsible for the service used on the premises until the expiration of five working days after the notice is received.

(3) Where an incoming occupier of premises makes an application and the network licensee accepts the application, the prior account of the outgoing occupier for the electricity service to the premises shall be suspended if not settled and terminated if settled and a new account established for the incoming occupier.

(4) The network licensee may estimate the changeover meter reading if no notice is received under subregulation (1) before the electricity service to an incoming occupier begins and if the account is not settled the outgoing occupant remains liable for the payment.

**Disconnection of service by customer**

**14.—**(1) A customer may notify the network licensee to discontinue an electricity service, at least five working days prior to the requested disconnection date.

(2) Subject to subregulation (3), a customer is responsible for all consumption until the requested disconnection date under subregulation (1) and must give the network licensee a billing address for issuance of the final billing statement or deposit refund.

(3) The network licensee shall, on payment of the disconnection fee approved by the Commission, read and lock a meter for discontinuance of service under this regulation before the end of the requested disconnection date to ensure that no charges for electricity used after that date accrue to the customer.

**Temporary service**

**15.—**(1) Temporary service must be supplied by the network licensee only if the network licensee has available capacity of lines, transformers, generators and other equipment for the service requested.

(2) Before supplying temporary service, the network licensee may require the customer to bear the cost of installing or removing the necessary installations, less credit for salvage.

(3) Where a temporary service is provided, the customer is responsible for the cost of electricity consumed at the relevant rate in effect.

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(4) The customer's installation for temporary service is subject to any planning permission required under the Physical Planning and Development Act, Cap. 5.12.

(5) In this regulation "temporary service" means an electricity service required for short-term exhibitions, displays, fairs, construction work and other similar events.

**Identification of network licensee's employee**

**16.—**(1) The network licensee shall issue an identification card to every employee of the network licensee who is authorized to enter a customer's premises for the purpose of reading meters, investigating defects or for other legitimate business of the network licensee.

(2) An identification card issued under subregulation (1) must bear the photograph and signature of the employee and the seal of the network licensee and must be shown, on request, to a customer.

(3) A customer may verify the identity of an employee with the network licensee.

**Powers of network licensee**

**17.—**(1) Subject to this regulation, the network licensee may —

- (a) erect or fix in, on, under or over any land, any pipes, electric lines, or other works or apparatus used or to be used in the installation or operation of the undertaking;
- (b) alter, substitute, repair or remove any such pipes, electric lines, or other works or apparatus when so erected or fixed at any time when, in the opinion of the network licensee, such undertakings are necessary or desirable;
- (c) for the purpose of erecting, fixing, altering, substituting, repairing or removing any such pipes, electric lines or other apparatus, enter on any land and may —
  - (i) clear the land,
  - (ii) dig the soil and remove the surface of the land,
  - (iii) temporarily close or obstruct the land, and

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(iv) generally do all acts and things necessary for such purpose;

- (d) in the course of construction and for the more effective working of the undertaking, enter on and remove from any land, any tree or any branch, bough or other part of a tree growing on such land within fifteen feet in the case of a transmission line and eight feet in the case of a distribution and which may tend to interfere with, endanger or otherwise prejudicially affect the working of the undertaking; subject to having regard to the impact on environment;
- (e) where on any land there is an unauthorized generator connected to the network licensee's authorized electrical network system, enter on such land to disconnect the generator or electricity service.

(2) In the exercise of its power under subregulation (1)(c) or (d), the network licensee shall first serve written notice of its intention on the owner or occupier of any private land or property if the name and address of such owner or occupier can reasonably be ascertained and if the name and address of such owner or occupier cannot reasonably be ascertained, the network licensee shall post such notice in a conspicuous place on the land or property in question

(3) Where an owner or occupier, within fifteen days of a notice under subsection (2) —

- (a) gives written notice to the network licensee of his or her objection, the matter shall be referred by the network licensee to the Commission; and the network licensee may not enter on private land or property in question unless in accordance with subregulation (3); or
- (b) fails to give written notice to the network licensee of his or her objection thereto, the network licensee may enter on the private land or property.

(4) Where a notice of objection is given to the network licensee under subregulation (3), the owner or occupier and the matter is referred to the Commission under subregulation (3)(a), a police officer, at the request of the Commission, may make an application



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to a magistrate for a warrant and the magistrate may issue a warrant authorizing a police officer, whether named in the warrant or not, with such assistance, including assistance from an inspector or the Commission and by such force as is necessary and reasonable, to enter on the land or property for the purposes of subregulation (1).

(5) A person shall not hinder, obstruct, prevent or interfere with a police officer, an inspector, the Commission or the network licensee in the exercise of a power under this regulation.

(6) A person who contravenes subregulation (5) commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding six months or to both.

(7) Where in the exercise of its powers under this regulation, the network licensee finds it necessary to enter on any land or property in accordance with this regulation, the network licensee shall —

- (a) locate all poles, lines, apparatus or equipment as not in any way to obstruct or hinder the use or development of such land or property;
- (b) do as little damage as possible in carrying out any of the works permitted by this regulation.

(8) Where there is a change of ownership of any land or property, and the network licensee has complied with this regulation, the new owner of the land may request the network licensee through the Development Control Authority, to relocate on another part of his or her property or move completely from his or her property any or all of the network licensee's poles or lines, and the network licensee shall accede to any such request of the Development Control Authority with the property where any structure may be built or extended.

(9) Where the cost of relocation or removal exceeds seven hundred and fifty dollars or a prescribed percentage of the cost of relocation the owner shall pay the proportion of the excess as may be determined by the Commission after consultation with the network licensee as fair and reasonable.

*Electricity (Customer Code) Regulations***Network licensee may enter lands where conditions are dangerous or interrupting**

**18.**—(1) Where any condition exists which is dangerous or is interrupting or threatens to interrupt the supply of electricity in Saint Lucia or any part of Saint Lucia, a network licensee may immediately enter on any public or private land without the consent of the owner or occupier of the land and take whatever action is necessary to establish safe conditions or to ensure the continuity of the supply of electricity.

(2) Where a network licensee takes action under subregulation (1), a network licensee shall within three days, inform —

- (a) the owner or occupier of the land in question by service of a written notice on him or her or by posting up conspicuously a notice on such land; and
- (b) the Commission in writing,

of the action taken.

**Power of entry for inspecting, testing or maintaining works or apparatus**

**19.**—(1) A network licensee may at all reasonable times enter on any land or premises to which electricity service is or has been supplied by the network licensee —

- (a) for the purpose of inspecting, testing or maintaining the electric lines, meters, fittings and other works or apparatus belonging to the network licensee;
- (b) for the purpose of ascertaining the quantity of electricity consumed or supplied in or to such premises or, where a supply of electricity is no longer required; or
- (c) where the network licensee is entitled to take away and cut off the electricity service from any such land or premises, for the purpose of removing any electric lines, meters, accumulators, fittings, other works or apparatus belonging to the network licensee.

(2) Subject to subregulation (3), a network licensee shall repair all damage caused by an entry, inspection, maintenance or removal.

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(3) where a person wilfully or maliciously places or erects anything which impedes or hinders the easy entry, inspection, maintenance or removal by the network licensee of its property the network licensee may remove the impediment or hindrance in question at the cost of the occupier of the land or premises in question and the network licensee is not liable for any damage caused by such removal.

**Prohibition on erecting building or structure in position or manner interfering with the supply of electricity**

**20.**—(1) Except with the written consent of a network licensee, a person shall not erect any building or structure in such a position or manner as may interfere with the supply of electricity through any overhead electric line which belongs to the network licensee.

(2) Where after an overhead line has been constructed, any person erects any building or structure which interferes with or which may interfere with the proper working of such line, the network licensee may request the owner or occupier of the building or structure in question to remove or adjust the line as may be necessary.

(3) Where an owner or occupier fails to comply with a request under subregulation (1), a network licensee may apply to the Commission for the removal or adjustment of the building or structure in question and, after making any such enquiry as the Commission considers necessary, the Commission may make such order as the Commission considers fit.

(4) An order under subregulation (3), may, by leave of the High Court, be enforced in the same manner as an injunction granted by the High Court.

**Network licensee may erect pipes and electric lines on roads without charges**

**21.**—(1) Subject to the network licensee making good to the reasonable satisfaction of the Chief Electrical Engineer, all damage caused by the network licensee, the network licensee may erect, place or replace pipes and electric lines along or under or over any road in Saint Lucia without payment of any way-leave, rent, fee or other charge, to remove or repair any such pipe or electric line and for the purpose of erecting, placing, replacing, removing or repairing the

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same, to break and excavate any such road.

(2) Whenever a network licensee breaks up or excavates any road, the network licensee shall with all convenient speed complete the work for the purpose for which the road was broken up or excavated.

(3) Subject to subregulation (4), where a road has been broken up or excavated, the network licensee shall make the road good to the reasonable satisfaction of the Chief Engineer and shall carry away the rubbish occasioned thereby.

(4) Until the road has been made good, the network licensee shall take the necessary measures approved by the Chief Engineer sufficient to warn persons using the road of the danger constituted by the breaking up or excavation.

(5) Where a road has been broken up or excavated by the network licensee, the network licensee shall keep the same in good repair for three months after it is made good, and for such further period, if any not exceeding twelve months determined by the Chief Engineer, as the subsoil of the road at that place continues to subside.

**Electric lines not distrainable**

**22.** Where any electric lines, meters, fittings, or other works or apparatus belonging to the network licensee are placed for the purpose of supplying or measuring electricity in or on any land or premises not being in the possession of the network licensee, such electrical lines, meters, accumulators, fittings or other works or apparatus are not subject to distress or to the landlord's remedy for rent of the land or premises where the same may be, nor shall the same be liable to be taken in execution under any process of a court, or under any proceeding in bankruptcy or insolvency.

**Damage caused by lopping trees**

**23.—**(1) A person who on any private land fells, lops or trims any tree thereby causing damage to any electric line or other works or apparatus which forms part of the undertaking commits an offence and in addition to any penalty that may be imposed on him or her, is liable to pay the expenses or remedy the damage so caused.

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(2) The network licensee may fell, lop or trim any tree on an owner's land which is threatening to damage any such electric line or other works or apparatus when requested to do so by the owner.

**Payment of compensation for damage**

**24.—**(1) In the exercise of any powers conferred by these Regulations, the network licensee shall cause as little inconvenience and damage to other persons as is reasonably practicable and the network licensee is liable to pay compensation to any person who suffers damage to his or her property in consequence of the exercise of such powers by the network licensee.

(2) The amount of compensation to be paid under subregulation (1) must, failing agreement, be determined by the Commission by dispute resolution under section 85 of the Act.

(3) Where by reason of the presence of a pipe or electric line belonging to the network licensee which is alongside or under or over a road a person is injured or suffers damage to his or her property, the network licensee shall save harmless and keep indemnified, in respect of such injury or damage, the person, constituency council or other authority by whom the road is repairable.

**Acquisition of wayleaves**

**25.—**(1) For any purpose connected with the carrying on of the activities which the network licensee is authorized by a contract for an electricity service to carry on —

- (a) it is necessary or expedient for the network licensee to install and keep installed a main, under or over any land; and
- (b) the owner or if the owner is not the occupier, both the owner and the occupier or occupier of the land having been given a notice requiring him or her to give the necessary wayleave within a period not being less than twenty-one days specified in the notice —
  - (i) has failed to give the wayleave before the end of that period; or

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- (ii) has given the wayleave subject to terms and conditions to which the network licensee objects.

(2) Subject to subregulations (3) (4) and (5), the Commission may, on the application of the network licensee, grant the necessary wayleave subject to such terms and conditions as the Commission sees fit.

(3) A necessary wayleave granted under subregulation (2), unless previously terminated in accordance with a term contained in the wayleave, continues in force for the period specified in the wayleave.

(4) The Commission shall not consider an application under subregulation (2) in any case where —

- (a) the land is covered by a dwelling, or will be so covered on the assumption that any planning permission which is in force is acted on; and
- (b) the main is to be installed on or over the land.

(5) Before granting the necessary wayleave, the Commission shall give —

- (a) the owner of the land; and
- (b) where the owner is not the occupier of the land, the occupier,

an opportunity of being heard.

(6) A necessary wayleave granted under this regulation or by an agreement between the network licensee and the owner of land —

- (a) is not subject to the provisions of any enactment requiring the registration of interests in, charges over or other obligation affecting the land; and
- (b) binds any person who is at any time the owner or occupier of the land.

(7) In this regulation —

“dwelling” —

- (a) means a building or part of a building occupied, or if not occupied last occupied or intended to be occupied, as a private dwelling;

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- (b) includes a garden, yard, outhouse and appurtenance belonging to or usually enjoyed with that building or part of a building;

“necessary wayleave” means approval by the Commission for the network licensee to carry out activities to which these Regulations apply.

**Compensation for wayleaves**

**26.**—(1) Where a wayleave is granted to the network licensee under regulation 25 —

- (a) the owner of the land; and
- (b) where the owner is not the occupier of the land, the occupier,

may recover from the network licensee reasonable compensation in respect of the grant in accordance with subregulation (2).

(2) Where, in the exercise of any right conferred by a wayleave granted to a network licensee under regulation 25 any damage is caused to land or to moveables, any person interested in the land or moveables may recover from the network licensee reasonable compensation in respect of that damage or, at the option of the network licensee, agree with the network licensee that the network licensee shall repair the damage; and where, in consequence of the exercise of such a right, a person is disturbed in his or her enjoyment of any land or moveables, the person may recover from the network licensee compensation in respect of that disturbance.

(3) Compensation under this regulation may be recovered as a lump sum or by periodical payments or partly in one way and partly in the other.

**Temporary continuation of wayleaves**

**27.**—(1) This regulation applies where a wayleave granted under regulation 25 or by agreement between the parties —

- (a) is determined by the expiration of a period specified in the wayleave; or
- (b) is terminated by the owner or occupier of the land in

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accordance with a term contained in the wayleave.

(2) The owner or occupier of the land may —

- (a) in a case falling within subregulation (1)(a), at any time after or within three months before the end of the period specified in the wayleave; or
- (b) in a case falling within subregulation (1)(b), at any time after the wayleave has been terminated by the owner or occupier,

give to the network licensee a notice requiring the network licensee to remove the main from the land; but the network licensee shall not be obliged to comply with such a notice except in the circumstances and to the extent provided under subregulations (3) and (4).

(3) Where, within a period of three months beginning with the date of the notice under subregulation (2) —

- (a) the network licensee does not make an application for the grant of the necessary wayleave or such an application is made by the network licensee but is refused by the Commission; or
- (b) the land has not been compulsorily acquired in accordance with section 60 of the Act.

the network licensee shall comply with the notice at the end of that period.

(4) Where —

- (a) within the period mentioned in subregulation (3), the network licensee makes an application for the grant of the necessary wayleave under regulation 25; and
- (b) the application is refused by the Authority,

the network licensee shall comply with the notice under subregulation (2) at the end of the period or one month beginning with the date of the Authority's decision or such longer period as the Authority specifies.



*Electricity (Customer Code) Regulations***Resale of service for profit prohibited**

**28.**—(1) An electricity service received from the network licensee is for the customer's own use and must not be resold for profit.

(2) Where individual metering of an electricity service is not required and master metering is used, reasonable apportionment methods, including sub-metering may be used by the customer solely for the purpose of allocating the cost of the electricity service billed to the customer's account by the network licensee, whether based on the use of sub-metering or any other allocation method, will be determined in a manner that reimburses the customer for no more than the customer's actual cost of electricity service.

(3) The lessees or other entities that are sub-metered are not customers of the electricity service.

(4) In this regulation, an electricity service is sub-metered when separate meters are used to allocate among lessees or other entities the monthly bill rendered by the network licensee to the customer for service when these lessees or other entities are charged no more than a proportionate share of such bill based on their monthly consumption as measured by such meters.

(5) In this regulation, "cost" —

- (a) means the charges to the customer specifically authorized by the network licensee's tariff schedule, plus applicable taxes and fees to the customer responsible for the master meter payments;
- (b) does not include any late payment charges, returned cheque charges, insufficient fund charges, the cost of the distribution system behind the master meter owned by the customer, the customer's cost of billing the individual units and other such costs.

**Supply to adjacent properties through one meter**

**29.** A customer shall not place or extend electric lines to furnish an electricity service for an adjacent premises through one meter even though such adjacent premises is owned by the customer, unless written consent is obtained from the network licensee.

*Electricity (Customer Code) Regulations***Compliance with planning and wiring standards**

**30.** A network licensee shall not connect a customer to an electricity service unless the customer's installation has a certificate of approval issued under the Electricity (Wiring) Regulations.

**Discontinuance without notice for dangerous or unauthorized use**

**31.—(1)** A network licensee may discontinue an electricity service without notice if the network licensee has reasonable cause to believe —

- (a) that a dangerous condition exists on the customer's premises; or
- (b) there has been any unauthorized, re-metering, resale, extension or other disposition of the electricity service or use of the electricity service without intention to pay for the service;
- (c) an unauthorized generator is connected to the grid.

(2) The network licensee may discontinue an electricity service until the dangerous condition or unauthorized or improper use is remedied and full payment is made for the electricity service utilized during the unauthorized period calculated on proper classifications and tariff schedules, together with reimbursement in full for expenses incurred, including expenses for administrative work, electrical testing and inspections.

**Discontinuance with notice**

**32.—(1)** A network licensee may discontinue an electricity service with notice if —

- (a) the network licensee is not reasonably satisfied that any installation, apparatus or works in or serving the customer's premises other than those of the network licensee is in good working order and condition, is safe, complies with applicable standards and regulations and otherwise will not interfere with the efficient supply of electricity;
- (b) there are any actions or threats made by a customer or someone representing the customer or any person on

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the customer's premises that are reasonably perceived by the network licensee employee as violent or unsafe;

(c) it is determined that the information provided on the application for electricity supply service was incorrect or fraudulently presented; or

(d) the customer contravenes these Regulations.

(2) A network licensee shall before disconnecting a customer's electricity service, give the customer seven days' notice and a reasonable opportunity to remedy the contravention.

(3) An electricity service may be resumed at the network licensee's discretion once the issue triggering the disconnection is resolved and any, legal and other costs relating to the violation or disconnection are paid.

**Customer complaint against disconnection**

**33. Where —**

(a) a customer files a complaint by with the Commission disputing the existence of a condition or activity permitting the network licensee to discontinue the electricity service under regulation 31 or 32(1)(a); or

(b) the contravention under regulation 32(1)(d) concerns a matter that can be certified by the Chief Electrical Engineer,

the complaint may be referred by the Commission, within three days of receipt of the complaint, to the Chief Electrical Engineer for determination, and the network licensee will supply electricity to the customer if the Chief Electrical Engineer determines that the alleged condition or activity permitting such disconnection does not exist or no longer exists.

**Network licensee's liability for failure to supply electricity**

**34.—(1)** Where a certificate of approval is issued under the Electricity (Wiring) Regulations to an intended customer and the customer pays to the network licensee not later than one month before the date of the expiry of the certificate of approval a deposit

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or contribution required by the network licensee and the network licensee fails, within one month from the date of payment, to supply an electricity service to the customer and does not give to the Chief Electrical Engineer a satisfactory explanation for its failure so to do, the network licensee is liable to pay the fee in respect of a new certificate of approval.

(2) Requests for connection of electricity service that do not involve a standard installation because the network licensee —

- (a) does not supply the electrical service in the requested geographical area;
- (b) cannot technically install the service within the timeframe provided under the Electricity (Quality of Service Standards) Regulations;
- (c) cannot install the electricity service because it is not technically feasible,

are excluded from the operation of this regulation.

(3) The burden of proving that the electricity service cannot be technically installed within the timeframe set under a law relating to electricity quality of service standards; or that is not technically feasible to install the electricity service shall lie with the network licensee.

(4) Notwithstanding subregulation (1), where the network licensee and a customer agree that a request for connection would be completed within an agreed timeframe, the delivery time must be taken into consideration for measurement purposes.

**PART III**  
**CUSTOMER'S INSTALLATION**

**Customer's installation**

**35.** A customer's installation —

- (a) consists of wires, cutouts, switches, appliances and equipment of every kind and nature used in connection with or forming a part of an installation for utilizing an electricity service for any purpose,;

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- (b) does not consist of meters and associated equipment, ordinarily located on the customer's side of the point of delivery, whether such installation is owned by the customer or used by the customer under a lease or otherwise.

**Maintenance**

**36.**—(1) A customer's installation must be maintained in accordance with standard practice and in full compliance with all applicable laws in force in Saint Lucia.

- (2) A customer is responsible for the customer's installation.

**Protection**

**37.** A customer is responsible for the protection of all equipment connected to the electricity service after the point of delivery.

**Multi-family dwellings**

**38.**—(1) In multi-family dwellings, each occupant must have access to the means of disconnection of the electricity service for that occupant and to every over current device protecting the conductors supplying that occupancy.

- (2) Where the network licensee provides over current protection for its own equipment in a locked enclosure, the customer is required to provide additional over current devices that are readily accessible.

**Change of customer's installation**

**39.**—(1) A change in the customer's installation, which will materially affect the operation of any portion of the network licensee's network, shall not be made without written consent of the network licensee.

- (2) Subject to regulation 32(1) (a), a customer may be liable for any damage to the network licensee or any other customer's equipment or electricity service resulting from a change in the customer's installation and for the network licensee's charges for any repairs to the customer's installation.

*Electricity (Customer Code) Regulations***Customer's earthing point**

**40.**—(1) There shall only be one earthing point for each installation which must be as near as possible to the service entrance switch.

(2) The network licensee shall connect the neutral pole of the service entrance switch to —

- (a) the neutral pole of the service entrance conductors; and
- (b) a ground rod or other approved earthing electrode supplied by the network licensee, and the neutral pole of the service entrance conductors must be identified in accordance with the Electricity (Wiring) Regulations.

(3) Where an earthed neutral service is rendered by the network licensee, the customer is required to identify and connect to the service neutral one conductor of each branch circuit and identification of branch circuit neutrals shall be by means of the blue covering.

**Power factor correction**

**41.** When a customer's utilization equipment has characteristics that produce low power factor, the network licensee reserves the right to require the customer to install suitable equipment so that the resultant power factor of the installation as a whole, at the time of maximum demand is not less than eighty-five per cent lagging.

**Electric generators and other sources of power**

**42.**—(1) A customer shall not, unless with the prior approval of the network licensee, connect any generator or any other source of electric power before the point of the customer's connection to the network licensee's facilities viewing from the customer end.

(2) A customer is liable to the network licensee for any and all claims, costs, losses and damages arising out of any such improper and unauthorized connection of a generator or other source of power with the network licensee's facilities.

**Hazardous areas**

**43.** Service entrance equipment, including switches, meters and fuse boxes, must not be permitted in hazardous areas, unless strict

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compliance to the standards prescribed under BS7671 are for that purpose met and the location is approved by the Chief Electrical Engineer.

**PART IV  
NETWORK LICENSEE'S INSTALLATIONS**

**Protection of network licensee's property**

**44.** A customer shall protect the network licensee's property on the customer's premises and shall not knowingly or intentionally permit a person other than the network licensee's agents, or persons authorized by law, to have access to the network licensee's wiring, meters, and apparatus.

**Damage to network licensee's property**

**45.** In the event of any loss or damage to property of the network licensee caused by or arising out of carelessness, neglect or misuse by the customer, the customer is liable to pay the cost of making good such loss or repairing such damage.

**Relocation of network licensee's facilities**

**46.—**(1) When there is a change in the customer's operation or construction which, in the judgment of the network licensee, makes the relocation of the network licensee's facilities necessary, or if such relocation is required by the customer, the network licensee shall —

- (a) on an application being made by the customer in the form approved by the Commission;
  - (b) in the timeframe specified in the Electricity (Network Performance Standards) Regulations move such facilities at the customer's expense to a location which is acceptable to the network licensee.
- (2) A customer shall not remove any facilities of the network licensee.

*Electricity (Customer Code) Regulations***Attachments to network licensee's facilities**

**47.**—(1) The network licensee, on application in writing, may authorize attachments to its poles by a licensed electrician in the interest of public service.

(2) A person shall not place on or near the network licensee's installations any equipment or other things so as to cause, or be likely to cause, damage to the authorized network system, interference with the electricity service to the customer or others, or a dangerous condition.

(3) A person who contravenes subregulation (2) is liable for any resulting damage.

(4) The network licensee may remove the equipment or other thing referred to in subregulation (2) without notice.

**Tree trimming**

**48.**—(1) The network licensee may trim, and where necessary, cut trees on premises of a customer that are likely to threaten the electricity service to any customer.

(2) A customer shall not trim or fell trees that are too close to power lines unless the customer receives approval from the network licensee.

(3) Where the network licensee has trimmed the trees that threatens the electricity service to a customer, the network licensee shall advise the customer in writing of actions, if any, that the customer must take to maintain the necessary clearances between the trees and the power lines to avoid future encroachments and the customer shall comply with such requirements.

**PART V  
BILLING****Meter readings**

**49.**—(1) The network licensee shall read each meter on a continuous basis and each meter shall be read on approximately the same date each month or other regular period as may be agreed with the customer.



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(2) The network licensee shall show the actual reading date and the previous reading date on the bill.

(3) The network licensee shall ensure that accurate meter readings are obtained and a customer shall ensure that the network licensee has ready access to the meter.

(4) Where the network licensee finds it impossible to read the meter or to gain access to the meter, an estimated reading will be entered and an estimated bill rendered.

(5) Any estimate made is based on previous consumption and, as an electric meter registers on a cumulative basis, any discrepancy will automatically be corrected when the next actual reading is taken.

**Regular bill**

**50.**—(1) Regular bills for an electricity service shall be rendered by the network licensee monthly.

(2) A bill is due when invoiced.

(3) The network licensee shall hand deliver, post or email or other means agreed to by the customer submit a bill to a customer at the service address or some other mutually agreed on address or email address.

**Prorated bill**

**51.** A bill may be prorated if the billing period is for more or less than a full month.

**Meter and bill for each point of delivery**

**52.**—(1) The network licensee shall establish one point of delivery for each customer and calculate the bill for service measured by a single meter for each point of delivery.

(2) Two or more points of delivery are considered as separate services and bills and must be separately calculated for each point of delivery.

*Electricity (Customer Code) Regulations***Non-receipt of bills**

**53.** Non-receipt of a bill by a customer does not release or reduce the obligation of the customer to pay the bill.

**Evidence of consumption**

**54.** When electricity used is measured by a meter, the network licensee's accounts setting out the charges based on the meter measurement, is accepted as final and binding and may be used in any legal proceedings or other proceedings to establish the quantity of electricity used by the customer, unless it is established that the meter is not accurate within the prescribed limits.

**PART VI  
PAYMENT OF ACCOUNT**

**Payment options**

**55.** A customer shall pay its accounts through any of the network licensee's offered payment options.

**Non-payment of electricity charges**

**56.—**(1) Subject to section 32 of the Act and to this regulation, where a customer defaults with respect to a payment due to a network licensee for an electricity service, the network licensee may suspend the electricity service to the customer until such time as such payment and reconnection fees are paid.

(2) A network licensee may not suspend an electricity service unless the customer —

- (a) is given not less than fifteen days previous notice in writing, by email or other form agreed with the customer by the network licensee of its intention to do so; and
- (b) has not during the period of notice required under paragraph (a) paid all sums due by the customer to the network licensee.

*Electricity (Customer Code) Regulations***Use of security**

**57.**—(1) A network licensee may draw on the security, including any accrued interest for settlement of a bill and interest immediately begins to accrue on any remaining unpaid balance at the prevailing banking rate set by the Eastern Caribbean Central Bank for a regular savings account until the customer's account is paid in full.

(2) A customer shall replace the security to the same extent as previously required by the network licensee or in such greater amount as the network licensee, in view of any delinquency electricity theft or meter tampering in payment of the invoice, may reasonably require by notice to the customer.

(3) Where a customer fails to comply with a notice served on him or her by the network licensee or to replace the security as required under this regulation, or such security otherwise becomes invalid or insufficient, the network licensee may, subject to section 32 of the Act, discontinue the supply of the electricity service to the customer for so long as it is not furnished with sufficient security by the customer.

**New occupier not responsible**

**58.** Where an occupier of any premises quits the premises without paying any amount due to the network licensee in respect of charges for electricity or any other charges, the network licensee shall not require from the next occupier of the premises the payment of the amount due, unless that occupier has undertaken with the former occupier to pay that amount or exonerate the former occupier for the payment of that amount.

**Reconnection**

**59.**—(1) Where the network licensee in accordance with regulation 56 suspends the electricity service to a customer, the network licensee must reconnect the electricity service to the customer within twenty-four hours after the arrears, and reconnection fee and any required deposit have been paid to the network licensee; but where the day for reconnection falls on a Sunday or a public holiday, the reconnection must be effected on the next working day.

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(2) This regulation does not affect the right of the deposit to continue to bear interest, and the customer's right to payment of the deposit, in accordance with these Regulations.

**PART VII  
METERS**

**Metering generally**

**60.**—(1) The supply of an electricity service to a customer by a network licensee must be recorded by a meter supplied and maintained by the network licensee, the meter being certified in accordance with this Part.

(2) The network licensee may use as a meter any apparatus the network licensee thinks fit for the purpose of ascertaining or regulating —

- (a) the amount of electricity supplied to the customer;
- (b) the number of hours during which the supply is given;
- (c) the maximum amount of electricity taken or used by the customer; or
- (d) any other quantity or time connected with the supply.

(3) Where an electricity service is supplied through a meter under subregulation (1), the information obtained from the meter is evidence of the quantity or time connected with the supply unless there is evidence to the contrary.

**Location of meters and service equipment**

**61.**—(1) A meter, other than a meter in place on the date of commencement of these Regulations, in accordance with section 32(1) (d) of the Act must be fixed on the premises of a customer on the exterior of any building or structure or other exterior location.

(2) A meter in place on the date of commencement of these Regulations may be relocated by the network licensee in accordance with subregulation (1).

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(3) A customer shall allot to the network licensee a place in which to install the meter service entrance equipment that is acceptable to the network licensee.

(4) The meter and services switch, or circuit breaker must be located in a readily accessible location and as close as practical to the point where the service conductors enter the building and in a location suitable for accessing the meter, so that the visits of the network licensee's agents and employees will cause the minimum inconvenience to the customer and the network licensee.

(5) A meter may be located outside or inside the buildings.

(6) A meter and other service entrance equipment must not be located in places that are confined space access such as access only through trapdoors or are otherwise inaccessible.

(7) A meter and other service entrance equipment may not be located in any place that the network licensee considers hazardous must be placed in a location agreed on by the network licensee and the customer.

(8) A customer shall keep the location of the meter and other service entrance equipment clear of obstructions at all times in order that the meter may be accessed.

**Metering expenses**

**62.—**(1) The network licensee shall, at its expense, keep all meters supplied by the network licensee for the purpose of determining the consumption of electricity by any customer in proper order for correctly registering the consumption by means of inspections and testing at such intervals as the network licensee considers reasonable or as requested by any customer.

(2) Except as otherwise provided in these Regulations or the Act, the expenses of, and incidental to, the removal, testing, inspection or replacement of a meter incurred by the network licensee in pursuance of this regulation shall be borne by the network licensee.

(3) Without prejudice to the network licensee's rights under these Regulations, where metering expenses are incurred by the network licensee by reason of any act or omission of the customer, the network

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licensee may recover the reasonable amount of such expenses from the customer by deducting such amount from the security provided by the customer on ten days' written notice to the customer or may at its option include the expenses in its monthly invoice to the customer.

(4) Where a customer notifies the network licensee in writing on receiving a notice or invoice under subregulation (3), that the customer disagrees with being liable for such amount, the network licensee may obtain a civil judgement on which to collect the debt.

**Certification of meters**

**63.—**(1) A meter is certified if it is certified by the Saint Lucia Bureau of Standards to be a meter capable of determining the consumption of electricity within reasonable limits of error as a standard meter.

(2) Where an alteration is made in a certified meter, the meter ceases to be a certified meter unless it is again certified under this regulation.

(3) The network licensee shall provide and maintain in proper condition apparatus approved by the Saint Lucia Bureau of Standards for examining, testing and regulating meters used, or intended to be used, in connection with the supply of electricity by the network licensee, including sealed and standard certified meters.

(4) The network licensee shall afford to the Saint Lucia Bureau of Standards all necessary facilities for the use of the apparatus referred to in subregulation (3) for the purpose of exercise and performance of his or her powers and duties under the Act in relation to such meters.

**Setting and removing meters**

**64.—**(1) An authorized agent of the network licensee or a person authorized in writing by the network licensee shall connect, set or remove, turn on or turn off, or make any changes which will affect the accuracy of a meter.

(2) A meter shall be sealed by the network licensee.

(3) A customer installation must be separately metered.

(4) Where two or more meter installations are made in one building, such as an office building or multiple dwelling units, the

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meter installations must be grouped in one location so as to be readily accessible.

(5) In the case of six or more meters, a main switch is required to independently control power to each bank of six meters.

(6) Where meters are grouped together and prior to meter installation, the customer has the responsibility to mark the meter box inside and outside indicating the respective installation for each meter.

(7) The network licensee shall not install and energize the meter until the proper marking is done and approval of the Chief Electrical Engineer is given to the network licensee.

(8) The network licensee shall install and energize the meter within five working days after approval by the Chief Electrical Engineer.

**New or change of service**

**65.** During the installation of a new electricity service or a change of an electricity service, in one location, only one meter is allowed to be used at a time on one account.

**Tampering**

**66.** Where a customer tampers with or makes unauthorized connections to the network licensee's meter, or meter seals or locks or any other property of the network licensee or indications or evidence, the customer shall, in addition to any liability under section 45 of the Act, be liable to discontinuance of the electricity service, adjustment of prior bills for services rendered and reimbursement to the network licensee for all extra expenses, including repairs, as is appropriate in the circumstances.

**Meter tests**

**67.—(1)** A network licensee shall employ practicable means to maintain the accuracy of its meters.

(2) A meter test under subregulation (3) and a billing adjustment for an inaccurate meter must be in accordance with the methods, procedures and calibration of the industry and the manufacturer of the equipment.

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(3) A network licensee shall test a customer's meter against a standard meter certified by the Saint Lucia Bureau of Standards.

(4) The network licensee shall notify the Saint Lucia Bureau of Standards and may, on notice to the network licensee, supervise any test carried out pursuant to this regulation.

(5) A test conducted by the network licensee in response to a customer request may be subject to such fee as may be charged by the network licensee with the approval of the Commission.

**Faulty meter**

**68.**—(1) Where a meter is found, when tested by a network licensee under regulation 67, to register erroneously by comparison with the standard meter —

- (a) the meter is considered to have registered erroneously to the degree so found since the date which falls not more than six months before the date of the test, unless it is proved to have begun to register erroneously on a later date; or
- (b) the test result is conclusive evidence of the accuracy of the meter.

(2) Where the result of a test under subregulation (1) shows that the meter is registering more than three per cent above or below the registration on the standard meter, the network licensee shall replace the meter and refund to the customer the amount of any fee paid for the test by the customer.

(3) Where a meter through no fault of the customer fails to record within the margin of error allowed by subregulation (2), the consumption of electricity by a customer, the network licensee shall, on the written request of the customer, examine the accounts of the customer and from such examination compute the average monthly sum charged to that customer over the period referred to in subregulation (1)(a), and the network licensee may charge or credit as the case may be, the account of such customer at a rate not exceeding such average monthly charge.



*Electricity (Customer Code) Regulations***Failure of meter**

**69.** When a meter has failed, or part or all of the metering equipment is destroyed, billing will be estimated based on the results of check metering equipment or other available data.

**Large load installations metering**

**70.**—(1) Where the load on the customer's installation is in excess of the amount which can be metered through a self-contained meter the network licensee shall furnish, install and maintain the necessary current transformers which shall sense and communicate the load to the meter.

(2) The current transformers externally sense and communicate the load to a meter.

(3) A customer shall arrange to furnish a suitable location and space for the current transformers.

**Demand metering at high voltage**

**71.**—(1) An electricity service at high voltage is subject to special negotiations and agreement between a customer and the network licensee.

(2) A customer shall consult the network licensee no less than six months before negotiations and agreement under subregulation (1) for the design and construction work required for an electricity service at high voltage to be properly coordinated and equipment can be acquired and made available.

**PART VIII**  
**ELECTRIC LINES, OTHER WORKS AND APPARATUS**

**Inspecting and testing of network licensee's lines and apparatus before connecting to a system**

**72.**—(1) Electric lines and apparatus of the network licensee for use at low voltage, medium voltage or high voltage must not be connected to a system for the purpose of the supply of electricity unless the electric lines and apparatus are inspected, tested and approved by the Chief Electrical Engineer or a person authorized by the Chief Electrical Engineer for the purpose.

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(2) The tests required for the electric lines and apparatus under subregulation (1) must be tests the network licensee may, with the approval of the Chief Electrical Engineer, adopt.

**Notice of intention to erect**

**73.** A network licensee shall notify the Chief Electrical Engineer in writing of the intention to erect, extend or alter any of the electric lines or apparatus.

**Materials to be used for line conductors**

**74.—**(1) All materials used, to the specifications of the Standards Act, shall at the time of erection conform except as may be otherwise approved by the Chief Electrical Engineer.

(2) Line conductors must be of copper, aluminum, galvanized steel or such other materials as may be approved by the Chief Electrical Engineer.

(3) All line conductors at the time of erection must comply, as regards elongation, breaking load and elasticity, with the Standards Act or British Engineering Standards Specification then in force.

(4) The minimum permissible size for line conductors must have an actual breaking load of not less than five hundred and fifty pounds, the equivalent cross-sectional area for copper being 0.0085 square inch (No. 12 SWG), three hundred pounds. the equivalent cross-sectional area .005 square inch (No. 14 SWG) where the wires are covered with weather proof insulating material to be used in the makings of stranded conductors only.

**Inaccessibility of line conductors**

**75.—**(1) Line conductors, other than those fully insulated for the voltage at which they are to operate, and neutral conductors connected with earth, must be made inaccessible to any person from any building or other place without the use of a ladder or other special appliance.

(2) Consideration must be given to the normal use by the occupier of any premises or land, including maintenance work on the outside of buildings, and where necessary, the position of the line conductors must be selected to provide sufficient clearance for safety in accordance with such use.

*Electricity (Customer Code) Regulations***Connection of service lines**

**76.**—(1) A service line must be connected to line conductor at a point of support only and must be fixed to insulators on customers' premises.

(2) Every part of a service line, other than a neutral conductor connected with earth, which is accessible from a building with or without the use of a ladder or other special appliance, shall be efficiently protected by weather proof insulating material or by other means approved by the Chief Electrical Engineer.

**Liability of network licensee**

**77.** The network licensee is responsible for all electric lines apparatus placed by the network licensee on the premises of a customer belonging to the network licensee or under the control of the network licensee, whether forming the whole or part of the customers' installation or not, being installed and maintained in a safe condition, such lines and apparatus being of sufficient size and power and being so fixed and protected as to eliminate danger so far as reasonably practicable.

**Extraordinary inspections**

**78.** The Chief Electrical Engineer shall carry out inspections at the request of the Commissioner of Police, Chief Fire Officer, the network licensee, the occupier or owner, as the case may be, for the purposes of determining whether all such installations meet the requirements of safety from personal injury, fire or otherwise to the satisfaction of the Chief Electrical Engineer and in accordance with the requirements of these Regulations.

**Minimum height of conductor**

**79.**—(1) The height from the ground of any line conductor other than a service line, earth wire, or auxiliary conductor at any point of the span at a temperature of one hundred and twenty-two fahrenheit, shall not, except with the consent of the Chief Electrical Engineer, be less than the height appropriate to the voltage and situations specified in the Schedule.

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**Supports for line conductors**

**80.**—(1) Line conductors must be attached to insulators suitable for the voltage at which they operate and must be carried on supports of wood, steel or reinforced concrete poles.

(2) Where steel poles are used for the purposes of subregulation (1), special precautions must be taken to prevent the corrosion of all metal work at and below the surface of the ground.

(3) Wooden poles must be of wallaba or other woods which may be approved for tropical pole line construction, and must be given suitable preservative treatment for such use.

(4) The preservative treatment required in the case of wallaba poles under subregulation (3) must be treatment of a creosote and tar mixture or other treatment which may be approved by the Chief Electrical Engineer.

(5) For the design of such wooden poles British Standard 1990: 1953 applies, the wallaba being taken as equivalent to European larch.

(6) Poles for the purposes of this regulation, when the conductors supported by them are subjected to the wind-loads specified in these Regulations must be designed to have the following factors of safety —

- (a) for steel poles           —           —           factor of safety: 2.5
- (b) for reinforced, concrete poles —           factor of safety: 3.5
- (c) for wooden poles       —           —           factor of safety: 3.5.

(7) Cross arms must be of galvanized steel, English oak, greenheart, or approved domestic hardwoods and when the conductors supported by them are subjected to the wind-loads specified in these Regulations, the factor of safety is —

- (a) For galvanized steel                   3
- (b) For wooden cross arms               4.

(8) The supports, in conjunction with stays or struts must withstand the longitudinal, transverse and vertical loads and wind pressure of the designed load without damage or movement in the ground.

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(9) The strength of a support in the direction of the overhead line must not be less than one quarter the required strength in a direction transverse to the line.

**Tension of conductors**

**81.** The maximum tension of any line or service conductor at sixty degrees fahrenheit and subject to a wind exerting a transverse pressure equivalent to sixteen pounds per square foot based on the effect of wind of a recorded velocity of seventy miles per hour acting on the bare conductors and calculated on the whole of the projected area must not exceed its breaking load divided by two for low voltage, medium voltage and service lines, or its breaking load divided by two point five for high voltage lines.

**Erection of line conductors at different voltages on same support**

**82.** Where conductors forming parts of systems at different voltages are erected on the same poles or supports, adequate provision shall be made to guard against danger to linespersons and from the lower voltage system being charged above its normal voltage by leakage from or contact with the higher voltage system and shall be constructed as follows —

- (a) where high voltage transmission lines and low and medium voltage distribution lines are carried on the same poles, the high voltage lines shall be above the low and medium voltage lines, and the vertical distance between the lowermost high voltage line and the uppermost low voltage line shall not be less than three feet;
- (b) where low and medium voltage distribution lines are erected in vertical formation and high voltage lines are not supported on the same poles, the neutral conductor shall be erected in the lowermost position;
- (c) where low and medium voltage distribution lines cross telephone lines the distribution lines shall have a minimum clearance of three feet or above the telephone lines and shall have the conductors in vertical formation with the earthed neutral conductor, or the earthed guard wire erected in the lowermost position.

*Electricity (Customer Code) Regulations***Standard of construction of high voltage transmission lines**

**83.**—(1) The standard of construction of lines must not be lower than that specified in No. 1320 of 1946 issued by the British Standard Institution except as prescribed in paragraph (2) of this regulation.

(2) Spans greater than those enumerated in Tables 3 and 4, British Standard 1320 of 1946 may be used, provided the conductor spacing is appropriately increased to avoid the danger of the wires swinging together and provided the conductors, insulators, cross arms, poles and other appurtenances of the line are designed to provide the same factors of safety as those specified in British Standard 1320 of 1946.

**Network licensee may transform and control energy at high voltage**

**84.**—(1) A network licensee may transform or convert high voltage energy in an outdoor and indoor substation or switch station above ground only.

(2) Indoor sub-stations and switching stations shall be designed in accordance with international standards which are adopted by the network licensee and approved by the Commission.

**Outdoor substation**

**85.**—(1) Where an outdoor substation and switching apparatus or station are so constructed that there are no high voltage connections or other live parts less than fifteen feet above ground level, no enclosures or other protection is required.

(2) Where a substation and switch station are so constructed that all high voltage and low voltage connections are totally enclosed in a metal casing connected with earth, the apparatus referred to in subregulation (1) being connected with earth, the apparatus being connected with the system by armoured electric lines, further enclosure or other protection is not required.

(3) Where an outdoor substation and switch station are so constructed that all high voltage and insulated medium and low voltage connections are less than fifteen feet from the ground, the substation and switch station must be enclosed with a barbed wire fence not less than five feet in height having not less than ten strands so as to inhibit

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access to the electric lines and apparatus by an unauthorized person.

(4) The fence under subregulation (3) must be so positioned that the horizontal distance from a high voltage connection or a low or medium voltage conductor to the fence is not less than six feet.

(5) Where a high voltage connection or low or medium voltage uninsulated conductor is situated less than six feet measured horizontally from the fence under subregulation (3), that part of the fence must not be constructed of two inch mesh chain-link fencing and be not less than eight feet high.

(6) Entry to enclosures surrounding a substation and switch station must be through a padlocked gate and permitted only to an authorized person.

(7) The gate under subregulation (6) must be so positioned, protected and arranged that when opened it is not possible for the person opening the gate to come into accidental contact with any metal electrically charged.

(8) A metallic part of fencing and enclosures around a substation and switch station must be bonded together and efficiently earthed.

(9) A danger notice of the size and colour specified in the appropriate British Standard Specification, must be affixed in prominent positions to a substation.

**Means to render high voltage lines dead due to breakage**

**86.** A high voltage line must be protected by suitable fusible cut-outs or circuit breakers so rated that they will disconnect the line from the source of supply should the conductor break and fall to the ground.

**Switching and fusing of substation**

**87.—**(1) An outdoor transformer substation must be provided with means for disconnecting of the high voltage lines from the transformers, switches, insulators or isolating fuses, and these means must be operated with an appropriate operating pole from outside the enclosure.

(2) When the isolators are opened there must be no live high voltage connection nearer than nine feet to any platform on which the authorized person may stand.

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(3) Where a portable ladder is used for the purpose of operating, special means must be provided to secure the ladder in position and the arrangements must be such that there is no danger to an authorized person when operating.

(4) In the case of branch high voltage lines feeding single-phased or phase or neutral transformers mounted on poles so that a high voltage connection is not less than fifteen feet from the ground, it is sufficient for the line to such transformers to be controlled by an isolating fuse at the point of tee-off from the main transmission line.

(5) A person shall not insert a fuse, switch or isolator in the neutral conductor or a phase or neutral line.

**Earthing**

**88.**—(1) The neutral connection to transformers on a phase-neutral system may be made through a non-insulated conductor connected to the earthed star point of the nearest three phase main substation, or, where a good earth is available, by connection to earth at the transformer.

(2) Where a phase-neutral transformer has one side of the high voltage connection made through an earth connection at the transformer, this earth connection must be insulated from the earth connection to the transformer case and pole metal work, and the neutral earth plate or rod shall be separated by not less than fifteen feet from the other earth plate or rod.

(3) The transformer and tank must always be efficiently earthed.

(4) Earth rods or plates must be of copper, galvanized iron, or other non-corrosive material and the design and construction of the earth rod or earth plates must be such that, when contact is made between a line conductor and metal connected with earth, the resulting leakage current must not be less than twice the leakage current required to operate the devices, circuit breakers or fuses, which make the line dead.

(5) Earth electrodes must be so installed as to eliminate danger from voltage gradients at ground level.

(6) Where steel poles are used the steel poles must be efficiently bonded to all other metal work, except the conductors, on the poles,



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and must be effectively earthed, preferably by running a continuous earth wire bonded to each pole and earthed at every fifth pole.

(7) Stay wires attached to earth steel poles must be bonded to the earth steel poles and not have an insulator interposed in the stay.

(8) The metal work on wooden poles must not be bonded or earthed, except where switch gear, other than isolators or fuses operated by an insulated pole, or transformers are mounted on the pole and stay wires attached to wooden poles having an unearthed metal work must have an insulator interposed at a height of not less than ten feet off the ground.

(9) Wooden poles having switch gear, other than isolators or fuses operated by an insulated operating pole, or transformers mounted on the wooden poles must have all metal work bonded and earthed at the pole and if the neutral conductor is earthed at the same pole the neutral earth wire must be insulated from the metal work bonding an earth wire end earth plate or rod, and the latter must be separated by a distance of not less than ten feet from the neutral earth rod or plate.

(10) Where the metal work or a wooden pole is bonded and earthed, any stay attached to that pole must be bonded to the metal work and shall not have an insulator interposed in it.

(11) Earth wires must be insulated or covered with a wooden capping from ground level to a spot ten feet above ground level.

(12) Earth connections must be inspected and tested regularly and the results of such tests must be recorded in a book kept for this purpose, and the book must be made available at all times to the Chief Electrical Engineer for the purpose of checking that this regulation is being carried out.

(13) Medium voltage and low voltage systems must have a neutral conductor connected to a neutral brought out from the low tension side of the transformer and this neutral must be solidly earthed at or adjacent to the transformer substation.

**Protection against excess energy**

**89.**—(1) A circuit of the network licensee, other than service lines from distributing mains, must be protected against excess current and energy by a suitable fusible cut-out or automatic circuit breaker of adequate rupturing capacity.

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(2) A fusible cut-out or circuit breaker shall not be inserted in any conductor permanently connected with earth.

**Protection of customers' installations against excess energy**

**90.**—(1) The network licensee shall insert a fusible cut out or automatic breaker in every service line as close as practicable to the supply terminals and in a position which in the opinion of the Chief Electrical Engineer is suitable for the purpose.

(2) In no case shall any fuse or circuit breaker be inserted in a neutral conductor.

**Safety precautions**

**91.** The network licensee shall during and in connection with the installation, extension, replacement, operation and maintenance of any of their works, observe all recognized safety practices and methods and shall take all reasonable precautions to avoid danger to the public or to any employee or authorized person.

**Voltage and frequency of electricity**

**92.**—(1) The voltage of electricity supplied by a network licensee for domestic or lighting purposes shall be two hundred and thirty volts and this shall be maintained by the network licensee within plus four per cent and minus eight per cent measured at the customers' terminals of such voltage.

(2) The frequency of electricity supplied by a network licensee for any purpose shall be fifty cycles per second or Hertz and this shall be maintained within plus and minus three per cent of such frequency.

(3) A network licensee may be required to pay compensation for damage to equipment if the supplied voltage is outside of the range in subregulation (2).

(4) Subject to subregulation (4), the system of distribution of electricity must be three phase four wire for four hundred and fifteen volts between lines and two hundred and thirty volts between line and neutral, single phase three wire for four hundred and eighty volts between lines and two hundred and thirty volts between lines and neutral, the neutral in each case being earthed, or single phase two

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wire for zero volts between lines with one line earth and designated the neutral, all or any of such systems to be used, the choice in any particular case being by a network licensee according to load conditions and the most economical method of supply.

(5) A customer may by agreement with the network licensee be supplied with electricity at a voltage in excess of four hundred and eighty volts and step this down in his or her own transformers to any voltage approved by the Chief Electrical Engineer.

**Maintenance of adequate generating capacity**

**93.**—(1) A network licensee shall use reasonable efforts to ensure that sufficient generating capacity is maintained at all its power stations in order that peak demand may be met, assuming that the two largest generating units are unavailable for generating electricity.

(2) In this regulation, “peak demand” means the highest demand for electrical energy in any continuous half-hour period in any given year.

**Accidents to be reported by network licensee to Chief Electrical Engineer**

**94.**—(1) A network licensee shall, by notification, inform the Chief Electrical Engineer of any accident of such kind as to have caused, or likely to have caused, loss of life, personal injury, or damage to property which has occurred in any part of the works or circuits of the network licensee.

(2) A notification under subregulation (1) must be given to the Chief Electrical Engineer within twenty-four hours after the accident occurs.

**Power to inspect and test the network licensee’s works**

**95.**—(1) The Chief Electrical Engineer or a person authorized by the Chief Electrical Engineer may at all reasonable times —

- (a) inspect, examine and test a network licensee’s works;  
and
- (b) examine and take records of the readings of any instruments.

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(2) A network licensee shall afford all due facilities for the inspections, examinations and tests under subregulation (1).

**PART IX  
MISCELLANEOUS**

**Breach**

**96.**—(1) Where a provision of these Regulations is breached by a network licensee, section 42 and other provisions of the Act relating to breach apply to the breach.

(2) A customer who breaches Regulations is be liable to a fine not exceeding five thousand dollars and a term of imprisonment not exceeding six months.

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**SCHEDULE**

(Regulation 79(1))

<i>System voltage between line conductors</i>	<i>Over roads</i>	<i>By-ways etc.</i>	<i>In position inaccessible to vehicular traffic</i>
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Over two hundred and twelve volts but not exceeding six hundred and fifty volts.....	18 ft.	16 ft.	15 ft.
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Over six hundred and fifty volts but not exceeding fourteen thousand volts.....	22ft.	18ft.	15ft.
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(2) For service lines the height from the ground shall not, except with the consent of the Chief Electrical Engineer, be less than that of lines carrying between two hundred and twelve volts and six hundred and fifty volts.

Made this .....day of ....., 2022.

.....  
Minister responsible for public utilities.