

**BRITISH VIRGIN ISLANDS
ELECTRICITY CORPORATION**

BY-LAWS

BY-LAWS
Made under section 33
of
THE ELECTRICITY CORPORATION ORDINANCE
(No. 7 of 1978)

ARRANGEMENT BY-LAWS

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Supply of
electricity.

Services an
extensions

In exercise of the powers vested in it by section 33 of the Electricity Corporation Ordinance, the British Virgin Islands Electricity Corporation with the approval of the Minister hereby makes the following By-Laws:

Citation.

1. These By-Laws may be cited as the British Virgin Islands Electricity Corporation By-Laws.

Interpretation.

2. In these By-Laws unless the context requires otherwise:

"Area of Supply" means all islands in the British Virgin Islands Territory in which the British Virgin Islands Electricity Corporation presently or in the future shall provide electricity supply;

"Corporation" means the British Virgin Islands Electricity Corporation;

"Regulations" means the Electricity Corporation Regulations;

"Electrical Code" means the latest published edition of the National Electrical Code as published by the National Fire Protection Association of Boston, Massachusetts, U.S.A.;

"Inspector" means the Government Electrical Inspector within the meaning of section 32 of the Ordinance;

"Unit" means one kilowatt hour of electrical energy;

"Consumer" means any person, group of persons, partnership, firm or company receiving or desirous of receiving electricity supply from the Corporation;

"Electrician" has the meaning assigned to it by section 2 of the Ordinance.

Maintenance

Supply of
electricity.

3. Electricity shall be supplied by the Corporation within the Area of Supply to all applicants for the same who agree to pay the prescribed rates and charges and to comply with the terms and conditions fixed by the Corporation.

Services and
extensions.

4. (1) Any Consumer who makes application for an overhead service that can be taken from existing and available overhead mains supply lines shall be required to pay to the Corporation in advance the full cost of providing such service up to the meter location at the Consumer's premises.

(2) Applications for overhead service where extension to the overhead mains supply lines is necessary will be considered and treated as follows:

- (a) where the extension is required to pass over private property the Consumer shall pay to the Corporation in advance the full cost of the extension; and
- (b) where one or more Consumers require an extension that passes along a public roadway and the anticipated revenue is estimated by the Corporation to provide an adequate return on capital outlay, the Corporation may, in its sole discretion, provide a part or all of the cost of the extension, subject also to availability of Corporation capital for this purpose at the time; and subject to paragraph (1), the Consumer shall pay the full cost of such extension.

(3) Where underground services are required, the applicant shall pay in advance the entire cost of providing the service.

(4) All services and extensions shall be constructed by the Corporation, except where the Corporation deems it necessary for such work to be performed under contract.

(5) Where overhead services are installed the Corporation shall determine the point of attachment to the Consumer's premises and the location of the Corporation's meter; but if the Consumer requests the Corporation to place the service or the meter in a specific position and no technical objection exists to the alternative position the service may be so installed if the whole of any additional cost is paid by the Consumer.

Maintenance.

5. Normal maintenance of services and extensions installed under these By-Laws shall be carried out by the Corporation except that repairs arising out of willful damage or negligence by the Consumer or by third parties shall not be undertaken at the Corporation's expense.

Subsequent connections.

6. (1) The Corporation may connect the service of any subsequent Consumer to any extension installed under these By-Laws when the connection can be effected without any impairment to the supply.

(2) Subject to paragraph (3), where the Corporation's mains are extended at the expense of an individual Consumer for his own personal use and that extension is used to supply an additional Consumer, the Corporation shall refund to the original Consumer up to one-half of the amount paid by him for the extension, if the new connection is made within a period of five years from the date of the original payment.

(3) No further refund will be paid in respect of any other additional connections made.

Nuisance.

7. It is the Consumer's responsibility to keep trees and other growth on his property clear of overhead line conductors and service conductors supplying his premises and where a Consumer fails in the opinion of the Corporation adequately to clear the growth, the Corporation may enter upon the Consumer's property to effect clearance at the Consumer's expense or to disconnect such service from the mains.

Replacements.

8. (1) Where, by reason of

(a) a Consumer's request, the Corporation is required to replace a Consumer's fuse or fuses, or

(b) a fault on the Consumer's premises the Corporation is required to replace its main fuse or fuses.

Third Schedule.

a charge is payable by the consumer at the rate contained in the Third Schedule.

(2) Where calls of a repetitious nature arise and the Corporation has reason to believe that an unsafe or dangerous situation may exist in the Consumer's electrical installation it may refuse to effect replacement of fuses and forthwith disconnect the supply from the premises.

(3) The Corporation shall be responsible to supply lines up to and including main fuses only.

(4) The Corporation reserves the right to refuse to attend private calls not the responsibility of the Corporation and not of an urgent nature.

Special Charges.

9. A charge at the rate contained in the Third Schedule may be made by the Corporation for

Third Schedule.

(a) the taking of a special meter reading at the request of the Consumer, or

- (b) turning on or turning off the supply of electricity at the request of the Consumer.

Applications for new supply of electricity. 10. (1) Application for the supply of electricity must be made in writing in the form contained in the First Schedule.

First Schedule.

(2) Applications may be made in respect of

- (a) new installations;
- (b) existing installations; or
- (c) additions or modifications to existing installations.

(3) Except in the case of existing installations applications for supply of electricity shall be accompanied by the specifications called for to be provided in the Regulations.

(4) The Corporation will require two copies of the specification, one of which will be returned to the Consumer or his wiring contractor when the specification is approved.

(5) Upon completion of the work in accordance with the specification and the Regulations and its satisfactory inspection and test by the Inspector, the Corporation will, upon receipt of the Inspector's certificate and, subject to all prescribed payments having been made by the Consumer, make connection.

(6) Connection for provision of a supply of electricity shall in all cases be subject to acceptance by the Corporation of the installation and to the completion of a Supply Agreement between the Consumer and the Corporation as set out in the Second Schedule.

Second
Schedule.

(7) The Corporation may, at its sole discretion, require the Consumer to pay a deposit equivalent to the estimated cost of two months consumption of electricity as estimated by the Corporation together with a sum to cover the proper care and maintenance of meters and other fixtures installed by the Corporation on the Consumer's property, before connection is made.

(8) Deposit will be held by the Corporation throughout the existence of the Agreement between the Consumer and the Corporation and shall be returnable only to the Consumer upon termination of the Agreement and settlement by the Consumer of all amounts due for

- (a) electricity supplied; and
- (b) for other charges due for to the Corporation at the date of expiration of the agreement.

Applications where there was previous supply.

11. (1) Applications for supply of electricity in respect of premises that have previously been connected must be made in the manner prescribed under By-Law 10; except that

(a) no specification is required if the installation in the premises has been carried out in accordance with the Regulations and has not deteriorated beyond the limits considered safe by the Inspector and the Corporation, and

(b) paragraph (6) of By-Law 10 also applies to the existing installations.

(2) Additions to existing installations shall be treated as new installations.

Expediency.

12. The Corporation will use its best endeavours to provide a supply of electricity within thirty days of receipt of an application properly made and completed in accordance with the above provisions but failure to do so within that time for good cause does not incur any liability on the part of the Corporation.

Rates & charges. Third Schedule.

13. The rates and charges for electricity supplied by the Corporation shall be those set forth in the Tariff contained in the Third Schedule to these By-Laws.

Accounts.

14. (1) Accounts for electricity consumed and for other charges due to the Corporation shall be rendered monthly.

(2) Accounts are due for payment within twenty-one days from the date of issue after which time they are in arrears.

(3) When a Consumer's account is in arrears the electricity supply may be disconnected without further notice and may only be reconnected when all amounts due to the Corporation have been paid, together with a reconnection fee at the rate contained in the Third Schedule of these By-Laws.

Third Schedule.

(4) Where a Consumer or his agent assumes responsibility for the energy consumed in one or more premises, all such premises shall be liable for disconnection when the account for electricity supplied to any one is in arrears.

(5) Money due to the Corporation is recoverable as a debt in civil proceedings.

(6) In the event that an electricity supply is disconnected for non-payment as in paragraph (3) and the account remains unpaid for a further period of two months from the date of disconnection, the Corporation may, without prejudice to its rights in law, remove its meter or meters and such parts of its service connection as deemed

necessary and apply any security deposit held under By-Law 10(7) to the amounts due on the unpaid account.

Access to premises.

15. A Consumer shall give to duly appointed employees or representatives of the Corporation access to his premises between the hours of 8 a.m. and 9 p.m. when necessary and in an emergency at all times, for the purpose of inspecting or reading the meter or for any other purpose connected with the supply of electricity.

Vacation of premises.

16. (1) A Corporation shall give three days' notice in writing before vacating any premises in order to permit the Corporation to read the meter or meters and render final accounts.

(2) Where a Consumer fails to comply with this By-Law he shall be liable for payment for all electricity consumed subsequent to the last regular meter readings.

Discontinuation of the Electricity supply.

17. The Corporation may discontinue the supply of electricity at any time for the purpose of repairs, maintenance, tests or any other essential work and when possible will advise Consumers in the area or areas affected by such discontinuation in advance by publication or transmission of a notice.

FIRST SCHEDULE

(By-Law 10 (1))

TO: BRITISH VIRGIN ISLANDS ELECTRICITY CORPORATION

Supply Application Form

*I/we make application for a permanent/temporary electricity supply to be provided at the _____

premises located at _____

The electrical installation at the above premises *exists / *is covered by the accompanying Specification No. _____

*I/we agree to enter into an Agreement with the Corporation before receiving a supply of electricity.

Date _____ Signed _____

Address _____

*Delete as necessary

For Office Use Only

Wayleave required, Yes/No : Obtained: _____ Date _____

No _____

Pole(s) No. _____ Phases to be connected R.Y.B.

Type of supply: Single phase two-wire/three-wire.
Three phase four-wire.

Connection fee \$ _____ paid date _____ Security Deposit \$ _____

Paid _____ Ledger ref. _____

Date connection made _____ Consumer reference _____

SECOND SCHEDULE

(By-Law 10 (1))

BRITISH VIRGIN ISLANDS ELECTRICITY CORPORATION AGREEMENT FOR THE SUPPLY OF ELECTRICITY

It is hereby agreed that _____
(hereinafter called the "Consumer") shall, in accordance with the Electricity Corporation Regulations and By-Laws (hereinafter called the "Regulations") take an electricity supply at the premises situated at _____
_____ from the British Virgin Islands Electricity Corporation (hereinafter called the "Corporation") electricity system and that the Corporation shall provide such supply in accordance with the Terms and Conditions of the Regulations. This Agreement shall continue in force until determined by the Corporation in accordance with the Regulations or by the Consumer giving to the Corporation not less than 72 hours' previous notice in writing of requiring a discontinuation of supply. In default of such notice the Consumer shall be liable to pay the Corporation the amount accruing in respect of the supply up to the time that the supply is disconnected in accordance with By-Law 14(3) or an Agreement is made with a new Consumer for a supply to the premises. The authorized load at the premises shall be that given in specification No. _____ relating to the electrical installation and shall not be exceeded without the prior permission in writing of the Corporation.

The Consumer shall in respect of the supply given make to the Corporation payments in accordance with the accounts rendered by the Corporation from time to time based on the tariff in the Schedule to the By-Laws. Accounts for electricity used will normally be left at the premises at the time of the meter reading. Accounts will be delivered by Post only at the request of the Consumer.

Signature of Consumer _____ Signed _____
For Electricity Corporation

Postal Address _____ Previous Address _____

Previous A/c. No. _____

T

* Witness _____ Witness _____

ti Date _____ Date _____

F
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For Office Use Only

Consumer's Reference No. _____

Security deposit paid U.S. \$ _____ Date _____ Ledger Reference _____

Date supply connected _____ Date supply terminated _____

THIRD SCHEDULE

(By-Law 6, 8, 9, 13, 14)

RATES AND CHARGES FOR ELECTRICITY

1. (1) Rates for energy consumed shall be as follows
 - (a) 0-60 units at 24 cents per unit;
61-25,000 units at 22.5 cents per unit;
25,001-100,000 units at 19 cents per unit;
over 100,000 units at 16.75 cents per unit; plus
 - (b) a fixed service charge per Consumer of two dollars and fifty cents (\$2.50) for each month or part of a month during which energy is supplied.
 - (2) In addition to the above rates for energy consumed, a fuel oil surcharge per unit of electricity (KWh) consumed will be added or deducted. The unit rate of surcharge will be calculated in accordance with the following formula:
 - (a) The cost per gallon of fuel oil supplied to the Corporation in the calendar month immediately preceding the calendar month during which meters are read;
less:
 - (b) The cost per gallon of fuel oil supplied to the Corporation in the month of April 1980; which is ~~28.5¢~~ ^{21.5¢} multiplied by:
 - (c) The quantity of fuel oil in U.S. Gallons required to generate, transmit and distribute one unit of electricity (KWh).
 - (3) The total surcharge applicable to a particular electricity bill will be the unit rate of surcharge multiplied by the total number of electrical units (KWh) recorded on that bill as having been consumed.
 - (3) The surcharge shall be effective in respect of any meter reading made on or after the 1st day of July 1980.
2. (1) For public lighting the charge for energy consumed including switching, maintenance and relamping shall be 27.5 cents per unit and subject to the fuel oil surcharge in accordance with 1. (2) of the Schedule.
 - (2) Public lighting means energy supplied to public lamps.
3. For the purpose of this Schedule the term "Consumer" shall be understood to mean each person, Institution or Government Department separately charged for a supply of energy irrespective of the number of meters installed provided that occupation of more than one distinct office or premises shall constitute any person, Institution or Government Department a separate Consumer in respect of each such office or premises.

4. Charge for additional meters installed by the Corporation at the request of the Consumer:
Per meter \$3.00 per calendar month or part of a calendar month.
5. Subject to any agreement to the contrary the charges under By-Law 4.(6) for replacing fuses shall be as follows:
Where the fault is found to be in the Consumer's installation or where the fuse in the Corporation's main fuses is burnt on more than one occasion within a period of one week due to faulty apparatus or improper fusing in the Consumer's installation:
Per visit \$1.00
6. Where an installation has been disconnected by the Corporation because of non-payment of electricity accounts in accordance with By-Law 14.(3) a sum of \$10.00 shall be paid prior to reconnection.
7. The fee for test in accordance with Regulation 5.(2) (f) other than in the first test shall be \$25.00 per test.
8. The fee for testing a meter in accordance with Regulation 12.(e) shall be \$5.00 per test.
9. For the purpose of this Schedule the term "month" shall, in the absence of any provision to the contrary, mean the meter reading period of approximately 30 days as fixed by the Corporation.
10. The charge for taking a special reading or turning on or off the supply of electricity in accordance with By-Law 9 shall be \$3.00.

Made by the Corporation this 11th day of October, 1984

(Sgd.)

H. O. CREQUE

Chairman

Approved by the Minister this 17th day of December, 1984

(Sgd.)

E. W. BREWLEY

Minister responsible for Electricity

