

ELECTRICITY

Powers of the SWA Water and Electricity Corporation Act 14 of 1980.

Summary: This Act gives certain powers to the SWA Water and Electricity Corporation (Pty) Ltd, subject to the approval of the Minister of Mines and Energy. (This corporation is now known as “NamPower”.)

Application of Act: Namibia Power Corporation (Pty) Ltd is deemed to be a company registered in terms of Chapter IV of the *Companies Act 61 of 1973* by Proc.7/1998 (GG 1849). The application of the Act is also affected by the State-owned Enterprises Governance Act 2 of 2006.

Electricity Act 4 of 2007.

Summary: This Act provides for the establishment and functions of the Electricity Control Board. It replaces the Electricity Act 2 of 2000, which in turn replaced the Electric Power Proclamation 4 of 1922. The Act came into force on 15 November 2007 (GN 201/2007, GG 3933).

Regulations: Regulations made in terms of the previous Act survive by virtue of section 46(3):

Electricity Regulations (Administrative) are contained in GN 168/2000 (GG 2371).

Levies in terms of section 13 of the previous 2000 Act are addressed in GN 60/2007 (GG 3817), which repeals GN 145/2001 (GN 2579). However, section 46 of the 2007 Act provides that GN 145/2001 shall be effective from 16 July 2001 and not 1 July 2001, along with any amendments to the schedule of approved tariffs contained in a licensee’s licence to retrospectively recover such levies from its customers.