RAY NKONYENI MUNICIPALITY ELECTRICITY SUPPLY BYLAWS

PURPOSE OF BY-LAW

The purpose of this by-law is to adopt a framework for the supply of electricity to consumers within the municipal area, either by the Municipality or in terms of service delivery agreements.

DEFINITIONS

In these by-laws, unless inconsistent with the context, any term defined in the Electricity Act No. 41 of 1987 or Occupational Health and Safety Act No. 85 of 1993 and the regulations made in terms thereof must have the meaning given to it in that Act and -

"**Accredited person**" means a person registered in terms of the Installation Regulations as an electrical tester for single phase, an installation electrician, as the case may be:

"**Appliance**" means an appliance as defined in the code of practice;

"**Applicable standard specification**" means-

(a) SABS 1607 Electromechanical watt-hour meters;
(b) SABS 1524 Parts 0,1 and 2-Electricity dispensing systems;
(c) SABS IEC 60211 Maximum demand indicators, Class 1.0;
(d) SABS IEC 60521 Alternating current electromechanical watt-hour meter (Classes 0.5, 1 and 2);
(e) SABS 0142 Code of practice for the wiring of premises;
(f) NRS 048 National Rationalised Specification for the Electricity Supply-Quality of Supply;
(g) NRS 057 Code of Practice for Electricity Metering;
(h) NRS 097 Grid interconnection of embedded generation Part 2 : Small-scale embedded generation Section 1 : Utility interface; and
(i) NRS 097 Grid interconnection of embedded generation Part 2 : Small-scale embedded generation Section 3 : Simplified utility connection criteria for low-voltage connected generators;

"**Area of supply**" means the licenced area of supply of the Service Provider operating under a distribution licence issued by the National Energy Regulator (NERSA) instituted in terms of the Electricity Act as amended;

"**Act**" means the Machinery and Occupational Safety Act, Act No. 6 of 1983 and the Regulations made thereunder;

"**Anti-islanding**" means the ability of an SSEG installation to instantly and automatically disconnect the SSEG installation from the municipal distribution network whenever there is a power outage in the municipal distribution network; thus preventing the export of electricity to the municipal distribution network from the SSEG installation. This is done primarily to protect the municipal operators who may be working on the electrical network and who may be unaware that the network is still being energized by the SSEG.

"**Basic component**" means the component of the total connection fee that is charged to recover, where deemed appropriate, the proportionately shared costs of transformation, switchgear, protection, and allocated portions of cable or overhead lines;

"**Boundary metering**" means a meter erected in a position that is easily accessible for meter reading purposes without entry into the fenced or walled area of the property, and which is no more than 3m from the road frontage boundary of the property;

"**Category of connection**" means the groups into which connections are allocated. Groups of connections are separated according to the level of voltage at which supply is provided, type of supply and metering, the number of phases, whether supplied from a mini substation or a brick substation, and the requested capacity of the supply;

"**Certificate of Compliance",** abbreviated COC, means a certificate issued in terms of the Installations Regulations in respect of an electrical installation or part of an electrical installation issued by an accredited person;

"**Code of practice**" means SANS 10142-1: The Wiring of Premises – Part 1: Low-voltage installations;

"**Connection fee**" means the charge to an applicant for a connection, which is determined by the Engineer and consists of a Basic component, a Service Mains component, a Metering component and a Supply Mains component;

"**Consumer**" means the owner or occupier of any premises within the area of supply which are supplied with electricity by the Council, or any person who has entered into a contract with the Council for the supply of electricity or any person who is lawfully obtaining a supply of electricity from the Council;

"**Council**" means Ray Nkonyeni Local Municipality Council;

"**Credit dispensing unit**" means a unit which dispenses credit for electrical energy in the form of cards and/or tokens for transfer of credit to an electricity dispenser;

"**Credit meter**" means a device which records the electricity consumed on a continuous basis, is read at regular intervals and an account is rendered on the monthly basis in accordance with clause 11 of the Electricity Supply Bylaws;

"**Embedded Generator**" means the electricity generating device that is connected to the customer's electrical installation beyond point of control;

"**Engineer**" shall mean the council official or Service Provider appointed by Council in any role relating to the supply of electricity, or any other person duly authorized to perform this duty on its behalf;

"**Electrical contractor**" means an electrical contractor as defined in the Electrical Installation Regulations;

"**Electrical installation**" means an electrical installation as defined in the Electrical Installation Regulations;

"**Electrical Installation Regulations**" means the Electrical Installation Regulations of 1992 promulgated under section 35 of the Machinery and Occupational Safety Act of 1983 (Act No. 6 of 1983);

"Electricity Regulation Act" means the Electricity Act 1987 (Act No. 41 of 1987), as amended; and Electricity Regulation Amendment Act No 38 of 2024;

"**Electricity dispenser**" means a device which measures electrical energy consumed and deducts such energy from the quantity credited by means of cards and/or tokens issued by a credit dispensing unit and isolates the supply to the consumer in the event of the expiry of such credit;

"**Embedded generator or EG**" means one or more energy generation sources that included the energy conversion device(s), the static power converter(s), if applicable, and the control and protection gear within a customer's network that operate in synchronism with the utility's supply;

"**Estimated load**" means the load in kilovolt-amperes (kVA) the customer intends to draw and that the Service Provider can supply
"**Formally wired**" means wiring which has been installed by a contractor or a developer, and which is in accordance with SABS 0142;

"**Point of consumption**" means any point of outlet or the supply terminals of machinery which is not connected to a point of outlet and which converts electrical energy to another form of energy. Provided that in the case of machinery which has been installed for any specific purpose as a complete unit, the point of consumption shall be the supply terminals which have been provided on the unit of machinery for that purpose:

"**Point of metering**" means the point at which the consumer's consumption of electricity is metered and which may be at the point of supply or at any other point on the distribution system of the Service Provider or the electrical installation of the consumer, as specified by any duly authorized official of the Service Provider; provided that it shall meter all of, and only, the consumer's consumption of electricity;

"**Point of supply**" means the point determined by the Service Provider or any duly authorized official of the Service Provider at which electricity is supplied to any premises by the Service Provider;

"**Grid-tied**" means an SSEG installation that is connected to the municipal electrical network either directly or through a customer's internal wiring. The export of energy onto the municipal electrical network is possible when generation exceeds consumption at any point in time;
"**High voltage**" or "**HV**" means the set of nominal voltage levels that are used in power systems for bulk transmission of electricity in the range of 44kV<Un<220kV as defined in SABS 1019;
"**Informal housing**" means any dwelling in any area set apart, reserved, made available, released or acquired for communal or tribal occupation allocated by a Tribal Authority;
"**Inverter**" means a power device that converts direct current d.c. to alternating current a.c. at a voltage and frequency which enables the SSEG installation to be connect to the municipal electrical network;
"**kVA*km**" means the product of the requested capacity of an applicant, and the length of the cable or line from or portion thereof by which the connection is supplied;
"**Low voltage**" or "**LV**" means the set of nominal voltage levels that are used for the distribution of electricity and of which the upper limit is generally accepted to be an alternating current (a.c.) voltage of 1 000V (or a direct current (d.c.) voltage of 1 500V) as defined in SABS 1019;
"**Medium voltage**" or "**MV**" means the set of nominal voltage levels that lie above low voltage and below high voltage in the range 1kV<Un< 44kV as defined in SABS 1019;
"**Meter**" shall be the generic term for a credit meter or an electricity dispenser;
"**Metering component**" means the component of the total connection fee that is charged to recover the cost of the equipment required to measure the consumption of electricity;
"Municipality" means Ray Nkonyeni Local Municipality; a municipality established in terms of the law or any legal entity duly authorized to provide an electricity service within the jurisdiction of the Ray Nkonyeni Local Municipality
"**MVA**" means 1 000kVA;
"**NERSA**" means National Energy Regulator of South Africa established in terms of the National Energy Regulator Act, 2004 (Act No. 40 of 2004);
"**NMD**" or notified maximum demand means the load in kilovolt-amperes (kVa) which the customer is entitled to draw and the Service Provider has agreed to supply;
"**Owner**" in relation to immovable property means the person in whom is vested the legal title thereto; provided that

a) In the case of immovable property
(i) Leases for a period of not less than 50years, whether the lease is registered or not the lessee thereof; or
(ii) beneficially occupied under a servitude or right analogues thereto, the occupier thereof;
b) If the owner as herein before defined
i) Is dead or insolvent, has assigned his estate for the benefit of his creditors, has been placed under curatorship by order of court or is a company being wound up or under judicial management, the person in whom the administration of such property is vested as executor, administrator, trustee, assignee, curator, liquidator or judicial managers the case may be;
"**Poly-phase supply**" means a supply which necessitates a poly-phase cable, in accordance with the Service Unit's standard practices;
"Prepayment meter" means a meter that can be programmed to allow the flow of pre-purchased amounts of energy in an electrical circuit
"**Rand per kVA*km**" or "**R/kVA*km**" means the rate of charge in Rands per kVA of capacity per km of supply at a particular voltage level, applied to new connections of 1 000kVA and above;
"Regulations" means regulations made in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended
"Resale of electricity" means where a person resells electricity supplied by the Municipality.
"**Residential premises**" means a dwelling house or building constructed or adapted to be used solely as a residence by one family together with such outbuildings as are ordinarily used therewith;

"**SANS 10142-1**" means the Code of Practice SANS 10142-1/SABS 10142-1: 2003 – The wiring of premises Part 1: Low-voltage installations, as issued by Standards South Africa of South African Bureau of Standards and as incorporated to the regulations and amended from time to time;

"**Service Connection**" means all cables and equipment required to connect the supply mains to the electrical installation of the consumer at the point of supply

"**Service protective device**" means any fuse or circuit breaker installed for the purpose of protecting the Service Provider's equipment from overloads or faults occurring on the installation or on the internal service connection

"**Service Authority**" means the Ray Nkonyeni Municipality established in terms of the Local Government Municipal Structures Act, Act 117 of 1998.

"**SABS 1019**" means SANS 1019 on Standard voltages, currents and insulation levels for electricity supply;
"**Service main**" means cables or wires and other apparatus for the supply of electricity by the Council laid or erected between the supply mains and:
(i) In the case of an underground service main, the meter or main fuse or other protective device on the consumer's premises; or
(ii) In the case of an overhead service main, the point at which such cable or wire is connected to the consumer's premises;
"**Service Mains Component**" means the component of the total connection fee that is charged to recover the cost of the service mains, which is at that portion the cable or overhead lines used specifically by, and dedicated to an individual supply;
"**Single-phase supply**" means a supply which is via a single-phase cable, in accordance with the Service Unit's standard practices;

"**Site area**" means the area according to survey data, contained within the boundaries of the subdivision, sub-divisions, or plot of land on which the premises are situated, or, where the boundaries of the site have not been defined by survey, the area contained within the recognized boundaries or limits of the site as determined by the Engineer;
"**Small power distribution unit**" means a compact unit consisting of a number of socket outlets and a light fitting all protected by circuit breakers;
"**Small power residential premises**" means a dwelling unit or building constructed or adapted to be used mainly as residence by a family unit, together with such outbuildings as are ordinarily used therewith, where supply single-phase and is metered by an electricity dispenser;
"**Small power users**" means the supply is single-phase and is metered by an electricity dispenser;
"**Small scale embedded generation/generator or SSEG**" means an embedded generator rated at up to 1MVA which includes the energy conversion device(s) (e.g. photovoltaic modules, fuel cells, induction or synchronous generators), the static power converter(s), if applicable, and the control and protection gear within a customer's network that operates in synchronism with low-voltage networks;"**Static power converter**" means power electronic device that converts variable d.c. or a.c. to grid compatible a.c. either synchronously or asynchronously;
"**Indoor substation**" means a building housing the Council's electrical equipment, including all integral parts of such building, such as doors and windows and ancillary building work, as well as ventilating, lifting and other equipment installed in conjunction therewith;
"**Substation**' means a part of an electrical system confined to a given area, mainly including ends of transmission or distribution lines, electrical switchgear and control gear, buildings and transformers;
"**Supply Mains**" means the cable or overhead lines forming that part of the Council's electrical distribution system to which more than one premises are connected and to which the service mains to individual supplies are connected;
"**Supply Mains component**" means the component of the total connection fee that is charged to recover the cost of the supply mains, which is used, or which the Engineer anticipates to use to supply more than one premises.
"**Tariff of charges**" means the Municipality's tariff of charges for the supply of electricity and sundry fees, as approved by the Ray Nkonyeni Local Municipality;
"**Voltage**" means the root-mean-square value of electrical potential between two conductors; and
"**Wayleave**" means the formal approval to carry out work in the public road reserved or property belonging to the municipality or owner in specific positions and during a specific period

1. NON-DISCRIMINATION

1. (1) Subject to the provisions of subsection 2 hereof, no provision of these Bylaws shall be applied so as to unfairly discriminate between persons on the ground of race, religion or gender nor shall it be construed so as to have the effect of authorizing discrimination.

2. PROVISION OF ELECTRICITY SERVICES

2. (1) Only the Municipality shall supply or contract for the supply of electricity within the jurisdiction of the service authority. A third party may supply or contract for the supply of electricity within the jurisdiction of the service authority, subject to the consent of the service authority and the requirements of the Electricity Regulation Act.

2. (2) The Municipality may permit the bulk supply or retail wheeling of electricity through its electrical grid by another electricity supplier which is licensed to supply electricity in terms of the Electricity Regulation Act.
2. (3) The Municipality may permit the connection of an embedded generation system to its electrical grid in accordance with the requirements of this by-law and subject to:
(a) Compliance with the relevant requirements of the Municipality pertaining to the generation of electricity and the safety thereof contained in any guideline or policy issued by the Municipality in respect thereof.
(b) Registration with the Municipality of all fixed electrical installations where electricity is generated and compliance with the Municipality's safety and quality requirements contained in any guideline or policy issued by the Municipality in respect thereof.

3. SUPPLY BY AGREEMENT, EXCLUDING PREPAID METERS

3. (1) No person shall use or be entitled to an electricity supply from the Municipality unless or until a written agreement has been entered into with the Municipality for such supply, and such agreement together with the provisions of the Bylaw shall in all respects govern such supply, provided that persons using pre-payment electricity will not be required to complete the agreement stipulated in this section, but shall comply with the stipulations of Section 22 of this by-law.
(2) If electricity is consumed without the existence of a supply agreement, the owner of the premises on which the electricity is being used shall be liable for the cost of electricity used.
(3) If a consumer, including a consumer with a pre-payment meter, tampers or interferes with the devices stipulated in section 5, then the electricity may be disconnected without prior notice on the terms referred to in the supply agreement.
(4) The Electrical Engineer and the Chief Finance Officer shall have the power to stipulate written terms or conditions in relation to and in respect of the supply of electricity by the Service Provider to any person who has applied for an electricity supply, including but not limited to the service connection, the point of supply or the point of metering, any such terms of condition shall be deemed to form part and be incorporated into the written supply agreement concluded with such person as contemplated in By-law 3 below:
(5) The Municipality shall not be obliged to provide any electricity to a person who has failed to comply with the terms or conditions in terms of this By-law.

4. APPLICATION FOR ELECTRICITY SUPPLY:

4. (1) Application for the supply of electricity or for the increase in the capacity of an existing electrical supply, or for the prepayment arrangement shall be made in writing by the prospective consumer on the prescribed form obtainable at the office the Service Provider, and the notified maximum demand, in kVA, required for the installation, shall be stated therein. Such application shall be made as early as possible before the supply of electricity as required in order to facilitate the work of the Service Provider.

4. (2) Applicants for the supply of electricity or for the increase in the capacity of an existing electrical supply, or for a pre-payment arrangement shall submit the following documents with their application:-
(a) An identity document or passport, and in the case of a business, a letter of resolution delegating the authority of the applicant:
(b) The consumer shall provide a Deed of Sale or other proof of ownership of the premises for which a supply of electricity is required;

(c) Other documents as required by the Electrical Engineer or the Chief Finance Officer, and as pe the Credit Control Policy

4. (3) An application for a new temporary supply of electricity shall be considered at the discretion of the Electrical Engineer, who may specify any special conditions to be satisfied in such case.

5. NEW ELECTRICAL INSTALLATIONS

5. (1) No person shall install or permit to be installed a new electrical installation in any premises within the area of supply and connect any such installation to the Council's supply main, except under the authority of the written permission of the Engineer, which authority the Engineer may grant, subject to such conditions as he may determine, or refuse;
5. (2) Application for such authority shall be made to the Engineer on an application form obtainable from the Engineer. Such form shall be signed by the owner of the premises or his duly authorized representative and shall be accompanied by:
(a) Plans and specifications of the electrical installation which it is proposed to install;
(b) In the case of premises outside of urban area, a plan of the locality in which the premises are situated;
(c) A copy of the building plan certified as having been approved by competent authority in respect of each building to be supplied with electricity by means of the installation;
(d) In the case of premises, whether inside or outside of urban area, a site plan, drawn to scale, indicating the position of the building on site, the proposed location of the meter, and its distances from all boundaries according to the Engineer's requirements;
5. (3) Application for various types of connection shall be accepted in areas where that type of connection has been authorized by the Engineer;
5. (4) Where any application in terms of section 5(1)(b) hereof is made in respect of premises which have been formally wired, the appropriate connection fee referred to in section 5(1)(c) hereof shall apply, unless otherwise determined by the Engineer.

6. APPLICATION FOR CONNECTION & NOTICE OF INTENTION TO COMMENCE WORK

6. (1) Before any work authorized by the Engineer in terms of Section 2 is commenced:
(a) The electrical contractor shall give notice of his intention to commence such work in accordance with the Electrical Installation Regulations;
(b) Application shall be made to the Engineer for authority to connect the installation authorized to the supply main; and
(c) The applicant shall pay a charge based upon the fees prescribed by the Ray Nkonyeni Municipality and or its successor that are in force at the time that payment is made. The charge for connections to small power users equipped with an electricity dispenser and who require to purchase electricity at Ray Nkonyeni Municipality and or successor. The charges for other connections shall consist of:
(i) The appropriate Basic component;
(ii) The appropriate Metering component;
(iii) The Service Mains component for extensions as required by the Engineer, with the following provisos:
I. Where connections are supplied via overhead cable, the charge will exclude the costs of the first pole costs which is included as part of the Basic component of Section 5(1)(c)(i);
II. Where additional overhead lines or cable used for road crossings are included as part of the Basic component of Section 5(1)(c)(i);

III. Where additional poles are required in order to obtain the statutory clearance over telephone or telegraph wires, such pole or poles shall be deemed to be included as part of the Basic component of Section 5(1)(c)(i);
(iv) The Supply Mains component for extensions as required by the Engineers; provided that where additional poles are required in order to obtain the statutory clearance over telephone or telegraph wires, such pole or poles shall be deemed to be included as part of the Basic component of Section 5(1)(c)(i);
(v) Where an application is made for an increase in supply capacity, the applicant shall be required to pay fees and charges referred to in Section 5(1)(c) hereof as if this were a new application, provided that where the requested capacity does not exceed 6 000kVA and the existing supply is upgraded:

I. The Basic component will be the difference in the charges between the existing and requested capacity.
II. The Metering component shall only be charged if the meter is required to be changed.
III. The Service Mains component shall only be charged if the service cable is required to be changed.
IV. The Supply Mains component shall only be charged if the supply mains cable is required to be changed.

7. NOTICE OF INTENTION TO ALTER OR ADD TO EXISTING ELECTRICAL INSTALLATION

7. (1) Where the variation between the length of cable used in connecting the premises or substation to the supply mains and the length of cable paid for in terms of sub-paragraph (iii) or (iv) of paragraph (c) of sub-section 5(1) exceeds 10 per centum or 10 metres in length (whichever is the greater) the consumer's account shall be adjusted to reflect the cost of the length of cable actually used.
7. (2) In giving the notice referred to in sub-section 5(1)(a) the electrical contractor shall allow sufficient time between the giving of such notice and the date when the supply is required, to enable the Council to effect any extension of the supply mains as may be necessary as well as the provision of the service main and to obtain such statutory consents as may be required, and for the purpose of determining the adequacy of the period of notice the electrical contractor shall consult the Engineer; provided that the Council shall in no way be liable for any loss, damage or other consequence to the applicant the electrical contractor or any other person resulting from any delay in the extension of the supply mains or the provision of the service main however caused.
7. (3) Before making any alteration or addition to any electrical installation installed within the area of the supply that requires an increase in electricity supply capacity, or an alteration to the service, the electrical contractor shall give notice to the Engineer of his intentions in accordance with the Electrical Installation Regulations.

8. NOTICE OF COMPLETION & INSPECTION OF WORKS

8. (1) Upon the completion of any work authorized in terms of section 5 or in respect of which notice has been given in terms of section 6, the electrical contractor carrying out such installation, alteration or addition shall give notice of such completion to the Engineer, by submitting the completed original "Certificate of compliance by an accredited person" form, as specified in the Electrical Installation Regulations.
8. (2) The Engineer may, upon receipt of the notice referred to in sub-section (1), inspect and test the work in the presence of the electrical contractor concerned or his authorized representative.
8. (3) The Engineer may, if in his opinion the inspection or test cannot otherwise be satisfactorily carried out, require the electrical contractor, upon proper notice, to open up any joint or wires, trap doors or floor boards or to remove any fittings or castings.

8. (4) Subject to the provisions of section 7(1) and section 18(1) the Engineer shall connect or authorize the connection of the installation to the supply main.
8. (5) An inspection and test made by the Engineer in terms of this section shall in no way relieve the electrical contractor concerned of any responsibility or liability for defects in the electrical installation, or operate as a guarantee that the work on such installation has been carried out efficiently.

9. INSPECTION OF INSTALLATION

9.1 The Engineer shall at the request of an accountholder or owner hereto carry out an inspection of the consumer's electrical installation, upon payment of the fee as per the tariff of charges.

10. INSTALLATIONS

10. (1) The service main shall be installed by the Engineer after due compliance by the owner with the provisions of these bylaws and the code of practice. The position, type and size of the service main shall be determined by the Engineer, provided that he may, upon application by the owner, approve an alternative position, type or size of service main if such alternative is technically acceptable.
(a) The Engineer may in his discretion, subject to the acquisition by the Council of necessary servitudes or wayleaves, convert any service main or portion thereof to the supply mains.
10. (2) Where, in the opinion of the Engineer, it is necessary in order to give a supply of electricity to a consumer or consumers to extend the supply main, such extension shall be paid in accordance with Section 5(1)(c).
10. (3) Where in the opinion of the Engineer, the extension of the supply mains involves the adoption of an extraordinary method of construction, the consumer shall, before such extensions made, pay to the Engineer in place of the fees prescribed, the estimated cost of the extension. Where the actual cost of the extension is greater or less than the amount paid, the difference shall be paid by or refunded to the consumer. The proviso to sub-section of this section shall, mutatis mutandis apply when additional consumers are connected to any such extension.
10. (3) (a) For the purpose of supplying electricity to premises only one service main shall be permitted; provided that the Engineer may at the request of a consumer authorize the installation of one or more additional service mains where portions of any premises are separately let or occupied or where this is, in his opinion, necessary for technical reasons.
10. (3) (b) Where the portions of any premises which are separately let or occupied are supplied with electricity through a single meter, the owner of such premises may, with the prior consent of the Engineer, install meters for the purpose of measuring the quantity of current consumed by each tenant or occupier of the several portions of the premises and may charge for such current at a rate not exceeding the prescribed tariff rate. Where meters are installed by the owner, he shall be responsible for the payment of all electricity supplied to the tenants or occupiers of the several portions of the premises.
10. (3) (c) Where, for the convenience and the advantage of a group of consumers on a single site or premises the Engineer agrees to meter each individual consumer at a point or points from the service main connection point, each consumer's meter shall nevertheless be deemed to be at the service main connection point for the purpose of definition of responsibility of maintenance of supply.
10. (3) (d) The Council shall have the right to connect and maintain at its own expense, current limiting or peak load control devices to any portion of a consumer's electrical installation for the purpose of ensuring that the normal service and supply mains are adequate for the maintenance of an efficient supply or for controlling current consumed in relation to peak demands on the Council's electricity supply system, and the Council shall not be liable for any loss, damage or inconvenience arising from any restriction in or interruption of the supply of current resulting from the operation of any such device.

10. (3) (e) Any meter which is to be installed shall be located in a position approved by the Engineer. Except in the case of an installation comprising a small power distribution unit together with an electricity dispenser, the equipment shall be affixed to a panel of an approved type provided by the consumer.
10. (3) (f) In instances where it is discovered that there are multiple service mains on a premise or property, the Municipality, at its discretion bearing due consideration to the risk to Council, may remove any additional service infrastructure and enforce that only one service main be permitted in terms of sub-section 10. (3)(a).

11. CONNECTION TO SUPPLY MAIN

11. (1) (a) In the case of any new electrical installation, such approval shall be obtained before the installation can commence.
11. (1) (b) In the case of an installation comprising a small power distribution unit and electricity dispenser, the consumer shall provide and install conduit and conduit inspection boxes to the detail of the Engineer. The Engineer shall supply and install the electricity dispenser. The small power distribution unit shall be installed to the satisfaction of the Engineer.
11. (2) Where more than one meter is required by a consumer to measure the quality of electricity supplied through a single service main, the additional meter shall be installed by the Engineer upon payment of the fee prescribed.
10. (3) Where a number of meters are to be installed at one point within the premises, the consumer shall, when so required by the Engineer, provide a meter-room to accommodate such meters. The position and dimensions of such room shall be determined by the Engineer after consultation with the owner or his duly authorized representative.
11. (4) All current and potential metering transformers installed in any premises shall be of a type approved by the Engineer and shall either be accommodated on a panel of an approved type, supplied by the consumer or incorporated in the consumer's incoming switchgear. The metering transformers shall be supplied by the Council unless, in the opinion of the Engineer they will not be capable of reuse by the Council on the termination of the supply.
11. (5) Where a consumer elects to transfer to another tariff or to a bulk agreement, applications for transfer shall only be accepted in areas, where that type of transfer has been authorised by the Engineer and will only be performed by the Engineer upon payment of the fee prescribed in the tariff of charges.

12. CONNECTION OF ELECTRICAL GENERATION EQUIPMENT

12. (1) No person shall directly or indirectly connect, attempt to connect or cause or permit to be connected any electrical installation or part thereof to the Municipality's supply mains or service connection except with written permission of the Engineer.

12.(2) No alternate electrical generation equipment provided by a customer for his own operational requirements or for the generation of electricity may be connected to any installations without the prior written consent of the Municipality.

12. (3) Application for such consent in terms of subsections (1) and (2) above must be made in writing and must include a full specification of the electrical generation equipment and a wiring diagram, as may be further detailed in any guideline or policy issued by the Municipality in respect thereof.

12. (4) The electrical generation equipment must be so designed and installed that is impossible for the Municipality's supply mains to be energized by means of a back feed from such electrical generation equipment when the Municipality's supply has been de-energised.

12. (5) The customer shall be responsible for providing and installing all such protective equipment and for obtaining a certificate compliance issued in terms of the Regulations made in terms of the Occupational Health and Safety Act 1993 (Act 85 of 1993).

12. (6) The Municipality shall not be held responsible for any work done by the electrical contractor or registered person on a customer's premises and shall not in any way be responsible for any loss or damage which may be occasioned by fire or by any accident arising from the state of the wiring on the premises or the connection of the electrical generation equipment.

12. (7) Where the customer's alternate electrical generation equipment is permitted to be electrically coupled to, and run in parallel with the Municipality's supply mains, the customer shall be responsible for providing, installing and maintaining all the necessary synchronizing and protective equipment, to the satisfaction of the Engineer.

12. (8) Before making any alteration or addition to any electrical generation equipment installed within the area of the supply that requires an increase in electrical supply capacity, or an alteration to the service, the customer shall give notice of his intentions in accordance with the Regulations make in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).

12. (9) Any electrical generation equipment connected or to be connected to the supply mains, and ay additions or alteration thereto which may be made from time to time, shall be provide and erected and maintained and kept in good order by the customer at his own expense and in accordance with this by-law and the Regulations made in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).

13. WAYLEAVES

13 (1) The Service Provider may refuse to lay or erect a service connection above or below ground on any thoroughfare or land not vested in the Service Provider or on any private property, unless and until the prospective consumer has obtained and deposited; with the Service Provider; written permission granted by the owner of the said private property or by the person in whom is vested the legal title to the land or thoroughfare as aforesaid, authorizing the laying or erection of a service connection thereon.

13 (2) If the permission referred to in sub-section (1) is withdrawn at anytime or if the property or land changes ownership and the new owner refuses to grant or uphold the permission, then the consumer to whose premises the supply is required to be continued must bear the cost of –

(a) Any alteration of the electricity service connection or supply mains that may become necessary in order that the supply may be continued; and

(b) Any removal of an electricity service connection or supply mains that may become necessary in order that the supply may be continued.

13 (3) The Municipality may remove any object or rectify any activity that may endanger the integrity of the distribution system of the Municipality

13 (4) The Service Provider may enforce the requirements for wayleaves and servitude as determined by the Electrical Engineer

14. STATUTORY SERVITUDE

14 (1) Subject to the provisions of sub-section (3), the Service Provider may within the municipal area:

(a) Provide, establish and maintain electricity services

(b) Acquire, construct, lay, extend, enlarge, divert, maintain, repair, discontinue the use of, close up and destroy electricity supply mains

(c) Construct, erect or lay any electricity supply main on, across, through, over or under any street or immovable property and the ownership of any such main shall vest in the Service Provider; and

(d) Do any other thing necessary or desirable for or incidental, supplementary or ancillary to any matter contemplated by paragraphs (a) to (c).

14 (2) If the Service Provider constructs, erects or lays any electricity supply main on, across, through, over or under any street or immovable property not owned by the Service Authority or under the control or management of the Service Authority, the Service Provider shall determine the restrictions to be imposed on the use of the property under the servitude agreement.

14 (3) The Service Authority and the owner of such street property shall enter into a servitude agreement which may include an agreed amount for compensation; or in the absence of agreement, as determined by arbitration or a court of law.

14 (4) The Service Provider shall, before commencing any work other than repairs or maintenance on or in connection with any electricity supply main on immovable property not owned by the Service Authority, give the owner or occupier of such property reasonable notice of the proposed work and the date on which it proposes to commence such work.

15. RIGHT OF ADMITTANCE TO INSPECT, TEST AND/OR DO MAINTENANCE WORK

15. (1) The Municipality shall, through its employees, contractors and their assistants and advisors, have access to or over any property for the purposes of:

(a) Doing anything authorized or required to be done by the Municipality under this Bylaw or any other Law;

(b) Inspecting and examining any service mains and anything connected therewith including but not limited to periodic audits which include assessments used to confirm the usage of electricity;

(c) Enquiring into and investigating any possible source of electricity supply or the suitability of immovable property for any work or undertaking of the Municipality and making any necessary survey in connection therewith;

(d) Ascertaining whether there is or has been a contravention of the provisions of this Bylaw and any other Law;

(e) Enforcing compliance with the provisions of this Bylaw and any other Law.

15. (2) The Electrical Engineer may, by notice in writing served on the owner or occupier of any property, require such owner or occupier to provide, on the day and at the hour specified in such notice, access to such property to a person and for a purpose referred to in subsection (1).

15. (3) The Municipality may gain access to or over any property without notice and may take whatever action as may, in its opinion, be necessary or desirable in consequence of the existence of a state of war or the occurrence of any calamity, emergency or disaster, or in pursuance of 11(1)(e).

16. REFUSAL OF ADMITTANCE

16. (1) No person shall wilfully hinder, obstruct, interfere with or refuse admittance to any duly authorized official of the Municipality in the performance of his duty under this Bylaw or any duty connected therewith or relating thereto.

17. MEDIUM AND LOW VOLTAGE SWITCH AND EQUIPMENT

17. (1) In cases where a supply of electricity is given at either medium or low voltage, the supply and installation of the switchgear, cables and equipment forming part of the service connection shall, unless otherwise approved by the Electrical Engineer, be paid for by the consumer;
17. (2) All such equipment installed on the consumer's premises shall be compatible with the Municipality's electrical performance standards;
17. (3) No person shall open, close, isolate, link or earth medium voltage switchgear or equipment without giving reasonable prior notice and obtaining a permit from the Municipality;
17. (4) In the case of medium voltage supply of electricity, where the consumer has medium voltage switchgear installed, the Municipality shall be advised of the competent person appointed by the consumer in terms of the Regulations; and of any changes made to such appointments;
17. (5) In the case of a low voltage supply of electricity, the consumer shall provide and install a low voltage main switch and/or any other equipment required by the Municipality or any duly authorized official of the Municipality.

18. SUBSTATION ACCOMODATION

18. (1) Where the total load of any electrical installation in any building is 20kVA or more, the owner of such building shall, where the Engineer so requires, provide accommodation to the satisfaction of the Engineer for such equipment as may be necessary for the supply. Such accommodation shall:
(a) Comply with the requirements of the Engineer in regards to dimensions, access, floor space, ceiling height, ventilation, fire extinguishers, cable ducts, drainage, lighting and doors;
(b) Be of fire-proof construction;
(c) Be so located as to give free, convenient and unrestricted access to the interior thereof at all times for the purposes of the operations and maintenance of the equipment.
18. (2) The road and/vehicular access to any substation erected on the premises of a consumer shall be kept clear at all times to permit the removal or replacement of equipment without undue difficulty even under emergency conditions. The owner shall bear the cost of any damage to property, other than Council property, caused by such operations unless such damage is due to the wilful misconduct or negligent acts of the Council or its officials or servants.
18. (3) Where a transformer substation is erected on the premises of a consumer, the Council shall have the right to use such sub-station for the purpose of supplying other consumers; provided that where a substation is used in this form, that associated costs for connection or the Engineer envisages that it will

be used, the consumer on whose premises the substation is situated, that the costs will be apportioned accordingly to all consumers.
18. (4) All conduits, cables, switches, plugs, fuses and other fittings, forming part of the electrical installation, including the switchgear or isolators required to control the electricity supply at the point of connection of the electrical installation to the service main, shall be provided by the consumer.

19. CHANGES FROM OVERHEAD TO UNDERGROUND MAINS

19. (1) Where a consumer requires the Engineer to install an underground service main in place of an existing overhead service main, the costs of all cables calculated by the Ray Nkonyeni Municipality and or its successor shall be paid by the customer.

20. REMOVAL OR RE-LOCATION OF METERS & SERVICE MAINS

20. (1) Where, because of structural alterations to premises it becomes necessary:
(a) To remove the service main and meter, such removal shall be effected by the Engineer free of charge. Upon re-connection of the premises, the consumer shall be required to pay the fees and charges referred to in section 5 (1) (c) hereof;
(b) To re-locate, adjust or alter the service main or supply main, the full cost of such relocation, adjustment or alteration shall be borne by the consumer.
20. (2) Where the position of the meter is changed by the Engineer at the request of a consumer, the full cost of the work involved shall be borne by the consumer; provided that where the meter to an underground supply is to be relocated to a point on the boundary where the cables enters the premises, the charge shall be the fee prescribed by the Ray Nkonyeni Local Municipality and or its successor.
20. (3) Where the meter to an underground supply is relocated, the service cable between the new and old meter positions shall be abandoned and the ownership thereof shall be transferred to the consumer.
20. (4) (a) Where, due to reconstruction of supply mains or for the correction of any unsafe or unsatisfactory condition for which the consumer is not, in the opinion of the Engineer, responsible it becomes necessary to alter an existing service main or meter position, such alteration and any consequent alteration to the consumer's electrical installation shall be carried out at the expense of the Council.
(b) Section 16 (4) (a) above is subject to scenarios where there has been tampering or access to the meter is unjustifiably restricted by the consumer/occupier.

21. INTERFERENCE WITH OVERHEAD SUPPLY OR SERVICE MAINS

21. (1) No person shall permit any tree, shrub or other plant growing on property owned or occupied by him, to interfere with any overhead supply or service main.
21. (2) Where any tree, shrub or other plant growing on any land interferes with any overhead supply or service main or in the opinion of the Engineer is likely to cause such interference, the Engineer may either cut down or trim such tree, shrub or other plant or he may serve a notice on the owner or occupier of such land calling upon him to cut down or trim such tree, shrub or other plants within the time specified in any such notice. Upon failure to comply with such notice, the Engineer may himself take steps to remove the cause of the interference and recover any costs incurred from the person upon whom the notice was served from the owner or occupier of such land.

22. PAYMENT

22. (1) Every applicant for a supply of electrical current from the Council shall deposit with the Council such sum as the Council deems sufficient to cover the estimated cost of supply as per the relevant tariff of charges, provided that:
(a) The Council may permit an application to deposit such sum as it deems sufficient to cover the estimated cost of one month's supply where the applicant elects to pay by the direct debit method;
(b) The Council may require an applicant to deposit a higher sum as it deems sufficient to cover the estimated cost of the supply in such circumstances as the Council deems appropriate.
22. (2) Should the amount deposited in terms of sub-section (1) subsequently prove to be insufficient, the consumer shall, within 7 days of being called upon to do so by the Council, deposit such further sum as may be necessary to increase the deposit to an amount sufficient to cover the actual or provisionally assessed cost of three months' supply or, if the Council deems it appropriate a higher sum. The Council may, if it considers the amount deposited to be excessive, authorise the refund of a portion thereof.
22. (3) The Council may accept a written guarantee in lieu of any deposit required in terms of subsection (1) or (2) hereof.
22. (4) Where an applicant for the supply of electric current or an existing consumer of electric current is a corporate person (other than a public legal body or a public listed company), such applicant or consumer shall, in addition to any security provided in compliance with the aforegoing provisions of this section, lodge with the Council when required by him to do so, a guarantee for an amount specified by and in terms approved by the Council and given by such natural person or persons as the Council may approve in their personal capacities; provided that the Council may at any time require any such consumer to furnish a further guarantee for such additional amount as the Council may determine.
22. (5) Failing compliance with any request for a deposit or increased deposit or for a guarantee as provided in this section, the supply of electricity may be withheld until such deposit has been made or the guarantee furnished or if the supply has already been connected, it may forthwith be disconnected and thereafter the supply shall not be reconnected until the deposit has been paid or the guarantee furnished.
22. (6) The deposit lodged with the Council in terms of this section may be applied to the payment or part payment of any amount due to the Council by the consumer either for electricity supplied or for services rendered in connection with such supply.

23. PRE-PAYMENT

23. (1) The supply of electricity under these scales is only available in areas designated by the Engineer from time to time where a token operated electricity dispensing system has been put into effect.
23. (2) Application for the supply of electricity under these scales shall be made to the Engineer and shall be accompanied by the fees prescribed.
23. (3) On payment of the fee referred to in (2) above, the Engineer shall provide and install all equipment required for delivering electricity to the consumer's premises. If a small power distribution unit is supplied it will become and remain the property of the consumer. All other equipment, including the line or cable and electricity dispenser will be maintained by the Electricity Department and shall remain its property.
23. (4) The Engineer shall be entitled to change a credit meter for an electricity dispensing unit where he considers that for technical or other reasons it is in the best interest of the service, in which case the electricity service shall bear the cost of the changeover.
23. (5) The Engineer shall be entitled to remove its equipment on termination of the supply to the consumer.

23. (6) The energy consumption shall be paid for in advance by the purchase of tokens or the equivalent from the Chief Financial Officer or his authorized representative. Such tokens shall only be issued to consumers giving their consumption address and supplying an identification number.
23. (7) The consumer shall afford Electricity Department officials free access to the premises at all reasonable times for the purpose of inspecting and/or maintaining the electricity dispenser.
23. (8) Every consumer of electrical current under this section shall be required to deposit with the Council such sum as the Council deems sufficient to cover or partially cover all the costs of replacing an energy dispenser. Such deposits will be refundable to the consumer who made the deposit after notification by the dispenser. Such deposits will be refundable to the consumer who made the deposit after notification by the consumer that he intends to cease taking supply; provided that his connection and metering is still operating correctly.
23. (9) Only one instance of charging a connection fee shall be permitted at any one premise.

24. AVAILABILITY CHARGES

24. (1) Availability charges as determined from time to time by the Municipality are payable to the Municipality by the owner of immovable property, with or without improvements, which is not connected to the electricity distribution system of the Municipality, if access to an electricity connection is available to such property.
24. (2) The provisions of subsection (1) are not applicable to-

(a) immovable property which belongs to the Municipality; and
(b) immovable property in respect of which the Municipality has granted written exemption or partial exemption of payment of the availability charges; provided that the Municipality may at any time withdraw any such exemption.

25. MEDIUM VOLTAGE AND LOW VOLTAGE SWITCHGEAR AND EQUIPMENT

25. (1) In cases where a supply is given at either medium voltage or low voltage, the supply and installation of the switchgear, cables and equipment forming part of the service connection must, unless otherwise approved, be paid for by the consumer.
25. (2) In the case of a medium voltage supply, all such equipment must be approved by the Engineer and installed by or under the supervision of the Engineer.
25. (3) No person must operate medium voltage switchgear at the points of supply without the written authority of the Engineer.
25. (4) All medium voltage switchgear operations at the points of supply or interconnecting the points of supply must be approved by the Engineer and all earthing and testing of medium voltage equipment linked to the Municipality's network must be conducted by or under the supervision of the Engineer.
25. (5) In the case of an low voltage supply, the consumer must provide and install an approved low voltage main switch and/or any other equipment required by the Engineer.

26. STANDBY SUPPLY

26. (1) No consumer must be entitled to a standby supply from the Municipality for any premises having a separate source of electricity supply except with the written consent of the Engineer and subject to such terms and conditions as may be laid down by the Engineer.
26. (2) Upon interruption of the electricity supply, the Municipality may supply standby electricity in any manner as necessary.

27. CONSUMER EMERGENCY STANDBY SUPPLY EQUIPMENT

27. (1) No emergency standby equipment provided by a consumer in terms of any by-laws must be connected to any installation without the prior written approval of the Engineer.
27. (2) Application for approval for the connection of emergency standby equipment, as contemplated in subsection (1), must be made in writing and must include a full specification of the equipment and a wiring diagram.

28. TEMPORARY SUPPLY

28. (1) Subject to the provisions of sub-section (2) hereof where application is made for a temporary supply of electricity, the Engineer shall furnish the applicant with the estimated cost of connection and disconnection. The applicant shall pay such estimated amount before the supply is given and shall pay for the electricity consumed at the prescribed tariff rate. Where the variation between the actual cost of connection and disconnection and the estimated cost exceeds 10%, the applicant's account shall be adjusted to reflect the actual cost.
28. (2) Temporary single-phase supplies for the periods not exceeding 14 days for fetes, religious gatherings, election lighting and similar purposes may be provided to premises situated immediately adjacent to suitable existing supply or service mains upon payment of the relevant charge in terms of the applicable tariff of charges.

29. ELECTRICAL INSTALLATION ON CONSUMER PREMISES

29. (1) Every consumer shall maintain the electrical installation, sub-stations and all appliances on the premises owned or occupied by him in good order and repair and shall be responsible for the safe-keeping of all meters, service fuses, service mains, and other electrical apparatus and fittings belonging to the Council which are placed and installed on his premises. The consumer shall be responsible for any loss of or damage to any apparatus and fittings to the Council which directly or indirectly results from a failure on his part to exercise all reasonable care in safeguarding the same, or is caused by any wilful or negligent act or omission of the consumer or of his employee or agent or any person who is upon the said premises with the consent, tacit or otherwise, of the consumer, or given on his behalf, and the consumer shall pay to the Council on demand the cost of making good or of repairing any such loss or damage as ascertained and certified by the Engineer.
29. (2) (a) Where a consumer discovers any fault or defect in any electrical installation, he shall immediately cut off the supply at the main switch and arrange for the rectification of the fault or defect.
(b) Any action undertaken under sub-section (2)(a) above does not in any way condone any tampering or associated illegal activity of the meter or supply.
29. (3) Where, in the opinion of the Engineer, the electrical installation in any premises is not in accordance with the bylaws or the code of practice or where in his opinion there is any defect in such installation or sub-station or in any appliance used in or on such premises which is likely to cause injury to life or damage to property, he may, by notice, call upon the consumer to bring the installation substation or appliance into conformity with the bylaws or wiring regulations or to remove the defect within the period specified in the notice. Upon the failure of the consumer to comply with such notice within the period specified, the Engineer shall have the right to disconnect the supply of electricity to such premises.
29. (4) If a consumer fails to perform the duties imposed on him by sub-section (1) or if he fails to comply with the terms of a notice given to him in terms of sub-section (3) within the period specified in such notice, the Engineer may, at the cost of the consumer, himself cause any work to be carried out which he

considers necessary to bring the electrical installation, substation and appliances on the premises concerned into good order and repair and remedy any defect therein or to bring the electrical installation into conformity with the bylaws or the code of practice, as the case may be.
29. (5) A lessor is required in terms of the Electrical Installation Regulations to be in possession of a valid certificate of compliance for each installation used or leased by him.

30. WHEELING OF ELECTRICITY

30. (1) No person may generate electricity by way of a fixed electrical installation and feed into the municipal electricity distribution network unless an agreement has been concluded with the Municipality, and such agreement together with the provisions of this by-law, as well as any other legislation governing the licensing of generators, shall govern such generation of electricity.

31. RESALE OF ELECTRICITY

31. (1) Unless authorized by the Engineer, no person may sell or supply electricity supplied to his or her premises or generated by him or her under an agreement with the Municipality, to any other person or persons for use on any other premises or permit or allow such resale or supply to take place.

31. (2) If electricity is resold for use on the same premises, the provisions of the Electricity Regulation Act, No 4 of 2006 and the Electricity Regulation Amendment Act No 38 of 2024, shall apply, as specified in Schedule 2 to the Electricity Regulation Act, No 4 of 2006.

31. (3) If electricity is resold for use upon the same premises, the electricity resold shall be measured by a submeter of a type which has been approved by the South African Bureau of Standards and supplied, installed and programmed in accordance with the standards of the Municipality.

31. (4) The tariff, rates and charges at which and the conditions of sale under which electricity is thus resold shall not be less favourable to the purchaser than those that would have been payable and applicable had the purchaser been supplied directly with electricity by the Municipality.

31. (5) Every reseller shall furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information details provided by the Municipality to its electricity consumers.

32. DUTIES OF CONSUMER

32. (1) All electricity consumed shall be paid for at the appropriate tariff rate prescribed by the Municipality and or its successor.
32. (2) Accounts shall, as far as practicable, be rendered monthly and shall be paid within 21 days from the date of the account. Where a consumer fails to pay the account within such period, the Engineer or the Chief Financial Officer may cut off the supply. A consumer whose supply of electricity has been disconnected in terms of this section shall not be entitled to be reconnected to the Council's supply mains until the amount of the account and the prescribed reconnection/administration fees have been paid in full.

32. (3) Meters will, as far as practicable be read and electricity consumed between meter readings shall be deemed to have been consumed evenly between such meter reading dates.
32. (4) Where an account is terminated less than a month thereof after the preceding reading of the meter, the monthly fixed or minimum charge will be deemed as a month. For the purpose of assessing fixed or minimum charges 'one month' shall be reckoned as 30 days.
32. (5) (a) In those months in which any meter is not read the Chief Financial Officer shall render an account for an estimated sum for electricity, such estimated sum to be assessed by him with due regard, wherever possible, to the average monthly value of fixed or minimum charges and of electricity consumed upon the premises served by the meter and to any tariff changes that may have occurred.
Provided that where there has been no previous consumption the Chief Financial Officer may determine the amount of the said provisional sum by reference to such consumption on other similar premises as s/he considers would constitute a reasonable guide.
(b) In those months in which any meter is read the Chief Financial Officer shall render an account for the total quantity of electricity consumed since the previous reading, together with the appropriate fixed or minimum charges and shall deduct therefrom the total amount of provisional sums (if any) which may have been charged in terms of paragraph (i) since such previous meter reading.
(c) The provisions of sub-section (2) shall apply to accounts rendered in terms of this sub-section.
32. (6) Where any meter is found to have ceased to register or to have registered inaccurately to an extent of more than within the applicable standard specifications, the quantity of electricity to be paid for by the consumer from the date of reading of the meter prior to its failure to register or becoming faulty up to the time of its repair or replacement shall, unless the consumer is able to establish to the satisfaction of the Engineer that a lesser or greater quantity of electricity was in fact consumed, be estimated by the Chief Financial Officer on the basis of:
(a) The average monthly consumption of electricity upon the premises served by the meter during a period of up to twelve months prior to the last registration, or the date on which it ceased to register accurately or, if this is not possible;
(b) The quantity of electricity consumed upon such premises during the corresponding month or months of the previous year or, if this also is not possible;
(c) The average monthly consumption upon the premises served by the meter over a period of up to twelve months after its repair, where consumption is measured using a credit meter; or on the average consumption of similar consumers within the same area, where supply is via an electricity dispenser.

33. ACCOUNTS

33. (1) The record by any meter installed on any premises by the Council shall be conclusive proof of the quantity of electricity consumed provided that where such meter is tested as hereinafter provided and found to be within the error as provided for in the applicable standard specifications, the Chief Financial Officer shall correct the consumer's account to conform to the result of the test and shall refund to the consumer any amount paid by him in excess of the amount due. No such adjustment shall, however, be made in respect of any period prior to the last metered period for which an account is rendered to the consumer unless the consumer is able to establish to the satisfaction of the Engineer that the meter was inaccurate during such prior period.
33. (2) The Engineer may and shall at the request of any consumer and upon the payment of the fee, test the accuracy of any meter installed by the Council. Where any such test is carried out at the request of the consumer, the fee paid by him shall be refunded if the meter is found to be within the error as provided for in the applicable standard specifications.

33. (3)(a) Where portions of any premises which are separately let or occupied are separately metered, and the owner of the premises accepts responsibility for the payment of all or some of the accounts of the tenants or occupiers, he shall not be permitted to summate the current consumed by such tenants or occupiers in order to obtain any benefits under the tariffs.
(b) Where portions of any premises which are separately let/occupied are separately metered then the account may only be differentiated in terms of the category of supply in cases where there are established differentiations in the rating category as per the municipality's valuation roll.
33. 4) Cheques drawn on any branch bank situated within the area of supply need not include bank exchange.

34. INTERRUPTION OF SUPPLY

34. (1) The Council shall not be liable for any loss or damage, direct or consequential, due to or arising from any interruption, diminution or discontinuance of the supply of electricity or any temporary increase or surge therein, occasioned by a strike, blackout, war, Act of God, legislative action or embargo or any other cause beyond the Council's control or by any fault occurring in the machinery, supply or service mains or other apparatus of the Council or by the rectification of any such fault. The consumer is deemed to hold the Council indemnified against any action, claim, expense or demand arising from or in connection with any of the matters aforesaid.
34. (2) The Engineer may without notice, interrupt the supply of electricity to any premises for the purpose of carrying out emergency repairs to supply or service mains.

35. TERMINATION OF SUPPLY

35. (1) A consumer may terminate the supply of electricity by giving the Chief Financial Officer at least 14 days' notice of his intention to cease taking a supply.
35. (2) Any consumer who vacates the premises supplied without giving notice as required by subsection (1) hereof, shall be liable to pay for all electricity consumed on the premises up to the date that the new occupant of the premises accepts responsibility for the electricity supplied thereto.
35. (3) Upon the termination of the supply, the Engineer shall be entitled to disconnect the supply to the premises unless an application for the continuance of the supply to such premises has been made to the Chief Financial Officer in terms of section 4 of these Bylaws.
35. (4) A consumer who has given notice in terms of sub-section (1) hereof may claim a refund of the amount deposited by him, or so much thereof remains after the deduction of any amount owing by him for electricity supplies or service redeemed.
35. (5) (a)Where no claim for a refund of the amount deposited is made within five years from the date of termination of supply, the deposit shall be forfeited to the Council: provided that if a claim is made after the expiry of five years from the date of termination of supply.
(b)Subject to the submission of substantial proof, the Chief Financial Officer may at his/her discretion refund such amount.
35. (6) Should electricity not be consumed for a continuous period of 6 months by:
(a) Consumers on the small power users' tariff; or
(b) Consumers whose supply has been disconnected for non-payment of account and who have not applied for reconnection during the specified period.

- The Engineer shall be entitled to remove all of the Council apparatus and equipment installed on the consumers' premises.

36. TAMPERING WITH SERVICE CONNECTION OR SUPPLY MAINS

36. (1) No person shall in any manner or for any reason whatsoever tamper with, interfere with, vandalize, fix an advertising medium to, or deface any meter or metering equipment, supply mains, service connection, service protective device, seal, lock or other electrical equipment belonging to the Municipality;
36. (2) If there are reasonable grounds to believe that the Municipality has sustained any loss due to tampering or interference with any supply mains, service connection, meter, protective devices, seals, lock or other electrical equipment in contravention of subsection (1) above, the Municipality may estimate such loss and such loss will be payable by the consumer. In addition, such consumer shall pay to the Municipality any cost which it may incur in repairing or reinstating the equipment, together with prescribed fee or surcharges;
36. (3) Where prima facie evidence exists of a consumer and any/or any person having contravened subsection (1), the Municipality may disconnect the supply of electricity to the consumer, and that person shall be liable for all fees and charges levied by the Municipality for such disconnection;
36. (4) Where a consumer and/or person has contravened subsection (1) and such contravention has resulted in the meter recording less that the true electricity consumption, the Municipality shall have the right to recover from the consumer the full cost of the estimated electricity consumption;
36. (5) Where interference or damage is caused by any consumer having contravened subsection (1), legal action may be instituted against such consumer.

37. SEALS OF THE MUNICICIPALITY

37. (1) The meter, service protective devices and all apparatus belonging to the Municipality shall be sealed or locked by a duly authorized official of the Municipality, and no person, not being an official of the Municipality duly authorized thereto, shall in any manner or for any reason whatsoever remove, break, deface, or tamper or interfere with such seals or locks.

38. PROTECTION OF MUNICIPALITY'S SUPPLY MAINS

38. (1) No person shall, except with the consent of the Municipality and and/or without having in his possession on site a wayleave issued by the Municipality and subject to such conditions as may be imposed:
(a) Construct, erect or lay, or permit the construction, erection or laying of any building, structure or other object, or plant trees or vegetation over or in such a a position or in such a manner as to interfere with or endanger the supply mains;
(b) Excavate, open up or remove the ground or alter the ground level, above, next to, under or near any part of the supply mains, or in any area falling under the jurisdiction of the municipality;
(c) Damage, endanger, remove or destroy, or do any act likely to damage, endanger or destroy any part of the supply mains;
(d) Make any unauthorized connection to any part of the supply mains or divert or cause to be diverted any electricity therefrom.
38. (2) The Municipality may in the case of an emergency or disaster, remove anything damaging, obstructing or endangering or likely to damage, obstruct, endanger or destroy any part of the electrical distribution system.

39. UNAUTHORIZED CONNECTIONS

39. (1) No person other than a person specifically authorized thereto by the Electrical Engineer in writing shall directly or indirectly connect, attempt to connect or cause or permit the connection of a new electrical installation or part of a new electrical installation to the supply mains or service connection.
39. (2) In the case where an electrical installation has been illegally connected on a customer's premises in contravention of this by-law, any policy or guideline issued by the Municipality and/or Regulations, the Municipality may disconnect the connection of the electrical installation to the municipal distribution network;
39. (3) The Municipality must give a person referred to in subsection (2) and any person residing in the premises notice of:
(a) the intention to disconnect the electrical installation of such person;
(b) a reasonable opportunity for such person to make representations in respect of the intended disconnections; and
(c) all the relevant information including reasons for the intended disconnection and the notice period on or after which the disconnection will be effected.
39. (4) For circumstances other than listed, where any of the provisions of this by-law or Regulations are being contravened, the Municipality shall give the person concerned fourteen days' notice to remedy his or her default prior to disconnection.
39. (5) The Municipality may disconnect the supply of electricity to any premises or the connection of any electrical installation without notice under the following circumstances:
(a) where there is a case of grave risk to any person or property; or
(b) for reasons of community safety or the safety of emergency personnel.
39. (6) After the disconnection contemplated in subsection (5), the fee as prescribed by the Municipality for such disconnection or the reconnection of the service shall be paid by the person concerned.
39. (7) In the case where an installation has been illegally reconnected on a customer's premises after having been previously legally disconnected by the Municipality, or in the case where the Municipality's electrical equipment has been tampered with to prevent the full registration of electricity consumption by the meter, the electricity supply may be physically removed from those premises.

40. PROHIBITED ACTS

40. (1) No Person shall -
(a) Tamper or interfere with any meter, supply or service main, main fuse or other electrical apparatus belonging to the Council;
(b) Erect any pole, mast or wire or other similar structure in close proximity to any overhead supply or service main or in such position or in such manner as is likely to cause danger from electrical current to himself or any other persons or damage to the electrical installation;
(c) Tap or attempt to tap or cause or permit to be tapped, any supply mains or service main in any manner by which an unmetered needed supply of electricity or supply other than or in excess of that contracted for might be obtained, abstracted or diverted;
(d) Except as provided in these Bylaws sell or supply electricity supplied to him by the Council to any other person or knowingly permit any such sale or supply to be made;
(e) Without the written permission of the Engineer directly or indirectly connect any electrical installation to a supply or service main;
(f) Operate any motor or other machinery in such a manner as to cause undue or unnecessary disturbance to the electrical pressure on the supply mains conveying such electrical current to his premises, or

disregard any directions given to him by the Engineer in regard to the proper operation of such motor machinery;
(g) Use any electrical current supplied by the Council in any unauthorized manner or in contravention of the Bylaws or commit any act which is likely to interfere unduly with the efficiency of the supply.
(h) Connect any defective appliance to an electrical installation;
(i) Not being a duly authorized official of the Municipality, remove, break, deface, tamper or interfere with seals or locks to the electricity meter, service protective devices and all apparatus belonging to the Municipality;
(j) Other than a person specifically authorized thereto by the Engineer in writing shall directly or indirectly connect, attempt to connect or permit to be connected any electrical installation or part thereof to the supply mains or service connection.

In the event of any such interference, the Engineer may, if his directions in regard thereto are not carried out, disconnect the supply of electricity.

41. DISCONNECTION AND RECONNECTION

41. (1) Where an electrical installation has been disconnected by the Engineer either at the request of the consumer or in consequence of a breach of any of these Bylaws, or of a failure to comply with a notice served by the Engineer, the supply shall not be reconnected or used until the reconnection/administration fee prescribed has been paid in full and the breach giving rise to the disconnection has been remedied; provided that no reconnection/administration fee shall be payable when the supply of electricity is temporarily disconnected in order to enable the owner to repair the roof of his premises.
41. (2) No person other than the Engineer or person specially authorized thereto by the Engineer in writing shall reconnect or attempt to reconnect or permit the reconnection of any electrical installation which has been disconnected by the Engineer to the supply or service mains.
41. (3) In the event of a contravention of the preceding provisions of this section, it shall be presumed (unless the contrary is proved) that the reconnection or attempted reconnection was done or permitted as the case may be by the consumer.
41. (4) Where a new consumer takes over premises already connected to the Council's supply mains he/she shall make an application in accordance with the provisions of section 5, and no connection fee shall be payable unless for any reason the adjustment or replacement of the service main is necessary in which event the cost of adjustment or replacement shall be borne by such new consumer as determined by the Engineer.

42. RIGHT TO DISCONNECT SUPPLY

42. (1) The Municipality may disconnect the supply of electricity to any premises, which could include restricting and/or allocation of credit purchases for prepayment meters as set out in the Municipality's Credit Control and Debt Collection Policy:
(a) Where tampering with the service connection or supply mains has occurred, or
(b) Where there are reasonable grounds that the consumer has interfered in an improper or unsafe manner or was found to have interfered in an improper or unsafe manner with the efficient supply of electricity to any other consumer, or
(c) Where the provisions of these bylaws have otherwise not been complied with or been contravened.

42. (2) In the case where the Municipality's electrical equipment has been tampered with to prevent full registration of electricity consumption by the meter, the electricity supply may be physically removed from those premises.

43. TEMPORARY WORK

43. (1) Electrical installations requiring a temporary supply of electricity shall not be connected directly or indirectly to the supply mains except with the prior written approval of the Municipality.
43. (2) Full information as to the reasons for the nature of such temporary work shall accompany the application for the aforesaid permission, and the Municipality may refuse such permission or may grant the same upon such terms and conditions as it may appear desirable and necessary.

44. LOAD REDUCTION

44. (1) At times of peak load, or an emergency, or when, in the reasonable opinion of the Municipality, it is necessary for any reason the reduce the load on the electricity supply system of the service provider, it may without notice interrupt and, for such period as the Municipality may deem necessary, discontinue the electricity supply to any consumer's electrically operated thermal storage water heater or any specific appliance or the whole installation.
44. (2) The Municipality shall not be liable for any loss or damage directly or consequentially due to or arising from such interruption and discontinuance of the electricity supply.
44. (3) The Municipality may install upon the premises of the consumer such apparatus and equipment as may be necessary to give effect to the provisions of sub-section (1), and any duly authorized official of the Municipality may at any reasonable time enter any premises for the purpose of installing, inspecting, testing, adjusting or changing such apparatus and equipment.
44. (4) Notwithstanding the provisions of sub-section (3), the consumer or the owner, as the case may be, shall, when installing an electrically operated water storage heater, provide such necessary accommodation and wiring as the Municipality may decide so as to permit the effective installation of the apparatus and equipment referred to in sub-section (3).

45. TECHNICAL STANDARDS AND GUIDELINES

45. (1) The Municipality may from time-to-time issue technical standards detailing the requirement of the Municipality regarding matters not specifically covered under applicable standard specification or in this by-law but which are necessary for the safe, efficient operation and management of the electrical generation equipment.

46. NOTICES, ORDERS & OTHER DOCUMENTS

46. (1) Every notice, order or other document provided for in these Bylaws and requiring authentication by the Council shall be sufficiently authenticated if signed by the Engineer.
46. (2) Any notice, order or other document which is required by these Bylaws to be served upon or given to an occupier of premises shall be deemed to have been properly served upon or given to him if it is addressed to him personally or addressed to the occupier as such of the premises.

47. BYLAWS ADDITIONAL TO OTHER POWERS

47. (1) These Bylaws shall be deemed to be in addition to and not in substitution for any power, right or privilege conferred upon the Council or the Engineer by any other law and shall not derogate in any way from any penalty or liability to which any person may be subject under any other law.

48. CONFLICTING LAWS

48. (1) Where the provisions of these bylaws conflict with the terms and conditions of an agreement for the supply of electricity concluded by the Council under the authority conferred by paragraph (d), (e) and (f) of Section 180 of the Local Government Ordinance, 1942 (Ordinance No. 21 of 1942), or any amendment thereof, the terms and conditions of such agreement shall prevail.

49. INDEMNITY

49. (1) The Municipality must not be held liable for any loss or damage, direct or consequential, suffered or sustained by a consumer as a result of or arising from the cessation, interruption or discontinuance of the supply of electricity, unless caused by negligence on the part of the Municipality.

50. OFFENCES AND PENALTIES

50. (1) Any persons who -
(a) Contravenes any provision of these Bylaws; or
(b) Contravenes any conditions imposed upon the granting of any application, consent, approval, concession, relaxation, permit or authority in terms of these Bylaws; or
(c) Fails to comply with the terms of any notices served upon him in terms of these Bylaws; shall be guilty of an offence and liable, upon conviction, to the maximum penalty prescribed for the offence by section 266 (7)(a) of the Local Authorities Ordinance, No. 25 of 1974.
50. (2) Failure to comply with the terms of any condition or notice referred to in sub-section (1) (b) or (c) above shall constitute a continuing offence and a person failing to comply with the terms of such condition or notice shall be guilty of a separate offence for each day during which he fails to comply with such terms.

50. (3) Any person committing a breach of the provisions of these bylaws shall be liable to compensate the municipality for any loss or damage suffered or estimated in consequence of the breach.

51. REPEAL OF BYLAWS

51. (1) All existing Electricity Supply Bylaws including Hibiscus Coast Municipality Electricity Supply Bylaws and Borough of Port Shepstone Electricity Supply Bylaws are hereby repealed.

52. SHORT TITLE AND COMMENCEMENT

These by-laws must be called the Electricity Supply By-laws, 20__, and must come into operation on publication in an official Provincial Gazette.