

STEVE TSHWETE LOCAL MUNICIPALITY

ELECTRICITY BY-LAWS

Notice is hereby given in terms of Section 13 of the Local Government: Municipal Systems Act 32 of 2000, as amended, read with Sections 156 and 162 of the Constitution of the Republic of South Africa Act 108 of 1996 that the Steve Tshwete Local Municipality resolved to adopt the following Electricity By-laws, with effect from the date of publication.

INDEX

<i>Section</i>		<i>page</i>
1	Definitions	2-4
2	Application for and Conditions of Supply	4
3	Consumer's Agreement	4
4	Termination of Consumer's Agreement	5
5	Continuation of Supply to New Consumer	5
6	Energy Charges	5-9
7	Deposits	9-11
8	Accounts	11-12
9	Reading of Meters	12
10	Testing Accuracy of Meter	12-13
11	Failure of Meter to Register Correctly	13
12	Disconnection of Supply	14
13	Unauthorized Connection	14
14	Fraudulent Use	15
15	Resale of Electricity	15-16
16	Installation Diagram and Specifications	16
17	Inspection and Tests	16-17
18	Liability of Council and Contractor	17
19	Service Connections	18-19
20	Sealed Apparatus	19
21	Tampering	20
22	Liability for Damage to Service Connection	20
23	Type of Supply	20
24	Meter Cabinets	20
25	Prepayment Metering	20-21

26	High-voltage Electrical Installations	21
27	Enclosures for Supply Equipment	22
28	Permanently connected Appliances	22
29	Surge Diverters	23
30	Position of Cooking Appliances	23
31	Provision of Circuit Breakers	23
32	Maintenance of Installation	23
33	Control Apparatus	23
34	Obstructing Employees	24
35	Irregular Supply	24
36	Owner's and Consumer's Liability	24
37	Sundry Charges	24-26
38	Notices	26
39	Offences and Penalties	27
40	Repeal of By-laws	27
41	Short title and commencement	27

Definitions

In these by-laws, unless the context indicates otherwise –

“**approved**” in relation to any article or practice, means approved by the council or the engineer as being suitable and satisfactory in respect of safety, design, performance, and the method of its application, regard being had to the recognized principles of electrical practice, and “approval” recognised principles of electrical practice, and approval shall be interpreted accordingly;

“**consumer**” means any person who has entered into an agreement with the council for the supply to him of electricity;

“**consumer's agreement**” means an agreement as referred to in section 3;

“**contractor**” means an electrical contractor or a permit holder in terms of the Act;

“**council**” means the Steve Tshwete Municipal Council established in terms of Section 12 of the Local Government: Municipal Structures;

“**engineer**” means the head of the council's electricity undertaking or an official duly authorized by the council;

“high-voltage enclosure” means a chamber, compartment or other enclosure in which a transformer, switchgear or other electrical equipment is contained for operation at a voltage above 1 000 and the expression “high voltage” shall be interpreted accordingly;

“low-voltage enclosure” and “enclosure for a special supply at low voltage” means a chamber, compartment or other enclosure in which a transformer, switchgear or other electrical equipment is contained for operating at a voltage at or below 1 000 and the expression “low voltage” shall be interpreted accordingly;

“meter-reading period” means the period extending from one reading of a meter to the next;

“meter cabinet” means an enclosure intended for the accommodation of a meter, circuit breaker or other associated electrical equipment determined by the engineer and designed to operate at low at low voltage;

“occupier” means any person in occupation of premises at any relevant time;

“owner” means and includes the registered owner of the land or premises, or his authorized agent, or any person receiving the rent or profits issuing there from, or who would receive such rents or profits, if land or premise were let, whether on his own account or as agent for any person entitled thereto or interested therein;

“premises” means any land and any building, erection or structure, above or below the surface of any land and includes any aircraft, vehicle or vessel;

“service connection” means the cable or conductor leading from the supply main to the point of supply of the electrical installation and includes any high voltage or other equipment connected to that cable or conductor, any meter; and any board, panel or other device to which the meter is fixed and all installation work and apparatus associated with the said equipment, meter or other device installed by the council;

“service fuse” or **“service circuit breaker”** means a fuse or service circuit breaker belonging to the council and forming part of the electrical circuit of the service connection;

“skilled person” means any person who in the opinion of the engineer is sufficiently skilled and qualified to execute, supervise and inspect work pertaining to high voltage regard being had to his experience and knowledge of electrical practice;

“special supply at low voltage” means a supply of electricity exceeding 40kVA at low voltage;

“supply” means a supply of electricity from the supply main;

“supply main” means any cable or wire forming that part of the council’s electrical distribution system to which service connections may be connected;

“tampering” means any form of unauthorised interference with the supplier’s mains or equipment or metering installations in a manner that prima facie could result in a consumer’s total consumption not being correctly metered or the division of the supply of electricity to a consumer unlawfully.

“tariff” means fees, charges and any other tariffs levied by the council in respect of any function or service provided by the council, excluding rates levied by the council in terms of the Local Government: Municipal property Rates Act 6 of 2004;

Application for and Conditions of Supply

2.(1) Application for a supply shall be made to and in a form prescribed by the engineer.

(2) The engineer may, before granting a supply, inspect the electrical installation to which an application relates with a view to establishing that such installation is safe and proper and complies with these by-laws or other applicable legislation.

Consumer’s Agreement

3.(1) No supply shall be given to an electrical installation unless and until the owner or occupier of the premises or some person acting on his behalf has completed a consumer’s agreement in a form prescribed by the council.

(2) The charge payable for the supply shall be in accordance with the tariff.

(3) No person shall use a supply unless a consumer's agreement as contemplated in subsection (1) has been concluded with the council: Provided that any consumer who was a consumer in terms of the Standard Electricity By-laws published under Administrator's Notice 1627, dated 24 November 1971, as amended, shall be deemed to conclude an agreement with the council in terms of subsection (1).

(4) The council may decide whether a consumer's agreement shall be concluded by it with the owner or with the occupier of the premises or some person acting on his behalf.

(5) No person shall, without first having obtained the engineer's permission in writing, lead electricity temporarily or permanently to any point of consumption or place not forming part of the electrical installation for which a supply has been agreed upon or given.

Termination of Consumer's Agreement

4. Subject to the provision of section 9(6) and 11, any consumer's agreement may be terminated by the consumer, his authorized representative, or by the council on giving 7 day's notice in writing calculated from the date of service thereof: Provided that if such notice purports to terminate an agreement on a Saturday, Sunday or public holiday, such termination shall only take effect on the next ensuing day which is not a Saturday, Sunday or public holiday.

Continuation of Supply to New Consumer

5.(1) The council may, upon the termination of any consumer's agreement; enter into a new consumer's agreement with any prospective consumer providing for the continuation of the supply.

(2) The consumer who is party to the new consumer's agreement referred to in subsection (1) shall be liable to pay for the electricity consumed after a meter reading taken on the date of termination of the previous agreement.

Energy Charges

6.(1) Inclining Block Tariffs

(a) Applicable to all residential indigent consumers with an ampere capacity limited to 20A per phase. Free basic electricity to a maximum of 50 kWh per month applies to registered indigent consumers.

(b) Applicable to all residential consumer with single or three phase with an ampere capacity of up to 80A per phase.

(2) Basic charge

- No fixed charge per month or part thereof to consumed that are limited to 20A single phase called indigent consumers, only an energy charge per kWh.
- A fixed charge, whether electricity is consumed or not, per month or part thereof supplied with Single phase.
- A fixed charge, whether electricity is consumed or not, per month or part thereof supplied with Three phase.

The four blocks of the Inclining Block Tariff structure is illustrated in the table below.

DOMESTIC TARIFFS			
Block 1	Block 2	Block 3	Block 4
0 – 50 kWh	51 – 350kWh	351 – 600 kWh	>600 kWh

(3) Unless a consumer applies in writing for the type of supply which he requires in terms of section 2(1), the type of supply shall be determined by the Engineer. It remains the option of the council to classify the type of supply of any consumer according to such consumers demand or actual consumption of both.

(4) Should a portion of any of the premises in terms of section 2(1) be used for purposes in respect of which a higher charge is to be charge in terms of these tariffs, the higher charges shall apply in respect of the whole premises, unless the portion in question is separately wired and metered.

(5) No alteration to a tariff circuit breaker in order to change to a lower tariff shall be permitted to the same consumer within 12 months after a specific tariff has been brought into use. Provided that the latter restriction shall not be applicable to new consumers within three months after the connection or reconnection of the supply.

(6) Charge –

(a) No capacity charges to consumers that are limited to 40A single phase called life line consumers, only an energy charge per kWh.

(b) A capacity charge to all other consumers whether electricity is consumed or not, per ampere of supply capacity, per month, or part thereof.

(7) Basic Charge –

(a) A fixed charge, whether electricity is consumed or not, per month or part thereof supplied with Single phase.

(b) A fixed charge, whether electricity is consumed or not, per month or part thereof supplied with Three phase.

(8) Active Energy Charge per kWh.

(9) Unless a consumer applies in writing for the type of supply which he requires in terms of subsection 7 the type of supply shall be determined by the Engineer. It remains the option of the council to classify the type of supply of any consumer according to such consumers demand or actual consumption of both. No alteration to a tariff circuit breaker in order to change to a lower tariff shall be permitted to the same costumer within 12 months after a specific tariff has been brought into use. Provided that the latter restriction shall not be applicable to new consumers within three months after the connection or reconnection of the supply.

(10) Time of Use –

(a) Low voltage three phase demand scale: These tariffs are applicable to all bulk consumers metered at low voltage with an annual average metered load with a capacity higher than 80A per phase.

(b) 11 000 Volt three phase demand scale. These tariffs are applicable to all bulk consumers metered at medium voltage where electricity is supplied at 11 000V.

(c) Basic Charges – A fixed charge, whether electricity is consumed or not, per month or part thereof, for each point of supply (meter point).

(d) Demand Charge – A demand charge per kVA of half hourly, highest registered maximum demand is payable during the peak or standard period on week days and Saturdays.

(e) Network Access Charge – Network Access charge per kVA payable each month whether electricity is used or not, per month or part thereof. (Notified maximum demand)

(f) Active Energy Charge – An active energy charge payable per kWh of electrical energy used in the month. The charges for time of use tariffs differ for the high demand (June – August) and low-demand (September – May) seasons. These charges also differ by the time-of-day in peak, standard and off-peak periods.

(g) Seasons:

- High demand seasons (June, July, August)
 - Peak
 - Standard
 - Off-peak
- Low demand season (September to May)
 - Peak
 - Standard
 - Off-peak

(h) Active Reactive Energy charge – Reactive Energy Charge be determined per 30-minute integrating period and accumulated for the month and will only be applicable during the high-demand season. (June – August)

(i) Time Table

- Peak hours:
 - Weekdays 07:01 – 10:00
 18:01 – 20:00

- Saturdays None
- Sundays None

- Standard hours:
 - Weekdays 06:01 – 07:00
 10:01 – 18:00
 - Saturdays 07:01 – 12:00
 18:01 – 20:00
 - Sundays None

- Off-peak hours:
 - Weekdays 22:01 – 06:00
 - Saturdays 12:01 – 18:00
 20:01 – 07:00
 - Sundays 00:00 – 24:00

(11) Street lights and traffic light consumption -

- (a) This tariff is applicable to all Street light and traffic light (Energy Charge kWh)

(12) Departmental levies and sport clubs – This tariff is applicable to all municipal buildings, levies and sport clubs. Where time of use meters are installed the applicable tariffs as per the time of use categories as determined will apply. (Energy Charge kWh).

(13) Other charges – Fixed charge per month or part thereof to all undeveloped erven with access to the reticulation network. A fixed charge per month or part thereof.

Deposits

7.(1)(a) Except in case of the Government of the Republic of South Africa including the Mpumalanga Provincial Government and the South African Transport Services or other class of consumer approved by the council, every applicant for a supply shall, before such supply is given, deposit with the council a sum of money on the basis of the cost of the maximum consumption of electricity which the

applicant is in the council's opinion likely to use during any two consecutive months: Provided that such sum shall not be less than is prescribed in the tariff.

(b) Notwithstanding the foregoing provisions of this section the council may, in lieu of a deposit, accept from an applicant, a guarantee for an amount calculated in accordance with paragraph (a) and in the form prescribed by the council, as security for the payment of any amount that may become due by the applicant for, or in respect of, the supply of electricity: Provided that no such guarantee shall be accepted unless the estimated monthly account in respect of the supply to the premises concerned amounts to the amount as determined by council.

(2) The council may at any time when the deposit or guarantee is found to be inadequate for the purposes of subsection (1), require a consumer to increase the deposit made or guarantee furnished by him, in which event the consumer shall, within 30 days after being so required, deposit with the council such additional sum or furnish such additional guarantee as the council may require, failing which the council may discontinue the supply.

(3) Any sum deposited by or on behalf of a consumer shall, on being claimed, be refunded within 30 days after the termination of the consumer's agreement after deducting any amount due by the consumer to the council.

(4)(a) Subject to the provisions of subsection (3), any person claiming a refund of a deposit or part thereof, shall either –

(i) Surrender the receipt which was issued for payment of the deposit; or
(ii) if such receipt is not available, sign a receipt prescribed by the council for the refund to him of such deposit or part thereof, and satisfy the council that he is the person entitled to such refund.

(b) If a deposit or part thereof has been refunded in accordance with paragraph (a), the council shall be absolved from any further liability in respect thereof.

(5) The consumer's agreement may contain a provision that any sum deposited by the consumer, a refund of which has not been so claimed within 1 year after either such agreement has been terminated or he has ceased for any reason to receive a supply in terms of such agreement, shall at the expiration of that period become forfeited to the council.

(6) Notwithstanding the provisions of subsection (5), the council shall at any time pay –

(a) to the person who paid the deposit on his satisfying the council of his identity and the amount; or

(b) to any other person who has satisfied the council that he is entitled to have the payment made to him, an amount equal to the forfeited deposit.

(7) If a consumer applies to the council for a supply of higher capacity than he is receiving, the council may require the consumer to make an increased deposit or furnish an increased guarantee in terms of subsection (1) and (2) before such supply is given.

(8) A deposit equal to two months circuit-breaker levy shall be paid by the consumer for all new connections.

Accounts

8. (1) The engineer shall, in respect of each scale of the tariff governing a supply, provided such number of meters as he deems necessary.

(2) The council may, during any meter reading period, render to the consumer a provisional account in respect of a part of such period (which part shall as nearly as practically possible be a period of 30 days and the amount of such account shall be determined as provided in subsection (4)) and shall as soon as possible after the meter reading at the end of such period render to the consumer an account based on the actual measured consumption and demand during that period, giving credit to the consumer for any sum paid by him on a provisional account as aforesaid.

(3) An account may be rendered for fixed charges in terms of the tariffs as and when they become due.

(4) The amount of a provisional account referred to in subsection (2) shall be determined by the council by reference to such previous consumption, on the same premises as would in his opinion, constitute a reasonable guide to the quantity of electricity consumed over the period covered by the provisional account: Provided that where there has been no such previous consumption the council shall determine the

amount of the said account by reference to such consumption on other similar premises which, in his opinion, affords reasonable guidance.

(5) A consumer's decision to dispute an account shall not entitle him to defer payment beyond the due date stipulated in the account.

(6) In the event of the council not being able to gain access to a meter for 2 consecutive meter readings the council may forthwith discontinue the supply of electricity in respect of the premises to which that meter relates.

(7) When it appears that a consumer has been wrongly charged for electricity due to the application of a wrong tariff or on any other grounds other than inaccuracy of a meter, the council shall make such enquiries and tests as it thinks necessary and shall, if satisfied that the consumer has been wrongly charged, adjust his account accordingly or if not so satisfied, charge him if the council's actions are the result of a complaint by the consumer, in addition the cost to itself of making such enquiries and tests.

Reading of Meters

9. (1) The amount of electricity supplied to any premises during any meter reading period shall be taken as the difference of the reading of the meter or meters thereon at the beginning and the end of such period and where maximum demand metering pertains, the demand shall also constitute a part of the reading.

(2) The reading shown by a meter shall be *prima facie* proof of the electrical energy consumed and of the maximum demand during the meter reading period and an entry in the council's books shall be *prima facie* proof that the meter showed the reading which the entry purports to record.

Testing Accuracy of Meter

10. (1) If a consumer or owner has reason to believe that a meter is not registering correctly he may give written notice to the council that he requires the meter to be tested, such notice to be accompanied by the fee prescribed in the tariff for the testing of meters, and the council shall as soon as possible thereafter subject the meter to test.

(2) The council's finding as to the accuracy of a meter after the test referred to in subsection (1) has been carried out shall be final, and a meter shall be deemed to be registering correctly if it shown by that test to be over- or under-registering by not

more than an average of 5 % when tested in accordance with the code of practice of the South African Bureau of Standards for the testing of electricity meters or in accordance with procedure laid down by the council.

(3) The fee payable in terms of subsection (1) shall be refunded if the meter is shown by the test to be registering incorrectly.

(4) The engineer shall, immediately before removing a meter for testing, take a reading of that meter and the current meter reading period shall be terminated at the time of such reading.

(5) If after testing a meter the council is satisfied that it is not registering correctly, it shall render to the consumer a statement of account adjusted in accordance with the consumption ascertained to have been over- or under-registered in respect of the period of 3 months prior to the date of termination of the current meter reading period in terms of subsection (4) and an adjusted account so rendered shall be paid within 10 days of the date thereof.

Failure of Meter to Register Correctly

11. (1) When the council is satisfied that a meter has ceased to register correctly the reading shown thereby shall be disregarded and the consumer –

(a) shall be charged in respect of the current meter reading period the same amount as he paid in respect of the corresponding period in the preceding year, subject to adjustment necessitated by any alteration to the electrical installation of the tariff; or

(b) if he was not in occupation of the premises during the corresponding period referred to in paragraph (a), shall be charged on the basis of his consumption during the 3 months preceding the last date on which the meter was found to be registering correctly; or

(c) if he was not in occupation of the premises during the whole of the period referred to in paragraph (b), shall be charged on the basis of his consumption during the 3 months following the date from which the meter was again registering correctly.

(2) If it can be established that the meter had been registering incorrectly for a longer period than the meter reading period to in subsection (1), the consumer may be charged with the amount determined in accordance with the said subsection or for a

longer period: Provided that no amount shall be charged in respect of a period in excess of 12 months prior to the date on which the meter was found to be registering incorrectly.

Disconnection of Supply

12. (1) When any charges due to the council for or in connection with electricity supplied are in arrear, the council may at any time without notice disconnect the supply to the electrical installation concerned or any part thereof until such charges together with the reconnection fee laid down in the tariff are fully paid.

(2) When conditions are found to exist in an electrical installation which in the opinion of the council constitute a danger or potential danger to person or property or interfere with the supply to any other consumer, the council may at any time without notice disconnect the supply to that installation or any part thereof until such conditions have been remedied or removed.

(3) The council may without notice temporarily discontinue the supply to any electrical installation for the purpose of effecting repairs or making inspections or tests or for any other purpose connected with its supply main or other works.

(4) The council shall, on application by a consumer in a form prescribed by the engineer, disconnect the supply and shall reconnect it on payment of the fee prescribed in the tariff.

Unauthorized Connection

13. (1) No person other than an employee of the council authorized thereto shall connect or reconnect or attempt to connect or reconnect any electrical installation with the service connection or the supply main.

(2) If the supply to any electrical installation is disconnected in terms of section 13(1) or (2), the consumer concerned shall forthwith take all reasonable steps within his power to ensure that such supply is not reconnected in contravention of subsection (1).

(3) If such supply is nevertheless so reconnected after it has been disconnected by the council the consumer concerned shall forthwith take all reasonable steps within his power to ensure that no electricity is consumed on the premises concerned and shall, in addition, forthwith notify the council of such reconnection.

(4) if the consumer contemplated in subsection (2) or (3) is not in occupation of the premises concerned, then the occupier of those premises shall comply with the provisions of the mentioned subsections.

(5) in any prosecution for a contravention of or failure to comply with subsection (2) or (3) or both, or of any or both of those subsections read with subsection (4), any contravention or failure to comply, whether intentional or negligent, shall be sufficient to constitute an offence and, unless the contrary is proved, it shall be deemed that –

(a) reasonable steps contemplated in subsections (2) and (3) were not taken; and

(b) such contravention or failure was due to an intentional act or omission of the person charged.

Fraudulent Use

14.(1) A supply for which a charge is laid down in the tariff and which is measured by a meter or set of meters shall not be used for any purpose for which a higher charge is laid down.

(2) Unless the council has granted permission in writing no electricity supplied by it shall be used unless it has first passed through the meter connected to the electrical installation.

Resale of Electricity

15. Where a person resells electricity supplied by the council –

(a) such electricity shall in respect of each purchaser, be metered through a sub-meter which, and the installation of which, has been approved by the council;

(b) the council shall not be held liable for any inaccuracy or other defect in any sub-meter whether or not the council has approved such sub –meter or the installation thereof;

(c) the charge made by such seller shall not exceed the tariff which would have been payable had the purchaser been a consumer of the council; and

(d) the conditions of resale shall not be less favorable to the purchaser than the terms on which the council itself supplies electricity and every such purchaser shall be entitled to require the seller to furnish him with all such accounts, documents and other information as may be necessary to enable the purchaser to ascertain whether the accounts rendered to him for electricity supplied are correct.

Installation Diagram and Specifications

16. The council may require a contractor to submit for approval a wiring diagram and specifications covering any proposed construction of, alteration, extension or repair to any electrical installation, and where the council requires such a diagram and specifications the proposed work shall not be commenced until they have been submitted and approved.

Inspection and Tests

17.(1) The engineer may, at any reasonable time or in case of emergency at any time, enter any premises and inspect or test any part of the service connection or electrical installation thereon for any purpose including the purpose of ascertaining whether a breach of these by-laws or other applicable legislation has been or is being committed and the owner or contractor, when called upon to do so, shall remove any earth, bricks, stone, woodwork, or other work obstructing or covering any part of the electrical installation.

(2) before any test or inspection in terms of this section is carried out the owner or the occupier shall be informed of the purpose thereof and if it is established that a breach of these by-laws has been committed, the council shall, notwithstanding the provisions of subsection (3), not be liable to restore and make good in terms thereof.

(3) The council shall, save as is provided in subsection (2) , restore and make good any disturbance of, damage to, or interference with, the premises occasioned by any inspection or test made in terms of subsection (1).

(4) While any electrical installation is in the course of construction, alteration, extension or repair the engineer may inspect and test any part of the work as often as he deems necessary, and if any work which the engineer requires to inspect or test has been covered up the engineer may require the contractor or the owner of the premises at no cost to the council to uncover that work, to expose any joints wires and to remove any fittings, castings, trap-doors, floor boards, materials or other obstructions

whatsoever, and any work or reinstatement rendered necessary shall likewise be carried out at no cost to the council.

(5) Every reasonable facility to carry out tests and inspections shall be afforded to the engineer by the contractor, the owner and the occupier of the premises and the aforesaid facilities shall in the case of a contractor include the provision of suitable ladders.

(6) Where cables or conduits of an electrical installation are laid underground the trenches containing them shall be left open until the work has been inspected and approved.

(7) Any contractor shall give the engineer at least 3 working days notice in a form prescribed that he requires the engineer to carry out an inspection or test of electrical installation.

(8)(a) After receipt of the notice contemplated in sub section 7 and subject to the payment of a fee determined in the tariff, the engineer must carry out such inspection and test without delay.

(b) If an electrical installation must be re tested in terms of regulation C177(4) of the Act, the application for such a re-test is also subject to the payment of a fee determined in the tariff.

Liability of Council and Contractor

18.(1) Neither the engineer's approval of an electrical installation after making any inspection or test thereof nor the granting by him of permission to connect the installation to the supply shall be taken as constituting for any purpose any guarantee by the council that work has been properly executed or that the materials used in it are sound or suitable for the purpose or any warranty whatsoever or as relieving the contractor from liability, whether civil or criminal, for executing the work improperly or for using faulty material therein.

(2) The council shall not be under any liability in respect of any installation or other work or for any loss or damage caused by fire or other accident arising wholly or partly from the condition of an electrical installation.

Service Connections

19.(1) the owner of the premises concerned shall make application for the installation or reinstatement of service connection in a form prescribed by the engineer.

(2) A service connection shall be installed at the expense of the owner and the cost thereof as determined by the council shall be paid to the council before supply is authorized.

(3) Every part of the service connection shall remain the property of the council.

(4) Notwithstanding that the service connection to an approved electrical installation may already have been completed the council may in its absolute discretion refuse to supply electricity to that installation until all sums due to the council by the same consumer in respect of that or any other service connection, whether or not on the same premises, have been paid.

(5) No owner shall be entitled to require more than one service connection for a supply for any premises even if comprises or occupies more than one stand. The council may, however, subject to such conditions as he thinks fit to impose upon the owner, provide more than one service connection to premises and where more than one service connection is so provided it shall be unlawful to interconnect them.

(6) The applicant for a service connection shall, before work on its installation is commenced, furnish the council with such indemnity as it may specify.

(7) The council may, notwithstanding any indemnity given in terms of subsection (6), refuse to install a service connection until he is satisfied that no person is entitled to object to such installation.

(8) Domestic residential consumers: All new connections or alterations to existing connections with a capacity of up to 80A per phase single or three phases must be connected to a prepayment system:

- (a) Private dwellings
- (b) Flats
- (c) Homes operated by charitable organisations
- (d) Churches and church halls used exclusively for public workshops.

- (e) A building or separate part of a building exclusively used for residential purposes
- (f) Farms for domestic and farming purposes

Unless the engineer is of the opinion that special circumstances exists, the council shall provide only single phase connections to consumers mentioned in paragraphs (a), (c) and (e) of this sub item.

(9) Business, industrial and general consumers: These tariffs are applicable to all business, industrial and general consumers with a single and/or three phase connection with a capacity of up to 80A per phase. All new connection or alterations to existing connections be connected to a prepayment system.

- (a) Shops.
- (b) Offices and office buildings.
- (c) Guesthouses
- (d) Lodging rooms
- (e) Provincial and aided nursing homes and hospitals.
- (f) Educational institutions and school hostels.
- (g) Hotels licensed in terms of the Liquor Act.
- (h) Bars
- (i) Cafes, tearooms and restaurants.
- (j) Combined shops and tearooms.
- (k) Public halls.
- (l) Industrial and manufacturing concerns.
- (m) Buildings or part of buildings containing a number of the classifications under (9) (a) to (9) (l) inclusive and where the consumption in terms of this tariff is metered separately by council.
- (n) All other consumers, excluding those classified under other items.

Sealed Apparatus

20. Where any seal or lock has been placed by the council on any meter, service fuse, service circuit breaker or other similar apparatus or cabinet or room in which such apparatus is accommodated whether or not belonging to the council, no person other than an authorized employee of the council shall for any reason whatsoever remove, break, deface, or otherwise interfere with any such seal or lock.

Tampering

21. No person shall in any manner or for any reason whatsoever paint, deface, tamper, or interfere with any service connection and only an authorized employee of the council may make any adjustment or repair thereto.

Liability for Damage to Service Connection

22.(1) The owner of the premises or the consumer shall be liable to make good to the council any damage that may occur to the service connection or any part thereof or to any other council apparatus on the premises, unless such owner or consumer can prove negligence on the part of the council.

(2) If any damage occurs to the cable or any other part of a service connection the consumer shall inform the council as soon as he becomes aware of that fact and the council or person authorized by him shall repair the damage.

Type of Supply

23. The council may e in any particular case determined whether the supply shall be high or low voltage and the type of such supply.

Meter Cabinets

24. Before a low voltage supply is given, the applicant or owner shall, if required to do so by the council at no expense to the council and in a position approved by the council provide a cabinet of approved design and construction for the accommodation of the council's connection.

Prepayment Metering

25(1) No refunds of the amount tendered for purchase of electricity credit shall be given at the point of sale after the initiation of the process by which the prepayment token is produced.

(2) No copies of previously issued tokens for the transfer of credit to the prepayment meter shall be issued to the consumer.

(3)When a consumer vacates any premises where a prepayment meter is installed, no refund for the credit remaining shall be made to the consumer.

(4)The council shall not be liable for the reinstatement of credit in a prepayment meter lost due to tampering with, or the incorrect use or abuse of prepayment meter tokens.

(5)The council may, at its discretion, appoint private contractors to audit prepayment meters and installations for the purpose of ensuring that the meter is in good working condition and that no tampering or by-passing is taking place.

High voltage Electrical Installations

26.(1) All the apparatus used in connection with a high voltage electrical installation shall be of approved design and construction.

(2) Before any work is commenced in connection with a new high voltage installation or for the extension of an existing high voltage installation, a site plan and a drawing showing in detail to the councils satisfaction the particulars and layout of all electrical apparatus shall be submitted to the council and no work as aforesaid shall be commenced until the proposed installation or extension has been approved.

(3) No person other than a skilled person shall undertake the installation, repair, alteration, extension, examination or operation of or touch or do anything in connection with high voltage apparatus.

(4) Notwithstanding any approval previously given by him the council may at any reasonable time and in case of emergency at all times inspect any high voltage apparatus and subject it to such tests as he may deem necessary and may, if such apparatus be found defective, disconnect the supply to the premises until the defect has been rectified to the councils satisfaction.

(5) The owner or the consumer shall be liable to the council for the cost of carrying out any of the tests referred to in subsection (4) if any defect in the high voltage or the low voltage electrical installation is revealed thereby.

(6) Notwithstanding anything contained in section 25 no high voltage apparatus which has been newly installed, altered or extended shall be connected to the supply without the permission in writing of the council, which permission shall not be given unless and until every requirement of this section has been complied with.

Enclosures for Supply Equipment

27.(1) Where required by the council, an owner shall at no expense to the council provide and maintain an approved enclosure for accommodating the council's and consumer's supply equipment in a position determined by the council.

(2) No person shall enter the enclosure accommodating the councils supply equipment or touch or interfere with any apparatus therein, unless authorized thereto by the council.

(3) Every low voltage enclosure associated with a high voltage enclosure and every enclosure for a special supply at low voltage shall be kept locked by the consumer and a key thereto shall, if required by the council, be deposited with him or provision made for the fitting of an independent lock by the council who shall be entitled to access to the enclosure at all times.

(4) the consumer or owner of premises shall at all times provide and maintain safe and convenient access to a low voltage enclosure or an enclosure for a special supply at low voltage and such enclosure shall at all times be kept clean and tidy by the consumer to the satisfaction of the council and shall be used for no other purpose save the accommodation of equipment and apparatus associated with the supply.

(5) The consumer or owner of the premises shall at all times provide and maintain safe and convenient access to a high voltage enclosure, such access to be direct to that part of the enclosure into which the high voltage supply is led and not through the low voltage enclosure or through any door or gate the lock of which is controlled by the consumer or the owner of the premises.

(6) The council may use any enclosure for supply equipment in connection with a supply to consumers on premises other than those on which enclosure is situated.

Permanently Connected Appliances

28. Appliances permanently connected to an electrical installation shall be approved.

Surge Diverters

29. Every electrical installation connected to an overhead supply main shall be provided with one or more approved surge diverters in positions determined by the council.

Position of Cooking Appliances

30. No heating or cooking appliance shall be installed, placed or used below any meter belonging to the council.

Provision of Circuit Breakers

31. When required by the council, the owner shall supply and install one or more approved supply circuit breakers in a smaller and position determined by the council.

Maintenance of Installation

32. (1) Any electrical installation on any premises connected with the supply shall at all times be maintained by the owner or consumer in good working order and condition to the satisfaction of the council.

(2) The council may require a consumer who takes a multiphase supply, to distribute his electrical load, as approved by the council, over the supply phases and may install such devices in the relevant service connection as he may deem necessary to ensure that this requirement is complied with.

Control Apparatus

33. The council shall have the right to install a control relay on any water heater, space heater of the storage type or any other apparatus and thereafter at any time to switch off the said apparatus during period of stress or peak load for such length of time as it may deem necessary.

Obstructing Employees

34. No person shall willfully –

- (a) hinder, obstruct or interfere with any employee of the council in the performance of any duty relating to these by-laws; or
- (b) refuse to give such information as the council may reasonably require; or
- (c) give to the council any information which to his knowledge is false or misleading.

Irregular Supply

35. The council shall not be liable for the consequences to the consumer or any other person of any stoppage, failure, variation, surge or other deficiency of electricity from whatsoever cause.

Owner's and Consumer's Liability

36. (1) The owner and the consumer shall be jointly and severally liable for compliance with any financial obligation, except as provided in subsection (2), or other requirement imposed upon them in the alternative by these by-laws.

(2) The liability for compliance with any financial obligation in respect of the consumption of electricity, shall be the sole responsibility of the consumer.

Sundry Charges

37.(1) Electrical Connections:

- (g) Actual cost + admin fee + VAT

(2) Main Service Contributions:

- (h) H T & Primary Medium Voltage Network per kVA
- (i) Including Secondary Network per kVA
- (j) Including and up to miniature substation per kVA

(3) Reconnect due to non-payment:

- Monday to Saturdays
- (4) Reconnect New Consumers:
- Monday to Saturdays: 20:00 – 06:00
 - Sundays & Public Holidays: 18:00 – 06:00
- (5) After hour's complaints:
- Monday to Saturdays: 20:00 – 06:00
 - Sundays & Public Holidays: 18:00 – 06:00
- (6) Testing:
- Electrical installation.
 - Ready board installation.
 - Single phase conventional and Pre-payment meters.
 - Three phase conventional and Pre-payment meter meters.
 - Programmable meter.
 - Tariff circuit breaker.
- (7) Tariff circuit breakers:
- Lowering or increasing.
- (8) Repair cost sealed apparatus, tampering and damage to service connection:
- 1st offence
 - 2nd offence
- (9) Rental of machinery and equipment:
- Tractor with hoist (operator included)
 - Trench digger (operator included)
 - Cherry picker (operator included)
 - Cable fault locating (per hour or part thereof)
 - Cable fault locating travelling per km
 - Generator
 - Transport of generator

(10) Damage council's equipment:

- Low Voltage cables, actual cost, admin fee plus 10 %.
- 6.6/11kV cable, actual cost, admin fee, 10 % penalty.
- 88kV, Oil filled cable, actual cost, admin fee, 10 % penalty.

(11) Meter reading:

- Meter access problems security fences without a manned gate, where access to meters is not possible during day light hours will be charged a fixed rate per meter per month in addition to an estimated consumption charge. An application may be made to the General Manager: Electricity and Energy to investigate the possibility of an alternative arrangement in terms of the metering layout.

(12) Consumer requests:

- Modifying a service connection or moving a streetlight on request of a customer
- Reading a meter on request of a customer
- Disconnecting and reconnect supply at the customer's request
- Replacement of pre-paid cards

Notices

38. (1) Any notice or other document to be issued by the council in terms of these by-laws shall be deemed to have been so issued if it is signed by an authorized official of the council.

(2) Where any notice or other document is required by these by-laws to be served on any person it shall be deemed to have been properly served if served personally on him or on any member of his household apparently over the age of 16 years at his place of residence or if sent by registered post to such person's last known place of residence or business as appearing in the records of the treasurer or, if such person is a company, if served on an officer of that company at its registered office or sent by registered post to such office.

Offences and Penalties

39. (1) Any person contravening of failing to comply with any provision of these by-laws shall be guilty of an offence and shall on conviction thereof be liable to a fine not exceeding R300 or in default of payment to imprisonment for a period not exceeding 12 months.

(2) The occupier or, if there be no occupier, the owner of any premises supplied with electricity, on which a breach of these by-laws is committed, shall be deemed to be guilty of that breach unless he proves that he did not know and could not by the exercise of reasonable diligence have known that it was being or was likely to be committed and that it was committed by some other person over whose acts he has no control.

(3) Any person who contravenes the provisions of section 13 and who is in consequence not charged for electricity which has been consumed or is charged for such electricity at a rate lower than that at which he should properly have been charged shall, notwithstanding any penalty which may be imposed in terms of this section, be liable to pay to the council the sum which would have been paid to it had the said offence not been committed, and such sum shall be calculated in terms of the highest charge which could have been made according to the tariff applicable from the date when the contravention first took place.

Repeal of By-laws

40. The Standard Electricity By-laws published under Administrator's Notice 1627, dated 11 September 1985, as amended are hereby repealed.

Short title and commencement

41. The by-laws are the Electricity by-laws and take effect from date of publication.