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**ELECTRICITY ACT
(CHAPTER 89A)**

**ELECTRICITY (CONTESTABLE CONSUMERS)
(AMENDMENT) REGULATIONS 2019**

In exercise of the powers conferred by sections 41(1) and 103(1) of the Electricity Act, the Energy Market Authority of Singapore, with the approval of the Minister for Trade and Industry, makes the following Regulations:

Citation and commencement

1. These Regulations are the Electricity (Contestable Consumers) (Amendment) Regulations 2019 and come into operation on 1 May 2019.

Amendment of regulation 2

2. Regulation 2 of the Electricity (Contestable Consumers) Regulations 2018 (G.N. No. S 159/2018) (called in these Regulations the principal Regulations) is amended by deleting paragraph (2).

Amendment of regulation 3

3. Regulation 3 of the principal Regulations is amended by deleting paragraphs (1), (2) and (3) and substituting the following paragraphs:

“(1) Subject to regulations 4 and 5, a consumer is classified as a contestable consumer in respect of any premises lawfully used or occupied by the consumer if the consumer has a contestable consumer account with an MSSL for those premises.

(2) An MSSL must, without undue delay after receiving an application made by a consumer to open a contestable consumer account for any subject premises, open such account.”

Amendment of regulation 5

4. Regulation 5 of the principal Regulations is amended by deleting paragraph (4).

Amendment of regulation 7

5. Regulation 7 of the principal Regulations is amended —

- (a) by deleting the words “and regulation 2(2)” in paragraph (2);
- (b) by deleting paragraph (3) and substituting the following paragraph:

“(3) Despite paragraph (2), where the account of the consumer with the MSSL (whether or not as a contestable consumer) has been opened for any of the subject premises or specified non-residential premises of the consumer for less than the 12-month period mentioned in paragraph (2), then —

- (a) the average monthly electricity consumption at those premises is to be calculated over the period for which the account for the premises has been opened; or
 - (b) if the account has been opened for less than the whole of the month immediately preceding the application month for those premises, the average monthly electricity consumption at those premises is the electricity consumption in that preceding month.”; and
- (c) by deleting the words “by contestable consumer” in the regulation heading and substituting the words “to MSSL”.

New regulation 7A

6. The principal Regulations are amended by inserting, immediately after regulation 7, the following regulation:

**“Cessation of classification as contestable consumer:
application to Authority**

7A.—(1) A consumer who is a contestable consumer under regulation 3 for any subject premises may, if regulation 7 does not apply, apply to the Authority to close the contestable consumer account of the consumer for the subject premises.

(2) The Authority must not approve an application made under paragraph (1) unless the Authority is satisfied that —

- (a) there was genuine oversight of a material fact on the part of the consumer when applying to open the contestable consumer account, whether directly or through a retail electricity licensee;
- (b) there was genuine oversight of a material fact on the part of the retail electricity licensee when applying on behalf of the consumer to open the contestable consumer account; or
- (c) there was genuine oversight of a material fact on the part of the MSSL when opening the contestable consumer account for the consumer.

(3) Where the Authority approves an application made under paragraph (1), the Authority must direct the MSSL to close the contestable consumer account of the consumer for the subject premises.

(4) The MSSL must, without undue delay after receiving the direction of the Authority, close the contestable consumer account for the subject premises.

(5) The classification of the consumer as a contestable consumer for the subject premises ceases from the date on which the contestable consumer account is closed by the MSSL under paragraph (4), and the MSSL must notify the consumer of that date.”.

Deletion of Schedule

7. The Schedule to the principal Regulations is deleted.

[G.N. No. S 706/2018]

Made on 26 April 2019.

NG HOW YUE
*Chairman,
Energy Market Authority of
Singapore.*

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(To be presented to Parliament under section 103(4) of the Electricity Act).