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ELECTRICITY ACT (CHAPTER 89A)

ELECTRICITY (ELECTRICITY LICENCES — EXEMPTION) ORDER 2019

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In exercise of the powers conferred by section 8(1) of the Electricity Act, the Energy Market Authority of Singapore, with the approval of the Minister for Trade and Industry, makes the following Order:

Citation and commencement

1. This Order is the Electricity (Electricity Licences — Exemption) Order 2019 and comes into operation on 11 December 2019.

Definitions

2.—(1) In this Order —

“excluded person” means any of the following:

- (a) a management corporation;
- (b) a subsidiary management corporation;
- (c) a Town Council;
- (d) a related corporation of a management corporation;

(e) a related corporation of a subsidiary management corporation;

(f) a related corporation of a Town Council;

“management corporation” has the meaning given by section 3(1) of the Land Titles (Strata) Act (Cap. 158);

“master-meter” means a meter measuring the electricity that is consumed by all the units and common areas in a building or cluster of buildings at any multi-user premises;

“multi-user premises” means premises —

(a) that are lawfully used or occupied by —

(i) 2 or more consumers, each for a specified non-residential purpose; and

(ii) a person for the purpose of generating electricity through a generating unit on the premises, whether or not also for a specified non-residential purpose; or

(b) that are lawfully used or occupied by —

(i) a single consumer for a specified non-residential purpose; and

(ii) a person for —

(A) the purpose of generating electricity through a generating unit on the premises; and

(B) a specified non-residential purpose;

“related corporation”, in relation to a corporation, means a corporation that is deemed to be related to the firstmentioned corporation under section 6 of the Companies Act (Cap. 50);

“single-user premises” means premises that are lawfully used or occupied by —

(a) a single consumer for a specified non-residential purpose; and

(b) a person for the purpose of generating electricity through a generating unit on the premises only;

“sub-meter” means a meter measuring the electricity which, after being taken through a master-meter, is consumed at any part of a building or cluster of buildings;

“subsidiary management corporation” has the meaning given by section 2(1) of the Building Maintenance and Strata Management Act (Cap. 30C);

“Town Council” has the meaning given by section 2(1) of the Town Councils Act (Cap. 329A);

“unique identifier”, in relation to a person (including a consumer), means a set of numeric or alphanumeric characters assigned by the Government or a public authority to the person in order to identify the person for the operations of the Government or public authority in Singapore.

(2) In this Order, a person (including a consumer) lawfully uses or occupies premises for a specified non-residential purpose if the person lawfully uses or occupies the premises —

- (a) for a non-residential purpose under a unique identifier of the person; or
- (b) for a purpose connected with a unique identifier of the person that is a unique entity number.

Application

3. This Order applies if the following circumstances are satisfied:

- (a) a person (including a consumer) supplies and sells electricity —
 - (i) generated through a generating unit on a single-user premises to the consumer at the premises; or
 - (ii) generated through a generating unit on multi-user premises to one or more consumers at the premises;

- (b) where electricity so generated is consumed at the premises, such electricity is consumed only for specified non-residential purposes;
- (c) in a case mentioned in sub-paragraph (a)(ii), electricity is also supplied to the premises from a transmission system and is metered at the premises through a master-meter and one or more sub-meters.

Exemption for certain persons generating electricity

4. Where this Order applies, the person (other than an excluded person) generating the electricity is exempt from section 6(1)(c) and (e) of the Act in relation to the supply and sale by the person of the electricity to a contestable consumer and a non-contestable consumer, respectively, if —

- (a) the person is a generation licensee, or is exempt from section 6(1)(a) of the Act, in relation to the electricity; and
- (b) where the person lawfully uses or occupies the premises only to generate the electricity, the person is related to that consumer.

Exemption for consumer on-supplying and on-selling electricity on multi-user premises

5. Where this Order applies to multi-user premises, a consumer (other than an excluded person) is exempt from section 6(1)(c) and (e) of the Act in relation to the supply and sale of the electricity to a contestable consumer and a non-contestable consumer, respectively, if —

- (a) the electricity is generated at the premises by a person who is a generation licensee, or is exempt from section 6(1)(a) of the Act, in relation to the electricity; and
- (b) the consumer supplies and sells some or all of the electricity mentioned in sub-paragraph (a) to one or more other consumers at the premises.

Made on 3 December 2019.

NG HOW YUE
Chairman,
Energy Market Authority of
Singapore.

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