

STATUTORY INSTRUMENT

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THE SIERRA LEONE ELECTRICITY AND WATER REGULATORY COMMISSION (MINI-GRID) REGULATIONS, 2025

ARRANGEMENTS OF REGULATIONS

Regulation.

PART I- PRELIMINARY

1. Interpretation.
2. Application.

PART II - LICENSING

3. Type of mini-grid licences.
4. Term of licence.
5. Grant of licence, scope and authorised area.
6. Licence fees and annual operating levies.
7. Application for licence.
8. Form of application.
9. Application fee.
10. Acknowledgement of receipt of application.
11. Additional information.
12. Decision of Commission.
13. Grant of licence.
14. Application for exclusive site reservation.
15. Refusal of licence.
16. Modification of licence.
17. Suspension, cancellation or revocation of licence.
18. Transfer of licence.
19. Change of name, majority shareholder or controlling interest.
20. Renewal or extension of licence.
21. Withdrawal of application.

ii

22. Surrender of licence.
23. Expiration of licence.

PART III - GENERAL CONDITIONS OF A LICENCE

24. Compliance with Act, rules, guidelines, codes and standards.
25. Codes and standards.
26. Decisions, orders, directions and determinations of the Commission.
27. Acquisition of land and other related matters.
28. Notice of intention to enter and construct.
29. Detection and prevention of theft, damage and meter interference.
30. Non-discrimination.
31. Disconnection.
32. Planned outages and preventive maintenance.
33. Interruptions and emergency repairs.
34. Preparation for emergency situation.
35. Inspection.

PART IV - SPECIFIC CONDITIONS OF A LICENCE

36. Authorised business activities for a basic mini-grid licensee.
37. Prohibited business activities for a basic mini-grid licensee.
38. Conditions of a basic mini-grid licence.
39. Authorised business activities for a full mini-grid licensee.
40. Prohibited business activities for a full mini-grid licensee.
41. Conditions of a full mini-grid licence.
42. Accounts of the full mini-grid licensee.
43. Inspection and audit of accounts of full mini-grid licensee.
44. Reporting requirements and provision of information to the Commission.

PART V - CONSUMER SERVICE RULES

45. Quality of service.
46. Health and safety.
47. Environmental protection.
48. Connection of consumers.
49. Billing.
50. Inspection of electricity measurement devices.
51. Offences.

PART VI - ELECTRICITY MEASUREMENT DEVICES

52. Electricity measurement device approval.
53. Electricity measurement meter.
54. Refusal of electricity measurement device approval.
55. Suspension or cancellation of electricity measurement device approval.

PART VII - MINI-GRID INTER CONNECTION RULES

56. Arrival of the main-grid utility's network to an area served by a mini-grid.

PART VIII - COMMERCIAL ARRANGEMENTS

57. Tariff setting for basic mini-grid licensees.
58. Determination of tariffs for full mini-grid licensees.
59. Tariff application for full mini-grid licensee.
60. Tariff application documents and information for full mini-grid licensee.
61. Procurement of goods and services.
62. Asset use and disposal.

PART IX - DISPUTE RESOLUTION

63. Dispute Resolution.

PART X - MISCELLANEOUS

64. Local content.
65. Procedure for securing compliance with mini-grid licence.
66. Establishment of Community Conflict Redress Committee.
67. Composition of the Committee.
68. Functions and Powers of the Committee.
69. Operational Procedure.
70. Appeal Mechanisms.
71. Reporting and Compliance.
72. Notice and correspondence.
73. Confidentiality.
74. Display of Licences or permits.
75. Penalty.
76. Stabilization.

SCHEDULES

- Schedule 1: Application form for basic mini-grid licence.
- Schedule 2: Application form for full mini-grid licence.
- Schedule 3: Application form for full mini-grid licence (multiple project sites).
- Schedule 4: Modification form for basic or full mini-grid licence.
- Schedule 5: Application form for transfer of full mini-grid licence.
- Schedule 6: Application form for renewal of basic mini-grid licence.
- Schedule 7: Application form for renewal or extension of full mini-grid licence.
- Schedule 8: Tariff approval application form.
- Schedule 9: Technical reporting template.
- Schedule 10: Quality of service framework.
- Schedule 11: Health and safety guidelines (incl. environmental protection).
- Schedule 12: Asset handover and compensation confirmation form.

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THE SIERRALEONE ELECTRICITY AND WATER
REGULATORY COMMISSION ACT, 2025 (ACT NO. 13 OF
2025)

Short title.

THE SIERRALEONE ELECTRICITY AND WATER
REGULATORY COMMISSION (MINI-GRID) REGULATIONS,
2025

IN EXERCISE of the powers conferred upon it by section 72 Interpretation.
of the Sierra Leone Electricity and Water Regulatory Commission
Act, 2025, the Commission makes the following rules -

PART I - PRELIMINARY

(1) In these rules, unless the context otherwise requires -

"Act" means the Sierra Leone Electricity and Water
Regulatory Commission Act, 2025;

"Applicant" means an applicant for a Basic, Full Mini-
Grid Licence, or Interconnected Mini-Grid Licence
under these Regulations;

"authorised representative" means any person
authorised by an applicant to represent the applicant
in matters before the Commission;

"basic mini-grid licence" means a licence issued by the Commission comprising a licence for generation, and a licence for sale of electricity via a mini-grid of up to and including 100 kW of distributed power in aggregate;

"basic mini-grid licensee" means any entity which holds a basic mini-grid licence issued by the Commission under these Regulations;

"contracting authority" means a Sierra Leonean ministry, local council, public agency, authority or entity, which has legal capacity to enter into contractual obligations;

"Commission" means the Sierra Leone Electricity and Water Regulatory Commission established by the Act;

"consumer" means a person who purchases, receives or makes use of any service provided under a mini-grid licence and does not deliver or resell the service to others;

"consumer service agreement" means an agreement between the mini-grid licensee and consumers on terms and conditions for electricity supply;

"day" means a business day;

"distribution code" means the code and guidelines for electricity distribution networks in Sierra Leone, as approved from time to time by the Commission.

"distribution network" means any connection of cables, service lines and overhead lines, electrical apparatus or equipment built in compliance with the distribution code, and having design voltage of 33kV and below used to transport electric power;

"distributed power" means the active electric power fed into a distribution network on average within any 15 minutes time interval of its operation period;

"EOI" means an expression of interest;

"fee" means any fee payable by a mini-grid developer or a licensee to the Commission, as set by the Commission from time to time;

"full mini-grid licence" means a licence issued by the Commission, comprising a licence for generation, a licence for distribution and a licence for sale of electricity through a mini-grid for mini-grids of above 100 kW and up to and including 1 MW of distributed power per site and not exceeding 20 MW in aggregate, comprising a distribution network which is built in compliance with the distribution code and metering devices as approved by the Commission;

"full mini-grid licensee" means any entity which holds a full mini-grid licence issued by the Commission under these Regulations;

"generation" means the production of electricity to be fed into a distribution network or supplied to the consumer directly;

"IEC" means International Electrotechnical Commission;

"interconnected mini-grid" means a mini-grid which is connected to one of the main-grid utility's networks;

"interconnected mini-grid contract" means the contract between a full mini-grid licensee or a mini-grid developer, and a main-grid utility for the operation of an interconnected mini-grid, approved by the Commission;

"isolated mini-grid" means a mini-grid which is not connected to any of the main-grid utility's network;

"licence" means any licence granted by the Commission under the Act and these Regulations;

"licence applicant" means an applicant for a basic, full licence, or interconnected mini-Grid contract under these Regulation;

"main-grid utility" means the electricity utilities as established by the National Electricity Act 2011 or any other electricity transmission or distribution licensee;

"Minister" means the Minister responsible for electricity and "Ministry" shall be construed accordingly;

"mini-grid" means any electricity supply system that comprises a power generation unit and a local distribution network, which may be compliant or non-compliant with the distribution code, supplying electricity to more than one consumer and which can operate in isolation from a main- grid utility's network;

"mini-grid developer" means any entity which is legally established under Sierra Leone law, and which is developing mini-grid at sites covered by a licence granted by the commission under the present Regulation;

"mini-grid licensee" means any entity which holds a basic or a full mini-grid licence issued by the Commission under these Regulations;

"Operator" means a Mini-Grid licensee currently involved in the operation of a mini-grid with a Licence issued by the Commission under these Regulation;

"person" means natural person, institution, a company, partnership or any association of individuals, whether incorporated or not;

"Public private partnership" means as defined in the Public Private Partnership Act 2010;

"PPU Unit" means the public private partnership of the government of Sierra Leone;

"System Average Interruption Duration Index" means the Average Number of Minutes that an average consumer is without power over a defined time period, Typically a year, defined as total minutes consumer interruptions divided by the total number of consumers served;

"System Average Interruption Frequency Index" means the Average Number of power outages that an average consumer experience in a year, defined as a total number of consumer Interruption divided by the total number of consumers served;

"tariff" means the amount charged to the power consumers per unit of electricity supplied by a mini-grid licensee in accordance with the relevant laws and these Regulations;

"terms and conditions" mean those terms and conditions contained in licences with which the licensee must comply;

"underserved area" means an area served by a main-grid utility's distribution network with poor or insufficient reliability;

"unserved area" means an area not served by any main-grid utility's distribution network, and otherwise called off-grid.

Application.

2. (1) These Regulations shall apply to all mini-grids, the licence applicant, licensees, developers, operators and the consumer of the mini-grids as well as all other private or public stakeholders including main-grid utilities or any institution or agency that interacts with mini-grid developers, mini-grid licensees and or mini-grid consumers in Sierra Leone.

(2) A mini-grid may be any one of the following:

- (a) Isolated mini-grid;
- (b) Interconnected mini-grid.

(3) A mini-grid is required to have a generation facility in its network which may be operated by the mini-grid licensee or a third party.

(4) A mini-grid commissioned before the coming into force of these Regulations shall cease to operate at the expiration of 12 months after the coming into force of these Regulations unless it becomes compliant with these Regulations.

(5) These Regulations shall not apply to solar home systems or to generators supplying single or multiple water pumps with electricity.

(6) These Regulations shall not replace nor alter existing agreements concerning mini-grids that bind the government of Sierra Leone. However, the principle and practice of non-disclosure in the public-private partnership model does not apply to the Commission hereto.

PART II - LICENSING

Type of Mini-Grid licences.

3. (1) The Commission may on application grant the following types of mini-grid licences;

(a) a basic mini-grid licence authorising the licensee to construct, install and operate isolated mini-grids with a distributed power of up to 100 kW in aggregate and such licence comprising:

- (i) a generation licence which authorises the licensee to produce electricity;
- (ii) a sale licence which authorises the licensee to sell electricity to consumers in a designated unserved area, stated in the licence.

(b) a full mini-grid licence which authorises the licensee to construct, install and operate isolated mini-grids, comprising -

- (i) a generation licence which authorises the licensee to produce electricity;
- (ii) a distribution licence which authorises the licensee to distribute electricity directly or indirectly to consumers within a designated unserved or underserved area stated in the licence;
- (iii) a sale licence.

(2) The Commission may on application of a mini-grid developer or a full mini-grid licensee approve an interconnected mini-grid contract signed with a main-grid utility to construct, install and operate an interconnected mini-grid in an underserved area.

Terms of Licence.

4. (1) The decision of the Commission on the term of a licence issued to a mini-grid developer shall be guided by the technology and standards being employed and is specified in the terms and conditions of the respective licence.

(2) A basic mini grid licence issued by the Commission shall be valid for a period of 10 years.

(3) A full mini grid licence issued by the Commission to Mini grid operator shall be valid for a period of 25 years.

Grant of licence, scope and authorised area.

5. A licence granted by the Commission shall clearly define the authorised area in which the licensee is authorised to generate, distribute and sell electricity.

Licence fees and annual operating levies.

6. (1) The fees applicable under these Regulations shall be as follows -

- (a) licence application fees payable with the application for licence;
- (b) licence fee payable on approval of the licence for the duration of the licence period;
- (c) annual levy payable in arrears at the end of each financial year;
- (d) licence renewal or extension fee payable on the expiration of the licence validity period or at the time of licence extension as the case may be.

(2) The annual levy shall be payable to the Commission on a quarterly basis no later than 30 days after the end of each quarter which would be reconciled annually by the Commission.

(3) Where the licensee fails to pay the annual levy as determined by the Commission within the 30 days' timeframe after the end of each quarter, the licensee shall pay to the Commission, an interest on the amount unpaid, at the prevailing Bank of Sierra Leone monetary policy rate .

(4) The fees to be paid under these Regulations shall be as the Commission may by statutory instrument published in the Gazette prescribed.

7. (1) An application for a licence under these Regulations shall be - Application for licence.

(a) made in writing, addressed and delivered electronically, by hand, or by courier to the Commission at its designated address;

(b) signed and dated by the authorised representative of the applicant.

(2) An applicant shall send 3 paper copies of the application.

(3) An applicant submitting application electronically shall send 3 paper copies of their application, to arrive at the commission within 10 days after their electronic submission.

8. (1) An application for a licence under these Regulations shall be as follows - Form of application.

(a) application form for basic mini-grid licence shall be in the form as set out in Schedule 1;

- (b) application form for full mini-grid licence shall be in the form as set out in Schedule 2;
- (c) application form for full mini-grid licence (multiple project sites) shall be in the form as set out in Schedule 3.

(2) An application for a licence shall be accompanied by information relating to the specific licence whether basic mini-grid licence or full mini-grid licence applied for.

(3) Applications for full mini-grid licence shall be accompanied by a confirmation obtained from the Ministry through the process referred to in Regulation 13 that no specific site reservation are in place in relation to the mini-grid locations included in the application and the commission shall ensure that the issuance of a mini-grid licence does not interfere with the main grid expansion plans.

(4) Blank application forms shall be obtained in person, by electronic mail, or regular mail, from the office of the Commission, at the address indicated on the Commission's website, or downloaded from the Commission's website.

Application Fee.

9. (1) An applicant shall, upon submission of the application, pay a non-refundable processing fee as the Commission may by statutory instrument prescribe.

(2) An application fee under sub-regulation (1) shall be paid by bank draft or electronic transfer and that application shall not be deemed to be complete until the fee has been paid.

Acknowledgement of receipt of application.

10. (1) The Commission would acknowledge receipt of an application for licence within 10 days of the receipt application indicating the date on which the Commission received the application form.

(2) If the application is incomplete, the commission within 10 days of receipt of the application issue a letter informing the applicant that there is a need for additional information indicating the date on which the commission received the application form.

11. (1) Where the Commission requires the applicant to furnish additional documents to complete a licence application, it shall notify the applicant in writing within 15 days of receipt of the application. Additional Information.

(2) The notification referred to in sub-regulation (1) shall indicate:

- (a) description of the additional information required by the Commission;
- (b) that the additional information must be submitted within a period of 14 days.

(3) An application for a licence shall lapse if -

- (a) the applicant does not submit all required documents within the period of 14 days specified in paragraph (b) of sub-regulation (2);
- (b) all requirements are not met within a period of 3 months after the submission of the application.

(4) An application which lapses under of sub-regulation cannot be reactivated but may be resubmitted as a new application, upon payment of the prescribed application fee.

12. (1) The Commission shall within 30 days make a decision on the licence and notify the applicant of its decision in writing. Decision of Commission.

(2) The 30 days referred to in sub-regulation (1) shall be deemed to commence on the date the Commission received all the material information and documentation requested as part of the process for ensuring the completeness of the application.

Grant of Licence.

13. Where the Commission grants the licence, the Commission shall inform the applicant in writing of the grant and the terms and conditions of the licence.

Application for exclusive site reservation.

14. (1) Applicant and licensee can obtain exclusive site reservation from the Ministry for the development of mini-grid at one or more site submitting EOIs which shall inter alia include the following information;

- (a) Description of the site(s);
- (b) Proposed technology for electricity generation;
- (c) Pre-feasibility study report showing expected area of coverage and number of customers to be served;
- (d) Future plans to integrate with the main grid where applicable;
- (e) Demonstration of the technical and financial capacity to undertake the project;
- (f) Demonstration of initial engagement with the Local Community with evidence of the consultation including documented written minutes, signed attendance registers and photographs;
- (g) A letter of no objection from the Host District Council;
- (h) An indicative tariff .

(2) A Mini-Grid Developer who proposes to develop a mini-grid Project pursuant to the Public Private Partnership Act 2010 shall when submitting his EOI provide evidence of compliance with that Act.

(3) The Ministry of Energy shall within 15 days of receipt of the EOI, inform the applicant in writing whether the application is complete.

(4) The Ministry of Energy may grant or refuse Exclusive Site Reservation 30 days of submission of complete information.

(5) Upon grant of the Exclusive Site Reservation:

- (a) The Local Community and the Mini-Grid Developer shall enter into a Community Contract for the development of the mini-grid valid for 12 months from the date of signature. The Community Contract shall be submitted to the Commission as part of the tariff application with a document endorsing appointment of the community representatives as well as minutes and attendance register confirming the meeting;
- (b) In the case of an interconnected mini-grid Project, the Mini-Grid Developer shall enter into a Power-Purchase Agreement with the distribution licensee as provided in the Regulations and submit a copy thereof to the Commission.

(6) The Ministry of Energy, shall, where he declines to grant approval of the expression of interest, provide reason(s) for the same.

(7) A Mini-Grid Developer shall submit to the Commission an application for Tariff approval for one or more sites within 12 months after the approval from the Ministry of Energy.

(8) A mini-grid developer shall have fundraising period of 12-18 months maximum from the grant exclusive site reservation or else the developer will lose the exclusive site reservation right as spelt out in the approval of the EOI. The developer shall have an additional 6 months after fund raising allowing for a maximum of 24 months from the grant of exclusive site reservation to the date of commissioning.

(9) A Mini-Grid Developer may voluntarily relinquish his exclusive right to develop a mini-grid Project at any time before the expiry of the Exclusive Site Reservation and Allocation by giving at least 30 days' written notice to the Local Community, District Council, Ministry of Energy, and the Commission.

Refusal of Licence.

15. (1) The Commission may refuse an application where -
- (a) the application or the information supplied with the application fails to meet the required criteria;
 - (b) the Commission finds the information submitted to be false, invalid and or misleading;
 - (c) the applicant has failed to produce, when requested, additional information, within the specified time (which shall be within 14 days).

(2) Where none of the conditions under sub-regulation exist, the Commission shall only refuse the grant of a licence based on reasons relating to the financial, technical and managerial capability of the applicant.

(3) The applicant whose application for a licence is refused may appeal within 7 days of the receipt of the notification from the Commission about the refusal.

(4) The Commission shall consider any representations made by an applicant and shall duly notify the applicant in writing of its decision within 7 days.

16. (1) The Commission may modify a licence granted if the modification is required and permissible under sub-regulation (4). Modification of licence.

(2) A licensee may apply for modification of a licence any time after the issuance of the licence.

(3) An application for modification of a licence shall be in the form prescribed in schedule 4.

(4) A modification of licence shall become necessary before -

- (a) a new mini-grid site is added by a mini-grid licensee; or
- (b) an extension of the mini-grid distribution network into another community; or
- (c) the mini-grid licensee is classified in a higher licence fee category based on the aggregate generation capacity of all mini-grids, as defined in the licence fee schedule due to extension of existing mini-grid sites.

(5) The procedure prescribed for licence applications, in so far as it can be applied by the Commission, shall be followed when processing applications for licence modifications.

Suspension,
cancellation
or revocation
of licence.

17. (1) The Commission may suspend, cancel or revoke a licence if satisfied that -

- (a) the licensee has breached a term or condition of a licence; or
- (b) it is in the public interest to do so, such as danger posed to public health and safety.

(2) The Commission may, before suspending, cancelling or revoking a licence under sub-regulation (1), give written notice to the licensee of its intention, including the reasons for suspending, cancelling or revoking the licence and may in the notice require the licensee to show cause in writing within 15 business days of the notice why the licence should not be suspended, cancelled or revoked.

(3) The Commission shall, after considering the explanation of the licensee under sub-regulation (2), inform the licensee in writing of its decision within 45 business days of receiving the explanation of the licensee showing cause why the licence should not be suspended, cancelled or revoked.

(4) Where a licence is not utilised within 1 year from the date of its grant, the licence shall be cancelled or revoked by the Commission by serving at least 30 days' notice on the licensee.

(5) The Commission may, upon the suspension, cancellation or revocation of a licence, make such decisions regarding the undertaking of the licensee as are in the opinion of the Commission necessary for maintaining continuity in the provision of the service rendered under the licence.

(6) The Commission may require the licensee after suspension, cancellation or revocation of licence to decommission and remove the mini-grid assets within 6 months after cancellation of licence, or revocation.

18. (1) A mini-grid licensee shall not, without the prior written approval of the Commission, transfer, assign, or sell to another person or in any other way dispose of all or any part of the permitted business carried out under a mini-grid permit granted by the Commission. Transfer of
Licence.

(2) An application for a transfer of a full mini-grid licence shall be in the form prescribed in Schedule 5.

(3) The Commission shall render its decision regarding an application for transfer within 30 days of receipt of the application.

(4) An application for consent to transfer under these Regulations shall be filed along with the following documents:

- (a) application letter to the Commission seeking consent;
- (b) certificate of incorporation and memorandum and articles of association of the transferee;
- (c) Board resolution of the mini-grid permit holder approving the transfer to the transferee;
- (d) Board resolution of the transferee company accepting the transfer;
- (e) original mini-grid licence and terms and conditions issued to the mini-grid operator by the Commission; and
- (f) documentary evidence of the technical capability or capacity of the transferee company to operate the mini-grid.

Change of name, majority shareholder or controlling interest.

19. A licensee shall inform the Commission of any change in its name, majority shareholder or controlling interest;

Renewal or extensions of licence.

20. (1) An application for the renewal of a licence shall be as follows -

- (a) application for the renewal of basic mini-grid licence shall be as set out in Schedule 6;
- (b) application for the renewal or extension of a full mini-grid licence shall be as set out in Schedule 7.

(2) An application for the renewal or extension of a licence shall be accompanied by such non-refundable renewal or extension fee as the Commission may by statutory instrument prescribe.

(3) Regulations 10 to 16 shall apply to the renewal or extension of a licence with the necessary modification.

(4) Where a licensee fails to renew or extend its licence or the application for renewal or extension is rejected by the Commission, the licensee shall cease operations.

(5) A licensee desirous to increase its capacity in a portfolio to the maximum of 20 MW shall apply to the Commission at any period of renewal.

(6) Where a licence expires and is not renewed by the commission, the Commission shall give reasons for such denial.

21. (1) An application for a licence or the renewal or extension of a licence may be withdrawn by the applicant in writing at any stage of the application; Withdrawal of application.

(2) An application which has been withdrawn under sub-regulation (1) shall not be reactivated but may be resubmitted as a new application upon payment of the prescribed application fee.

22. (1) A licence may be surrendered by the licensee with the written consent of the Commission. Surrender of licence.

23. (1) Where a licence expires and is not renewed, the Commission may require the licensee to remove the mini-grid assets within 6 months after expiration. Expiration of Licence and relinquishment of sites.

(2) The assets of a mini-grid developer can be transferred to another operator and managed by their own respective terms and conditions agreed to.

(3) A Mini-Grid Developer may voluntarily relinquish an allocated mini-grid site at any time before the expiry of the Licence by giving at least 6 months' written notice to the Commission.

(4) Upon relinquishment of a licence, the Mini-Grid Operator: a. shall at its own cost decommission the mini-grid infrastructure and assets within 3 months or as may be directed by the Commission; or b. with the approval of the Commission may transfer the mini-grid assets to another Mini-Grid Operator or a Distribution Licensee.'

PART III - GENERAL CONDITIONS OF A LICENCE

Compliance with the Acts, regulations, rules, guidelines, codes and standards.

24. (1) A licensee shall -
- (a) provide a service that is safe, adequate, efficient, reasonable and non-discriminatory;
 - (b) carry out work relating to the licence activity including engineering, construction, commissioning, repairs, rehabilitation, operation and maintenance in accordance with the Act and applicable standards;
 - (c) ensure that all charges, rates and tariffs in respect of the licenced activity shall be subject to approval by the Commission.

Codes and standards.

25. Full mini-grid licensees shall build mini-grid generation and distribution assets in accordance with the codes and standards applicable at the time of licence application, as the Commission may by statutory instrument published in the Gazette prescribe.

Decision, orders, directions and determination of Commission.

26. (1) A licensee shall comply with all directions, orders, determinations and decisions made by the Commission, under sections 69 and 70 of the Act and these Regulations

(2) Subject to the provisions of the Act, any costs associated with compliance with such decisions, orders, directions and determinations of the Commission shall be the responsibility of the licensee.

(3) In order to comply with any order or direction made by the Commission in accordance with sections 69 and 70 of the Act, a licensee shall allow the Commission or any other authority or person specified in the order, such access to or control of its property as the Commission requires.

Acquisition of land and other related matters.

27. (1) A full mini-grid licensee shall acquire private land or public land lease or rights over or under private or public land from the responsible authorities or respective owners for -

- (a) the construction of power stations and distribution networks;
- (b) the lopping or cutting of any tree, shrub or hedge which obstructs or interferes with an existing supply line, the laying or erection of a supply line or the proposed route of a supply line;
- (c) the right to enter the land for any of the following purposes -
 - (i) surveying, construction, examination, operation, maintenance or removal of power generating stations;
 - (ii) surveying, construction, examination, operation, maintenance or removal of distribution networks equipment;
 - (iii) attaching to any wall, house or building any bracket or other suitable fixture required for the carrying or support of a supply line or any other electric apparatus. (In making such attachment, paramount consideration of Commission Acquisition of land and other related matters and reasonable effort should be made to minimise any inconvenience that would occur as a result of such attachment);

(iv) any other work connected with its function under these Regulations.

(2) A full mini-grid licensee shall, when practicable, give reasonable notice to the occupier of any land on which it intends to enter.

(3) In the exercise of the activities described in sub-regulation (1) the full mini-grid licensee shall do as little damage as possible and shall pay reasonable compensation for any damage done.

(4) A mini-grid licensee shall consult with the ministry responsible for roads before breaking up any street or road for the laying of supply lines under any street or road, and shall make good any street or road broken up under this subsection.

(5) A mini-grid licensee shall lay supply lines across main streets and main roads at a minimum height as specified by the Commission and erect posts, poles and other erections to support the lines laid at locations so as not to interfere with the passage along the street or road.

(6) A mini-grid licensee shall not place any electric cable across navigable waterway whether the cable is placed above or below water or under the ground unless it obtains written approval of the Minister.

(7) When the approval of the Minister to place electric cables across navigable waterways is obtained under sub-regulation (6), the mini-grid licensees shall inform the appropriate person or body of its intention to place the cable across the waterway and the person or body shall issue an order delineating the affected area and in the case of an underwater cable, declare the area to be a prohibited area for anchorage; and for a cable placed above the water, restrict the height of vessels passing through the area.

(8) Where a person or body requires the position or height of the cable placed across the navigable river or waterway to be altered, the Minister may by notice in writing require the mini-grid licensee to alter the position or height of the cable subject to conditions which, failing agreement between the parties, may be prescribed by the Minister and the cost of the alteration shall be paid to the mini-grid licensee by the person or body requiring the alteration and the mini-grid licensee shall not be compelled to carry out the alteration until payment of the cost is secured.

28. (1) A full mini-grid licensee shall serve a written notice on the occupier of any land or building of its intention to construct a supply line across the land or to attach a fixture to the building.

Notice of intention to enter and construct.

(2) A notice under sub-regulation (1) shall give a description of the nature of the line or fixture and the manner in which it is to be constructed or attached.

(3) Where an occupier approves with a signature or fails to lodge a written objection with the mini-grid licensee within 30 days after service of the notice, the mini-grid licensee may proceed with the work.

(4) If within 30 days after service of the notice under sub-regulation (1), the occupier lodges a written objection with the mini-grid licensee the work shall not be undertaken by the mini-grid licensee unless it obtains the written approval of the Minister.

(5) Where the owner of any land or building on which a supply line or fixture is constructed or attached requires the position of the supply line to be altered, the cost of the alteration shall be paid to the mini-grid licensee by the person requiring the alteration and the mini-grid licensee shall not be compelled to carry out the alteration until the payment is secured, unless the Minister is fully satisfied with the requirement of the owner and gives notice in writing to the mini-grid licensee to alter the position of the line or fixture.

Detection and prevention of theft, damage and meter interference.

29. A licensee shall take all reasonable steps to detect and prevent -

- (a) theft of electricity in the service area;
- (b) damage to or fault in any electric plant or electricity meter in the service area;
- (c) interference with any electricity meter in the service area; and any unrecorded consumption of electricity in the service area.

Non-discrimination.

30. (1) In the carrying out of its functions under a Full Mini-grid licence, a Full Mini-grid Licensee shall not discriminate between consumers of the same category, or consumer categories or set terms which are unduly onerous.

(2) The obligation under sub-regulation (1), not to discriminate between consumers of the same category, shall be in addition to the obligations not to discriminate as specified in paragraph (b) of subsection (1) of section 45, subsection (2) of section 54 and subsection (2) and (3) of section 64 of the Act.

(3) Where a full mini-grid licensee provides connection to or use of the distribution and sales system, it shall not discriminate in respect of price or other terms between any users or classes of users of the distribution and sales system.

(4) Nothing in sub-regulation (1) or (2) shall prohibit a licensee, subject to approval by the Commission, from providing connection and use of system to its customers on prices or other terms that materially differ from those offered to other customers where such differences reflect different circumstances of service including load factor, power factor, the level and timing of peak demand, location, voltage, available resources and any other relevant factors.

31. (1) A basic or full mini-grid licensee shall not restrict or refuse to provide regulated services unless -

- (a) it has the written permission of the Commission to restrict or refuse to provide the regulated service under specific circumstances, including unsuitable building structures, purchasing power of consumers, distance to the existing distribution grid or poles of the distribution grid, power capacity limitation and energy production limitations of the power plant; or
- (b) its licence is, as the case may be, revoked, suspended, cancelled or expired.

32. (1) A licensee shall undertake preventive maintenance activities to ensure continuation and reliability of distribution services.

(2) A full mini-grid licensee shall prior to undertaking preventive maintenance, replacement, restoration or any other construction that may lead to interruptions of the provision of power to consumer for more than 24 hours -

- (a) inform the public at least 3 days prior to suspending the provision of the distribution service; and
- (b) ensure that all scheduled distribution service interruptions are planned for the shortest possible time.

Disconnection.

Planned outages and preventive maintenance.

Interruptions
and
emergency.

33. (1) A licensee shall immediately take all reasonable action to restore services in the event supply and delivery of electric energy to consumer supply point is interrupted for any reason including unplanned outages.

(2) A licensee shall, in the event of any damage to a plant or equipment that poses a danger or a risk of injury to the public or to property, immediately upon being made aware of such damage, remove such danger or risk of injury prior to carrying out any emergency repair or rehabilitation.

(3) A licensee shall promptly repair damaged plant or equipment and other facility defects and reconnect its consumers.

(4) A licensee shall inform the public within 24 hours upon being made aware of such damage on the duration of the service interruption.

(5) The Commission may impose penalties or take other remedial actions specified in a licence in the event a licensee fails to fulfil its obligations under sub-regulation (2).

Preparation
for
emergency
situation.

34. (1) A licensee shall take such actions within allowable technical limits as may be reasonably required for emergency preparedness and restoration of its mini-grid, including removal of vegetation close to distribution network lines before the rainy season.

(2) A licensee shall establish and implement procedures within allowable technical limits to ensure the safe and continuous operation of the mini-grid in emergency situations.

Inspection.

35. (1) An inspector appointed by the Commission shall, upon giving 3 days' notice to a licensee, have the right to access the sites and offices of the mini-grids to inspect the mini-grid and documents and the licence.

(2) During inspection, an inspector may, inter alia -

- (a) make copies or take extracts from any books of accounts or records kept by a licensee; and;
- (b) inspect machinery, equipment, appliances, meters, fittings and apparatus.

(3) After inspection, the inspector shall write an inspection report which shall prescribe remedial actions and cure periods to the mini-grid licensee shall render reasonable assistance in the course of inspection of the mini-grid and documents.

(4) The inspection report shall be made available to the mini-grid licensee and the licensee shall comment on the inspection report within 14 days of receipt of the report.

(5) Where upon investigation, the Commission concludes that a licensee has not complied with the Act or these Regulations, the Commission may without prejudice to the penalties prescribed in the Act or these Regulations -

- (a) take appropriate actions as provided in the licence; or
- (b) take such other actions as it deems appropriate to protect the interest of the consumers. Compliance with the regulations, rules, guidelines, codes and standards.

PART IV - SPECIFIC CONDITIONS OF A LICENCE

36. (1) The authorised business activities for basic mini-grid licensees shall be electricity generation and sales business in accordance with section 35 of the Act and these Regulation.

(2) Notwithstanding sub-regulation (1), a basic mini-grid licensee may be engaged in such business activities essential to the conduct of his business as approved by the Commission.

Authorised
business
activities for
basic mini-
grid licence.

Prohibited business activities for basic mini-grid licensee.

37. A basic mini-grid licensee or a subsidiary of a basic mini-grid licensee shall not be engaged in the distribution and supply of electricity to any premises in Sierra Leone other than those for which the licence has been granted in accordance with paragraph (b) of subsection (6) of section 36 of the Act.

Conditions of basic mini-grid licence.

38. A basic mini-grid licensee shall -

- (a) operate, maintain, repair and replace as necessary, and protect its mini-grid components to ensure the adequate, economic, reliable and safe supply of electricity to its consumers;
- (b) comply with the technical conditions of power generation and sale specified in his licence or prescribed under these Regulations;
- (c) properly take into account the environmental effects of its activities under the licence;
- (d) maintain and operate the mini-grid in order to ensure efficiency, reliability, public and workers' safety;
- (e) educate consumers on safe use of electricity; and
- (f) keep a verifiable record of its consumers and the nature and level of commercial transactions.

Authorised business activities for full mini-grid licence.

39. (1) The authorised business activities for full mini-grid licensees shall be electricity generation, distribution and sales business; in accordance with section 35 of the Act and this Regulation.

(2) Notwithstanding sub-regulation (1), a full mini-grid licensee may be engaged in such business activities essential to the conduct of his business as approved by the Commission.

40. A full mini-grid licensee or a subsidiary of a full mini-grid licensee shall not be engaged in the distribution and supply of electricity to any premises in Sierra Leone other than those for which the licence has been granted in accordance with paragraph (b) of subsection (6) of section 36 of the Act.

Prohibited business activities for full mini-grid licensee.

41. (1) A full mini-grid licensee shall -

Conditions of full mini-grid licence.

- (a) operate, maintain, repair and replace as necessary and protect its mini-grid components to ensure the adequate, economic, reliable and safe supply of electricity to its consumers;
- (b) comply with the technical conditions of power generation, distribution and sale specified in its licence or prescribed in these Regulations;
- (c) properly take into account the environmental effects of its activities under the licence;
- (d) maintain and operate the mini-grid in order to ensure efficiency, reliability, public and workers' safety;
- (e) install, operate and maintain the distribution network in compliance with the relevant provisions of the distribution code issued by the Commission;
- (f) propose distribution and sale of electricity tariffs in accordance with the mini-grid tariff determination principles provided in Part VIII for the approval of the Commission;

- (g) educate consumers on safe use of electricity prior to the time of connection and provide a safety brochure understandable for lay persons at the time of signing of service agreement;
- (h) establish procedures for settling consumer complaints for the approval of the Commission;
- (i) prepare a decommissioning plan for the removal of the assets and equipment upon request from the Commission.

(2) Where a full mini-grid licensee is interconnected to a distribution network, it shall comply with the requirements of the distribution code as well as the operational instructions of the distribution network operator, as long as the distribution network operators operational instructions are reasonable and any technological requirements are not to be excessive and are specified in good faith.

(3) A full mini-grid licensee shall in the course of its business comply with the relevant provisions of the consumer service rules relating to the following activities -

- (a) billing;
- (b) electricity measurement.

Accounts of full mini-grid licensee.

42. (1) The full mini-grid licensee shall -

- (a) maintain separate accounting records for the full mini-grid business, in such form and containing such particulars as may be specified by the Commission;

- (b) keep the accounts in accordance with such regulatory accounting guidelines as may, from time to time, be issued by the Commission;
- (c) where requested by the Commission, provide such accounts to the Commission as are necessary for the Commission to carry out its functions under the Act consistent with applicable laws, financial regulations and best accounting standards;
- (d) where appropriate, keep consolidated accounts for other, non-licensed activities, so that the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to, the licensed business are separately identifiable in the books of the licensee (and any affiliate of the licensee) from those of any other business;
- (e) prepare the accounts of the full mini-grid licensee in such form as may be specified by the Commission and for this purpose the Commission may -
 - (i) specify the form and content of accounting statements, including information on specified types of revenue, cost, asset and liability and information on the revenues, costs, assets and liabilities attributable to specified activities;
 - (ii) require any reconciliation that may be required with the annual accounts of the licensee prepared under any relevant law;

- (iii) specify the accounting principles and the bases of valuation to be used in preparing financial statements;
 - (iv) specify the nature of the report by the auditors required to be given in respect of financial statements; and
 - (v) specify the required timing of reporting by the licensee to the Commission.
- (f) so far as reasonably practicable and unless otherwise approved by the Commission prepare such accounting statements -
- (i) having the same content and format as the annual accounts of the licensee (and any affiliate) in relation to the licenced business prepared under any relevant law;
 - (ii) conforming to the best commercial accounting practices and accounting standards currently in force or such other standards as may be notified to the licensee from time to time;
 - (iii) stating the accounting policies adopted;
 - (iv) with the exception of the part of such statements which shows separately the amounts charged, apportioned or allocated and which describes the basis of charge or apportionment or allocation respectively, be published with the annual accounts of the licensee.

(2) The full mini-grid licensee shall provide, in respect of the accounting statements prepared in respect of a financial year, an auditor's report, to be delivered to the Commission, stating whether, in their opinion, those statements have been properly prepared in accordance with these Regulations and give a true and fair view of the revenues, costs, assets, liabilities, reserves and provisions of, or reasonably attributable to, the distribution business.

(3) References in this Regulation to costs or liabilities of, or reasonably attributable to, the licensee's generation, distribution and sales business or any other business of the licensee shall be construed as excluding taxation, capital liabilities which do not relate principally to a particular business, and interest thereon, and any references to any accounting statement shall be construed accordingly.

43. A person authorised by the Commission to inspect the facilities and audit the accounts of a full mini-grid licensee shall do so, during business hours after giving 5 days' notice in writing and the full mini-grid licensee shall render reasonable assistance, including provision of access to the facilities and of required documents to the person so authorised to inspect and audit the accounts.

Inspection and audit of accounts of full mini-grid licensee.

44. (1) A licensee shall, in accordance with section 12 of the Act, furnish the Commission, in such manner and at such times as the Commission may require, information of any description specified by the Commission, as the Commission may consider necessary for the purpose of performing its functions under the Act.

Reporting requirements and provision of information to Commission.

(2) The full mini-grid licensee shall provide reports substantially in the form prescribed by the Commission in Schedule 9 and the reporting frequency should be done quarterly to the Commission. Except for accidents, incidents and Power interruptions/outages which affect more than 25% of the consumers shall be reported within 24 hours of the event happening.

(3) The reports submitted to the Commission by a full mini-grid licensee under sub-regulation (2), shall not be deemed confidential and can be available to the public at the discretion of the Commission.

Reporting requirements time schedule

Type of report	Timelines
Accidents and incidents	Accidents to be reported at the earliest time possible but not later than 24 hours after occurrence in a prescribed format
Report on safety	Quarterly
Revenue flows	Quarterly
Technical and commercial losses	Quarterly
Capacity Factor	Quarterly
Consumer Numbers, Classes and Categories	Quarterly
Consumer/Stakeholder complaints	Quarterly
Generated energy (kWh)	Quarterly
Sales (kWh)	Quarterly
Power interruptions/outages	Not later than 24 hours for outages which affect more than 25% of the consumers and quarterly for other interruptions.

(4) The licensee shall notify the Commission within 14 days of any material change of information provided to the Commission under this Regulation, including but not limited to the following -

- (a) the registered business address of the licensee;
- (b) facilities owned by the licensee;
- (c) changes in the licensee's company registration details;

- (d) changes in the key offices of the licensee;
- (e) any change in the operating conditions of the licensee affecting environmental protection requirements.

PART V - CONSUMER SERVICE RULES

45. (1) A mini-grid licensee shall provide power supply services that meet the requirements set by the Commission regarding power quality, power availability and power reliability, as well as accountability and performance reporting. Quality of service.

(2) For the purposes of this Regulation -

- (a) power quality is characterised by voltage imbalance, transients often caused by lightning, short and long duration voltage variations and frequency variations in mini-grids coupled on the AC-busbar, and resistive voltage drop, DC ripple, switching noise, transients and short and long duration voltage variations in mini-grids coupled;
- (b) on the DC-busbar;
- (c) power availability is defined by power draw, energy available and duration of daily service;
- (d) power reliability is earmarked by the frequency and the duration of power outages, which are defined by the System Average Interruption Frequency Index and the System Average Interruption Duration Index;
- (e) accountability comprises consumer accountability and mini-grid licensee accountability;

- (i) consumer accountability describes processes for consumers to know whether they are receiving the service that they agreed to pay for, and mechanisms to verify power delivery to consumers and performance parameters include ability to check voltage levels at service drops, periodic recorded voltage surveys conducted to ensure compliance, ability to record hours of service at service drops, documented technical summary of energy services including power and consumption;
- (ii) mini-grid licensee accountability is ensured through two levels of formal performance reporting;
- (iii) Technical information: measurements addressing system performance, energy usage, safety concerns, and operational issues;
- (iv) Business (non-technical) information: measurements that allow an understanding of overall energy usage;
- (v) payment rates, and cost of system operations.

(3) A basic mini-grid licensee shall comply with the requirements of the base level of services as specified in schedule 10 "Quality of service framework" or as otherwise approved by the Commission;

(4) A full mini-grid licensee shall comply with the requirements of the high level of service as specified in Schedule 10. Quality of service

46. (1) A basic mini-grid licensee shall comply with the health and safety guidelines as specified in Schedule 11. Health and safety.

(2) A full mini-grid licensee shall comply with the health and safety code as approved and amended from time to time by the Commission.

(3) A mini-grid licensee shall take reasonable steps in protecting persons and property from injury and damage that may occur as a result of carrying out the licenced activity including ensuring that appropriate electrical protective devices are installed by the consumer.

47. (1) A full mini-grid licensee shall comply with the environmental requirements prescribed for the sector under the Environmental Protection Agency Act, 2022 (Act No. 15 of 2022) and Regulations made under it; Environment protection.

- (a) A basic mini-grid licensee shall be exempted from submitting an application to the environmental protection agency but shall nevertheless submit a project notice to the agency.

48. (1) A basic mini-grid licensee shall file with the licence application, proof of the technical qualification (e.g. certificate) of the electrician responsible for the technical operation and in-stallation of consumers connection. Connection of consumers.

(2) A full mini-grid licensee shall file for approval by the Commission -

(3) A consumer service agreement defining the terms and conditions of the licensee's level of service to consumers as well as each party's rights and responsibilities:

- (a) such other agreement as may further explain and enhance understanding of consumers regarding the licensee's terms and conditions of service.

(4) A full mini-grid licensee shall -

- (a) post a notice in a conspicuous place in each business office of the licensee where applications or payments for service are received and inform the consumers about new tariffs.
- (b) provide consumers with an information brochure containing the following information -
 - (i) safe use of electricity;
 - (ii) grounds for disconnection of service;
 - (iii) how the consumer's billing disputes can be resolved;
 - (iv) steps necessary to have service reconnected after disconnection;
 - (v) the appropriate contact and place to register a complaint;
 - (vi) how bills may be paid, and how the tariff information may be obtained;
 - (vii) how to read his meter, how to use electricity efficiently and safely, and the process by which the consumer may exercise such rights.
- (c) establish procedures for dealing with the complaints of consumers in accordance with section 56 of the Act;
- (d) provide, install and maintain the necessary equipment required for the supply and sale of electricity to consumers;

- (e) provide, install and maintain devices that meter electric energy in accessible outside areas, for example on an exterior wall of a buildings or on poles;
- (f) before connecting any consumer inspect and certify that the indoor installation allows safe electricity usage at the time of connection;
- (g) use certified electricians or professionals with a relevant technical degree for electrical installation, electrical inspection and maintenance;
- (h) provide an application form for a new connection with terms and conditions simply and clearly stated in plain English;
- (i) enter into standardised consumer service agreements, as approved by the Commission, with every consumer specifying, amongst others things, the point at which ownership of the assets from the licensee ends and where ownership of and liability for assets of the consumer begins.

49. (1) A full mini-grid licensee shall deliver bills for electricity Billing. service to consumers for -

- (a) pre-payment consumers at the time of payment for electricity;
- (b) credit meters or measuring devices monthly;
- (c) unless otherwise authorised by the Commission.

(2) The consumer's bill can be either on paper or digital or send via text message and shall show the following information -

- (a) the date of bill issuance;
- (b) the date of the most recent meter reading;
- (c) units billed;
- (d) the number of units billed;
- (e) the rate per unit;
- (f) the total base bill;
- (g) the meter connection bill;
- (h) the Goods and Services Tax on electricity sales; and
- (i) the date by which the consumer must pay or have paid the bill.

(3) A full mini-grid licensee shall charge the consumer only for electricity that is measured by a meter or other measuring devices approved by the Commission

Inspection of
electricity
measurement
devices.

50. (1) A full mini-grid licensee shall have the right to inspect an electricity measurement device at the consumer's premises;

(2) Where tampering or theft is detected or where reasonable but unsuccessful attempts have been made to gain access to a device, the full mini-grid licensee may disconnect the supply and take appropriate legal action.

Offences.

51. (1) A consumer who uses electricity supplied to him by the full mini-grid licensee for purposes other than that for which it is supplied commits an offence and is liable on conviction to a fine not less than SLE 20,000.00.

(2) A person who operates or controls an installation or apparatus for the distribution or supply of electricity and does not possess the prescribed qualification commits an offence and is liable on conviction to a fine not less than SLE25,000.00 or to imprisonment for a term not less than 2 years or to both such fine and imprisonment.

(3) A person who employs or permits to be employed a person under the age of 18 years, on a service involving management of or attendance on, or proximity to live apparatus not effectively insulated commits an offence and is liable on conviction to a fine not less than SLE 25,000.00 or to imprisonment for a term not less than a year or to both such fine and imprisonment.

(4) A person who wilfully tampers with or adjusts any installation or part of an installation so as to cause or likely to cause injury to human life or damage to any apparatus or other property commits an offence and is liable on conviction to a fine not less than SLE 25,000.00 or to imprisonment for a term not less than 2 years or to both such fine and imprisonment.

(5) A person who by reckless or negligent act or omission in respect of any installation under his control causes harm to any person or damage to property commits an offence and is liable on conviction to a fine not less than SLE30,000.00 or to imprisonment for a term not less than 2 years or to both such fine and imprisonment.

(6) A person who dishonestly -

- (a) abstract electricity;
- (b) consumes electricity;
- (c) uses electricity;
- (d) alters the index of any meter or other instrument used in connection with any authority installation or licenced installation for recording the output or consumption of electricity; or
- (e) prevents any meter or instrument from duly recording the output or consumption of

electricity commits an offence and is liable on conviction to a fine not less than SLE 40,000.00 or imprisonment for a term not less than 3 years or to both such fine and imprisonment

(6); (7) In a prosecution for an offence under sub-regulation

- (a) the existence of artificial means which whether alone or in conjunction with additional artificial means not found, could be used for altering, or facilitating the alteration of, the index of any meter or instrument for registering the quantity of electricity supplied;
- (b) the exercise of artificial means which whether alone, or in conjunction with additional artificial means not found, would prevent, or facilitate the prevention of any meter or instrument from duly registering the quantity of electricity supplied or would facilitate the dishonest abstraction, consumption or use of electricity; or
- (c) the fitting of a mechanical or other means to or the absence or removal of a part or connection from, or the interference with a part of, or connection with, an apparatus in the circumstances that the fitting, absence, removal or interference would prevent or facilitate the prevention of a meter or together instrument from duly registering the quantity of electricity supplied, or would facilitate the dishonest abstraction, consumption, or use of electricity; shall be prima facie evidence that sub-regulation (6) has been contravened

(8) A person who wilfully damages a meter or other instrument used on, or in connection with the full mini-grid licensee's installation for recording the output or consumption of electricity commits an offence and is liable on conviction to a fine not less than SLE 30,000.00 or imprisonment for a term not less than 2 years or to both such fine and imprisonment in addition to being liable for full compensation payment for the damage done.

(9) A person who without due authority willfully extinguishes or damages any public lamp, bracket or other means of supporting a public lamp commits an offence and is liable on conviction to a fine not less than SLE 10,000.00 or to imprisonment for a term not less than a year or to both such fine and imprisonment.

(10) A person who, without the consent of the full mini-grid licensee affixes or causes or permits to be affixed any advertisement, bill or notice or any paper against or upon, or otherwise defaces any property of the mini-grid licensee or any post, bracket or other apparatus or the enclosure used for or in connection with the full mini-grid licensee's installation commits an offence and is liable on conviction to a fine not less than SLE 10,000.00 or to imprisonment for a term not less than a year or to both such fine and imprisonment.

(11) A person who willfully or negligently damages a supply line, post, pole or other apparatus connected with the supply of electricity commits an offence and is liable on conviction to a fine not less than SLE 30,000.00 or to imprisonment for a term not less than 2 years or to both such fine and imprisonment in addition to being liable for full compensation payment for the damage done.

(12) A person who steals electric cables, equipment or materials commits an offence and is liable on conviction to a fine not less than SLE 50,000.00 or to imprisonment for a term not less than 3 years or to both such fine and imprisonment.

(13) A person who willfully obstructs, resists or in any way interferes with, or who assists any other person in obstructing, resisting or in any way interfering with any officer or employee of the full mini-grid licensee acting in the exercise of any power under this Regulation commits an offence and is liable on conviction to a fine not less than SLE 20,000.00 or to imprisonment for a term not less than a year or to both the fine and imprisonment.

(14) Where a full mini-grid licensee has reasonable cause to believe that there is in any premises evidence of the Commission of an offence under these Regulation a person authorised in that behalf may, with a warrant issued by a Judge for that purpose enter and search the premises and may seize and take possession of the evidence.

(15) In performing the duties under this sub-regulation (14), the authorised person shall present his identification card to any person in charge of the premises searched offences.

PART VI - ELECTRICITY MEASUREMENT DEVICES

Electricity measurement devices approval.

52. (1) Unless otherwise authorised by the Commission, a full mini-grid licensee shall provide, own, install, and maintain all electricity measurement devices necessary for provision of electricity to its consumers.

(2) Prior to usage of any device for measurement of electricity, the mini-grid licence applicant or licensee shall submit an application in writing for approval of electricity measurement device to the Commission.

(3) Upon receipt of a request under sub-regulation (2), the Commission may choose to test a sample of the measuring device and any measuring device software (if applicable) or request additional information from the applicant or licensee in order to reach a decision to approve or refuse the application.

(4) The Commission shall communicate its decision regarding the approval or refusal of the application to the mini-grid licence applicant or licensee within 30 days after receipt of the application.

53. (1) Electricity meters that meter electric energy in mini-grids shall be selected with a suitable rated current, depending on the average demand of the mini-grid consumers. Electricity measurement meter.

(2) An electricity meter shall meet the following requirements.

- (a) compliant with IEC 62052-11 and IEC 62053-21 and supported by a test certificate from an independent internationally accredited testing laboratory (accredited according to ISO/IEC 17025 or equivalent);
- (b) accuracy class 1 or 2, for consumers with low demand the rated current shall be either 1 A, 1.5 A, 2 A, and 2.5 A;
- (c) for consumers with high demand the rated current can be 5 A and above;
- (d) a maximum continuous current of at least 6 A;
- (e) be suitable for Sierra Leone's climatic conditions according to IEC 62052-11, must fulfil IP54 and have suitable protection against the sunlight and rain.

(3) Other electricity meters for consumers connected to a mini-grid of a mini-grid licensee which are not fully compliant with IEC 62052 and IEC 62053 shall meet following requirements -

- (a) rated values for current, voltage, frequency and accuracy following IEC 62052 and IEC 62053;
- (b) rated values for current, voltage, frequency and accuracy are permanently labelled on the housing;
- (c) maximum continuous current of at least 6 A;
- (d) maximum short-term overcurrent following IEC 62053;
- (e) pulse or transient interference following IEC 62052;
- (f) electrical insulation following IEC 62052;
- (g) own consumption and load losses are specified;
- (h) clearly specified installation and connection plan as well as other relevant specifics of the connections are provided;
- (i) suitable for outside installation, e.g. outside of houses or on poles;
- (j) mechanic requirements following IEC 62052;

- (k) suitable enclosure in matters of ingress protection (minimum IP54) for the tropical climate of Sierra Leone;
- (l) suitable enclosure (potentially including external canopy) and electronic equipment is suitable for temperature, relative humidity (cyclic humid heat), and direct sunlight for outdoor installation in the tropical climate of Sierra Leone;
- (m) end-user have permanent access (as practicable) to the relevant meter readings, e.g. kWh, monetary value, time credit, and in case of meters with the function of load limitation to a representative present load reading.

(4) In addition to sub-regulation (3), an applicant or licensee shall request approval by the Commission for other electricity measurement device and for that purpose shall, at the time of the request, submit to the Commission, a technical report which shall include a table comparing the actual specifications of meter contrasted with the requirements as defined in sub-regulation (3) as well as any other information to support electricity measurement device.

(5) The approval of the Commission of an electricity measurement device shall not be construed in any way to absolve the applicant or licensee of his responsibility for the functioning of the measurement device for the intended purpose.

Refusal of electricity measurement device approval.

54. (1) The Commission may refuse an application for electricity measurement device approval where -

- (a) the application or the information supplied with the application fails to meet the required criteria as specified in sub-regulation (2) and (3) of Regulation 48;
- (b) the Commission finds the information submitted to be false, invalid and or misleading;
- (c) the applicant has failed to produce, when requested, additional information, within the specified time.

(2) An applicant whose application for an electricity measurement device is refused may appeal within 14 days of the receipt of the notification from the Commission about the refusal.

(3) The Commission shall consider any representations made by an applicant under sub-regulation (2) and shall duly notify the applicant in writing of its decision within 14 days.

Refusal of electricity measurement device approval

Suspension or cancellation of measurement device approval.

55. (1) The Commission may review an electricity measurement device approval upon receipt of a petition, stating major or consistent electricity problems with the electricity measurement device, signed by 20% of the consumers of a community served by the mini-grid licensee and after technical tests in line with the prescribed technical specifications of sub-regulation (2) of Regulation 58 have been conducted with a representative sample of the electricity

measurement device showing proof that the device is not working properly before 75% of the economic lifetime of these devices has passed.

(2) The Commission may, after the review of an electricity measurement device approved under sub-regulation (1), suspend or cancel an electricity measurement device approval if satisfied that more than 20% of the electricity measurement devices are faulty.

(3) The Commission may prescribe the exchange of all faulty meters within 6 months and in case the electricity measurement devices need to be replaced before 75% of the economic lifetime of these devices has passed, the Commission may deem the cost of replacement meters fully or partially non-eligible for the determination of rates charged to the consumers.

(4) The Commission may, before suspending or cancelling an electricity measurement device approval, give written notice of its intention including the reasons to the licensee and may in the notice require the licensee to show cause in writing, within 14 days of the notice, why the electricity measurement device approval should not be suspended or cancelled.

(5) The Commission shall, after considering the explanation of the licensee under sub-regulation (4), inform the licensee in writing of its decision within 14 days of receiving the explanation of the licensee showing cause why the electricity measurement device approval should not be suspended or cancelled.

(6) Where an electricity measurement device approval is not utilised within one year from the date of its grant, the electricity measurement device approval shall be cancelled by the Commission by serving at least 30 days' notice on the licensee.

(7) The Commission may require the licensee after suspension or cancellation of the electricity measurement device approval to decommission and remove the electricity measurement devices within 6 months after suspension or cancellation.

PART VII - MINI-GRID INTERCONNECTION RULES

Arrival of main-grid utility network to an area served by a mini-grid.

56. (1) Where a main-grid utility or a full mini-grid licensee extends its distribution network to an area served by an isolated mini-grid under a basic mini-grid licence, on request of the main-grid utility or the full mini-grid licensee, the basic mini-grid licensee shall decommission and remove all its assets and equipment within 3 months after the main-grid utility or the full mini-grid licensee has started supplying electricity to the area.

(2) Where a main-grid utility or a full mini-grid licensee extends its distribution network to an area served by a mini-grid under sub-regulation (1), the basic mini-grid licensee shall in such circumstances not be entitled to any refund or compensation

(3) Mechanism to ensure full compensation shall be as follows;

- (a) The main grid utility should be mandated to notify both the Regulator and the Mini-Grid Operator/Developer of its intent to connect the mini-grid to the main grid at least 12 months before the intended connection;
- (b) The operator's distribution network must meet the requirements of the Distribution Code as specified in Subsection 25(1);

(c) A dedicated special account shall be established to hold the funds that the utility is required to pay the mini-grid operator in the event of a grid interconnection or takeover.

(4) Where a main-grid utility intends to extend its network to an area served by an isolated mini-grid under a full mini-grid licence, the full mini-grid licensee may choose one of the following options -

- (a) Convert to an interconnection mini-grid based on a mini-grid interconnection contract between the full mini-grid licensee and the main grid utility;
- (b) transfer all assets that the main-grid utility wishes to retain on the respective site in return for financial compensation from the main grid utility before distribution grid arrival equal to:
 - i. Where a Main Grid Utility intends to extend its distribution network to interconnect with an isolated mini-grid, and the isolated Mini-Grid Operator chooses to sell any or all mini-grid assets to the Main Grid Utility Licensee, the isolated Mini-Grid Operator shall negotiate compensation from the Main Grid Utility via the Ministry of Energy before handover of any or all mini-grid

- assets as approved by the Commission, based on the remaining depreciated value of the assets including construction and development cost as reflected in the Regulatory Asset Base (RAB), plus any revenue the Mini-Grid Operator is owed by consumers but has not yet received up until the date of the transfer of assets;
- ii. In the case of non-compliance for such payment, the Regulator shall enforce the compensation payment;
 - iii. Where the Parties fail to agree to the terms of the compensation, the Commission shall Act as an arbiter to determine the compensation to be paid (as calculated according to the tariff setting methodology).
- (c) An independent power producer selling to the Main Grid Utility where the Mini-Grid Developer may decommission the distribution assets or sell these assets to the Main Grid Utility;
 - (d) A Mini-Grid Developer purchasing power from the main Grid utility in addition to its existing generation for sale to the Consumers. The Mini-Grid Developer shall enter into a Power Purchase Agreement with the main grid utility, which shall be submitted to the Commission for approval;

- (e) If the utility fails to respond in writing within 30 days, the mini-grid operator should be allowed to apply directly to the Regulator with a proposed retail tariff and bulk supply tariff; or
- (f) Any other operating model as approved by the Commission.

(5) A full mini-grid licensee shall document the payment process as specified in Schedule 12, and submit the signed form to the Commission.

(6) Where the parties fail to agree to the terms of the interconnection in accordance with sub-regulation (4), the parties shall submit the matter to the Commission for final determination in accordance with its complaints procedure and in so doing may employ the service of an advisory firm.

(7) A full mini-grid licensee shall remove the assets and equipment for which the ownership is not handed over to the main grid utility and recycle or dispose the assets in an environmentally friendly manner in accordance with environmental legislation and the licensee's decommissioning plan within 6 months after grid interconnection.

(8) Where an interconnected mini-grid contract has expired and has not been renewed, the main-grid utility shall, on notification to the Commission re-integrate the interconnected mini-grid into its network. The mini-grid licensee shall be compensated for the prior investment in infrastructure and service delivery base on the remaining depreciated value of the assets.

(9) The compensation procedure described in paragraph (b) of sub-regulation (3) shall apply where a full mini-grid licensee removes the assets and equipment for which the ownership is not handed over to the main-grid utility under sub-regulation 6 unless otherwise agreed in the interconnected mini-grid contract and approved by the Commission.

PART VIII - COMMERCIAL ARRANGEMENTS

Tariff setting for basic mini-grid licensees.

57. (1) Pursuant to subsection (2) of section 57 of the Act, a basic mini-grid licensee may demand and receive from a consumer any special tariff agreed to by the basic mini-grid licensee and the consumer, having informed the appropriate community authority of the special tariff agreed.

(2) A basic mini-grid licensee shall include the agreed special tariff in the basic licence application form and communicate any changes of the agreed special tariff to the Commission.

Determination of Tariff of full mini-grid Licensees.

58. (1) Pursuant to paragraph (a) of subsection (1) of section 14 of the Act, the Commission has the power to set or otherwise determine retail tariffs for electricity services, including rates charged for the selling of electricity, connection charges for the provision of electricity metering devices and customer connection.

(2) A full mini-grid licensee may, in order to achieve commercial sustainability and subject to the approval of the Commission propose -

- (a) retail tariffs for specific consumer categories that take account of the ability of the respective consumers to pay;
- (b) retail tariff structure, including conventional kWh tariffs, flat rate tariffs, power tariffs or a combination of the above, based on the amount of electricity sold or the number of connections or the power provided or consumed, excluding any technical losses of power generation, power distribution and metering; or
- (c) connection charges which may be paid in instalments or fully charged upfront.

59. (1) Where a full mini-grid licensee desires to start a new service or revise existing rates charged by it for any service or if the validity period of the tariff granted will expire within 60 days, it shall in a minimum of 60 days, make an application to the Commission for that purpose.

Tariff application for full mini-grid licensee.

(2) A tariff application under sub-regulation (1) shall be submitted in 3 signed hard copies and an electronic version shall be in such form as the Commission may prescribe.

(3) In case of any inconsistency of the information provided in the hard copy and the electronic version under sub-regulation (2) the hard copy shall prevail.

(4) The date of receipt of the application shall be the date when both the hard copies and the electronic version have been received by the Commission.

(5) The Commission shall within 14 days from the date of receipt of the application communicate to the licensee any flaws.

(6) Or gaps identified and any additional information that the Commission may reasonably require in evaluating such application.

(7) The Commission shall within 21 days after receipt of the notice and acceptance of the application, whichever is later -

(a) give any consumer affected by the rate, a reasonable opportunity to be heard and shall take into account any representation made before it;

(b) invite the licensee to make a presentation in support of its application.

(8) The Commission shall within 30 days after receipt of the notice and acceptance of the application, whichever is later, take a decision on the rates, and communicate the decision to the licensee.

(9) The Commission shall in case of a rejection of the application communicate the reasons for the decision to the licensee and state the rates acceptable to the Commission and the justification for these rates.

(10) The Commission shall publish in the Gazette and relevant mass media the rate that has been approved within 20 days after the decision has been made.

60. (1) A tariff application for full mini-grid licensee shall be in the form set out in Schedule 8 and shall be accompanied by the following documents and information, where applicable -

Tariff application documents and information for full mini-grid.

- (i) full mini-grid licensee tariff application form template specified in Schedule 8: "Tariff approval application form";
- (ii) filled in tariff calculation tool provided or approved by the Commission;
- (iii) supporting documents describing and justifying the inputs into the tariff calculation tool as specified by the Commission;
- (iv) previous conditions imposed on a licensee by the Commission in a decision;
- (v) schedule of current and proposed tariffs for all consumer classes and service territories supported by a detailed explanatory statement clearly indicating how each tariff (both current and proposed) was calculated, the data required to make those calculations and how that data was obtained;
- (vi) schedule showing current average bills, tariffs, and other charges for each consumer class that would result if the application was approved as submitted;

- (vii) date upon which the proposed adjustment is to take effect accompanied by a tariff history that includes all of the adjustments of the licensee's tariffs (both proposed and accepted) covering a 3 years period prior to the proposed adjustment is to take effect;
- (viii) audited financial statements including:
 - (i) the opinion of the auditor, covering the past financial year prior to the date of the application;
 - (ii) the regulatory asset base, the operation and maintenance expenses, the depreciation expenses, reserves for repairs and replacement, and taxes applicable to the licensee.
- (ix) a projected financial statement with the first tariff application where audited financial statement is not applicable;
- (x) standardised chart of accounts for the accounting activities of full mini-grid licensees prescribed by the Commission, to reflect that costs incurred are prudently incurred and at a reasonable level of efficiency;

- (xi) schedule stating the licensee's revenue requirement for the past full financial year based on the standard tariff determination methodology for computing the revenue requirement;
- (xii) the financial implications to the licensee if the requested changes in tariffs are not approved;
- (xiii) statement explaining how the proposed adjustment of the current tariff will impact the consumers;
- (xiv) a report on the period since the last tariff approval covering the relevant operation data as set out in Schedule 9;
- (xv) any other information deemed appropriate by the Commission or the mini-grid licensee.

61. (1) A licensee shall procure such goods and services as may from time to time be necessary to enable the licensee to discharge its obligations under the Act and a mini-grid licence. Procurement of Goods and Services.

(2) In procuring goods and services pursuant to sub-regulation (1), a full mini-grid licensee shall procure goods and services from the most economical sources available to it without compromising on quality, having regard to the quantity and nature of the assets and services required to enable it to discharge its obligations under the Act and these Regulations.

(3) This condition shall not extend to prescribing the manner or circumstances in which a licensee shall at any time call for the delivery of goods and services under any contract or arrangement entered into under sub-regulation (1).

(4) In contracting or arranging for the provision of goods and services required to enable the licensee to carry out the licenced business, a full mini-grid licensee shall procure local goods and services as far as practicable and employ best corporate practices in the procurement process in-line with the applicable laws.

Asset Use
and Disposal.

62. (1) A full mini-grid licensee shall prepare and maintain a register of all relevant assets comprising the generation, distribution and sales system in such form as specified by the Commission from time to time and shall submit the register to the Commission not later than 6 months after the full mini-grid licence comes into force or any later date the Commission may specify and thereafter shall provide the Commission with such a register at least every 2 years at the same time as the reporting or at the time of tariff approval.

(2) A licensee may be entitled, subject to prior notification to the Commission, to utilise its licenced assets as a means of facilitating financing of its investment requirements, including collateral for debt financing, sale and lease back, securitisation receivables, and in all cases subject to the condition that the licensee will inform the Commission about such arrangements prior to execution of the relevant agreement or agreements.

PART IX - DISPUTE RESOLUTION

63. (1) A dispute between the Parties in connection with or arising out of this Agreement, or the breach, termination or validity hereof that is not settled amiably within 30 business days shall be settled by reference to a tribunal. ^{Dispute Resolution.}

(2) Within a period of 15 business days, service of notice to dispute hearing, questionnaire, appointment of arbiter are to be in place.

PART X - MISCELLANEOUS

Local
Content.

64. (1) Unless otherwise unavailable, operators, licensees and owners shall first source where possible, resources and labour locally in compliance with the Sierra Leone Local Content Agency Act, 2016 (No. 3 of 2016).

Procedure for
securing
Compliance
with Mini-Grid
Licence.

65. (1) Where the Commission, on the basis of material evidence in its possession is satisfied that the mini-grid licensee is contravening, or is likely to contravene the terms and conditions of the licence, it shall serve an order to the mini-grid licensee to do, or not to do, such things as are specified in the order for the purpose of rectifying or avoiding any contravention or threatened contravention of any term or condition of the licence.

(2) An order under sub-regulation (1), shall specify the period within which the mini-grid licensee shall rectify or avoid the contravention or threatened contravention of any term or condition of the licence.

(3) Where a full mini-grid licensee, upon expiry of the period specified in the order under sub-regulation (1), fails to comply with the order, the Commission shall subject to sections 69 and 70 of the Act and these Regulations enforce the order.

Complaints
procedure
Establishment
of Community
Conflicts
Redress
Committees
for Mini-
Grids.

66. (1) A Community Conflicts Redress Committee shall be established in each province where mini-grid projects are operational or under development.

(2) The Community Conflicts Redress Committee shall serve as a first-tier dispute resolution mechanism for conflicts arising between mini-grid operators, community members, local authorities, or other stakeholders concerning:

- (a) Land use and right-of-way disputes;
- (b) Tariff and billing disagreements;
- (c) Service quality and reliability complaints;
- (d) Employment and local content disputes;
- (e) Environmental and social impact grievances;
- (f) and any other dispute that may arise from the operations in the mini-grid communities.

67. (1) The Community Conflicts Redress Committee shall comprise 6 members appointed as follows: Composition
of the
committee.

- (a) Two (2) representatives from the affected community (elected through a transparent process);
- (b) One (1) representative from the mini-grid operator;
- (c) One (1) representative from the local government authority such as the chief or local head;
- (d) One (1) representative from the Local Police Unit;
- (e) One (1) representative from the Commission.

(2) Members shall serve a two-year term, renewable once, and shall undergo training in alternative dispute resolution, electricity regulations, and community engagement.

68. (1) The Community Conflicts Redress Committee shall have the authority to:

- (a) Receive, investigate, and mediate disputes in a transparent and timely manner;
- (b) Conduct public hearings where necessary to gather stakeholder input;
- (c) Issue non-binding recommendations for dispute resolution within 30 days of receiving a complaint;
- (d) Refer unresolved disputes to the Commission if mediation fails;
- (e) Maintain records of all complaints and resolutions for regulatory oversight.

69. (1) Complaints may be submitted orally or in writing in the local language.

(2) The Community Conflicts Redress Committee shall convene within 14 days of receiving a complaint.

(3) Decisions shall be made by consensus or majority vote, with reasons provided in writing.

(4) Proceedings shall be conducted openly, unless confidentiality is requested by parties.

70. (1) Any party dissatisfied with the Community Conflicts Redress Committee decision may appeal to the Commission within 30 days.

(2) The appellate body shall review the case and issue a binding decision within 60 days.

71. (1) The Community Conflicts Redress Committee shall submit quarterly reports to the Commission detailing: Reporting and Compliance.

- (a) Number and nature of complaints received;
- (b) Resolution outcomes;
- (c) Pending disputes and challenges.

(2) All parties (Mini-grid operators and Consumers) shall comply with the Community Conflicts Redress Committee recommendations unless an appeal is lodged.

72. All notices and other communications given or made under these Regulation shall be in writing and addressed to the Commission. Notice and correspondence.

73. (1) Subject to section 72 of the Act, the Commission, its staff, public officers seconded or otherwise appointed, consultants and advisers appointed by the Commission shall treat all disclosed information or material obtained under these Regulations as confidential. Confidentiality.

(2) Sub-regulation (1) shall not apply to information required for -

- (a) the fulfilment of the function of the Commission;
- (b) the creation of benchmarks;
- (c) necessary consultations; or
- (d) the approval of rates.

Display of
licences or
permits

74. (1) Every licence or permits shall be displayed in a prominent position on the premises in respect of which it is issued.

(2) A licensee or permit holder who contravenes the provision of subsection(1) commits an offence and shall be liable to a fine as prescribe by the Commission.

Penalty.

75. (1) Any person who contravenes any provisions in these Regulations for which no specific penalty is prescribed shall be liable to a fine not less than SLE 10,000.00.

(2) A licensee who employs an agent, clerk, servant or other person, shall be answerable and liable for any acts or omissions of such persons in so far as the actions or omissions concern the mini-grid activity.

(3) Any person who is in continuous breach of these Regulations shall be liable to a fine of SLE5,000 per day.

Stabilization.

76. (1) In the event that any law, regulation, or administrative action of the Government, the Commission, or any other competent authority are enacted, amended, or interpreted in a manner that results in changes to tariffs or the arrival of the main grid, which adversely affects the financial interests or operations of the mini-grid developer or operator under these Regulation, the Parties agree to enter into good faith negotiations to restore the economic balance of the mini grid operations.

(2) The Commission shall take all necessary measures, including amending the terms of licence or providing compensatory mechanisms, to mitigate such adverse effects.

(3) These sub-regulation shall remain in effect to ensure that the mini-grid developer or operator is protected from undue financial or operational burdens resulting from tariff adjustments or the arrival of the main grid, (or arising from unforeseen legal or regulatory changes).

(4) Where the change in tariff, arrival of main-grid, or unforeseen legal or Regulatory is not onerous or deliberate, the government of Sierra Leone or its agent shall bear no liabilities.

MADE THIS 22ND DAY OF MAY, 2025.

ING. EDMOND NONI
Deputy Minister of Energy- I

FREETOWN
SIERRA LEONE