

The Council of the uMhlathuze Municipality has in terms of Section 156 of the Constitution, 1996 (Act 108 of 1996), read in conjunction with sections 11 to 13 of the Municipal Systems Act, 2000 (Act No. 32 of 2000), made the following bylaws:

CITY OF uMHLATHUZE
ELECTRICITY SUPPLY BYLAWS

CHAPTER 1
GENERAL

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1. Definitions

(1) In this bylaw, unless inconsistent with the context:

“accredited person” means a person registered in terms of the Regulations as an electrical tester for single phase, an installation electrician or a master installation electrician, as the case may be;

“applicable standard specification” means any approved National Rationalized Specification (NRS), South African National Standards (SANS), South African Bureau of Standards (SABS) or any other specification accepted as a standard by the Engineer;

“approved” means approved by the Engineer or his authorised representative in writing as deemed suitable and satisfactory for the purpose, in respect of safety, design, performance and the method of application thereof; and **“approval”** has a corresponding meaning;

“area of supply” means the licensed area of supply of the Service Provider operating under a distribution licence issued by the National Electricity Regulator (NER) instituted in terms of the Electricity Act as amended;

“authorised maximum demand” means the allocated maximum demand allowed for a particular premises determined and approved by the Engineer;

“authorised official” or **“representative”** means any official from the Service Provider acting within the scope of their duties;

“certificate of compliance” means a certificate issued in terms of the Regulations in respect of an electrical installation or part of an electrical installation issued by an accredited person;

“conventional meter” means a meter where an account is issued subsequent to the consumption of electricity;

“customer” has a corresponding meaning as **“consumer”** in relation to the supply of electricity and means:

- a) the occupier of any premises to which the Service Provider has agreed to supply or is actually supplying electricity;
- b) if there is no occupier, the person who has entered into a current agreement with the Service Provider for the supply of electricity to such premises, or;
- c) if there is no such person, the owner of the premises;

“dedicated equipment” means the electrical and metering equipment used for the sole benefit of the supply to a specific customer;

“electrical contractor” means an electrical contractor as defined in the Regulations;

“electrical installation” means an electrical installation as defined in the Regulations;

“Electricity Act” means the Electricity Act, 1987 (Act No. 41 of 1987), as amended;

“Engineer” means the official appointed in charge of the electricity undertaking of the Service Provider or any other person duly authorised to perform this duty on its behalf;

“estimated load” means the load in kilovolt-amperes (kVA) the customer intends to draw and that the Service Provider can supply;

“high voltage” (hereinafter referred to as HV) means the set of nominal voltage levels that are used in power systems for bulk transmission of electricity in the range of $44\text{kV} < U_n \leq 220\text{kV}$ as defined in SABS 1019;

“law” means any applicable law, proclamation, ordinance, act of parliament or enactment having force of law;

“low voltage” (hereinafter referred to as LV) means the set of nominal voltage levels that are used for the distribution of electricity and of which the upper limit is generally accepted to be an alternating current (a.c.) voltage of 1 000V (or a direct current (d.c.) voltage of 1 500 V) as defined in SABS 1019;

“medium voltage” (hereinafter referred to as MV) means the set of nominal voltage levels that lie above low voltage and below high voltage in the range of $1\text{kV} < U_n \leq 44\text{kV}$ as defined in SABS 1019;

“meter” means a device which records the demand and/or the electrical energy consumed and includes conventional and pre-payment meters. “metering equipment” shall have the same meaning and includes all related equipment to measure maximum demand and energy consumed;

“motor rating” means the maximum continuous kW output of a motor as stated on the manufacturer’s rating plate mounted on the motor;

“motor starting current” in relation to alternating current motors, means the root mean square value of the symmetrical current taken by a motor when energised at its rated voltage with its starter in the starting position and the rotor locked;

“Municipality” means the uMhlathuze Municipality and its successors in law, and includes the Council of that municipality or its Executive Committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the Executive Committee has delegated any powers and duties with regard to these by-laws;

“notified maximum demand” means the load in kilovolt-amperes (kVA) which the customer is entitled to draw and the Service Provider has agreed to supply;

“NRS” means the National Rationalisation of Specifications;

“occupier” in relation to any premises means-

- (a) any person in actual occupation of such premises;
- (b) any person legally entitled to occupy such premises;
- (c) in the case of such premises being subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers or tenants, whether on his own account or as agent for any person entitled thereto or interested therein; or
- (d) any person in charge of such premises or responsible for the management thereof, and includes the agent of any such person when he is absent from the Republic of South Africa or his whereabouts are unknown;

“OH&S Act” means the Occupational Health and Safety Act, 1985 (Act No. 85 of 1993), as amended;

“owner” in relation to immovable property means the person in whom is vested the legal title thereto; provided that-

- (a) in the case of immovable property-
 - (i) leased for a period of not less than 50 years, whether the lease is registered or not, the lessee thereof; or
 - (ii) beneficially occupied under a servitude or right analogous thereto, the occupier thereof;
- (b) if the owner as hereinbefore defined -
 - (i) is dead or insolvent, has assigned his estate for the benefit of his creditors, has been placed under curatorship by order of court or is a company being wound up or under judicial management, the person in whom the administration of such property is vested as executor, administrator, trustee, assignee, curator, liquidator or judicial manager, as the case may be; or
 - (ii) is absent from the Republic, or if his address is unknown to the Service Provider, any person who as agent or otherwise receives or is entitled to receive the rent in respect of such property; and
- (c) if the Service Provider is unable to determine who such person is, the person who is entitled to the beneficial use of such property, shall be deemed to be the owner thereof to the exclusion of the person in whom is vested the legal title thereto;

“point of common coupling” means the point in the electrical network at which the customer is connected to a common busbar with other customers’ supplies;

“point of consumption” means a point of consumption as defined in the Regulations;

“point of control” means a point of consumption as defined in the Regulations;

“point of metering” means the point at which the customer's consumption of electricity is metered and which may be at any point on the distribution system of the Service Authority or the electrical installation of the customer, as specified by the Engineer; provided that it shall meter all of, and only, the customer's consumption of electricity;

“point of supply” means the point where the connection crosses the boundary of the property or the point alternatively determined by the Engineer at which electricity is supplied to any premises by the Service Provider. This point separates the accountability for supply equipment belonging to the Service Provider and the Customer;

“power factor” means the cosine of the angle between the phase voltage and current;

“premises” means any land or any building or structure above or below ground and includes any vehicle, aircraft or vessel and **“property”** and **“erf”** has a corresponding meaning;

“prepayment meter” means a meter that can be programmed to allow the flow of pre-purchased amounts of energy in an electrical circuit;

“protective devices” means the current limiting equipment in an electrical circuit that protects electrical equipment and persons against over-load or electrical faults;

“rating of motor” means the full load in kilowatts (kW) stipulated on the motor name plate;

“registered demand” means the load in kilovolt-amperes (kVA) supplied by the Service Provider to the customer during any successive thirty (30) minutes and is reset to zero on a monthly basis;

“Regulations” means Regulations made in terms of the Electricity and OH&S Acts, as amended;

“safety standard” means the regulations and Code of Practice for the Wiring of Premises SANS 10142 being incorporated into the Regulations;

“Service Authority” means the uMhlathuze Municipality being established in terms of Section 12 of the Local Government: Municipal Structures Act, 1998 as amended, and the Provincial Notices for the Province of the Kwa-Zulu Natal to regulate the provision of electricity service, Notice 346 of 19 September 2000, and has the same meaning as **“municipality”** or **“Local Authority”**;

“service connection” means all electrical cables and equipment required to connect the supply mains to the electrical installation of the customer at the point of supply and includes all metering and any other equipment belonging to the Service Provider;

“service protective device” means any protection device such as a fuse or circuit breaker installed for the purpose of protecting equipment against overload or faults occurring on the installation or on the service connection;

“Service Provider” means the licensed supplier of electricity within the jurisdiction of the Service Authority (the Service Authority may also be the Service Provider), and has the same meaning as **“undertaking”** or **“supplier”**, both as defined in the Regulations;

“standby supply” means an alternative electricity supply not normally used by the customer;

“supply” means the provision or distribution of electricity or both as defined in the Regulations;

“supply agreement” means the agreement for the supply of electricity between the Service Provider and the Customer of which this bylaw forms an integral part thereof;

“supply mains” means any part of the Service Provider’s electricity network;

“tamper” means to illegally interfere with the supply connection or to affect the equipment in such a way that it does not register all the electricity consumed;

“tariff” means the tariff of charges annually accepted and approved by the Service Authority in terms of the Systems Act for the supply of electricity, as amended from time to time;

“the law” means any applicable law, proclamation, ordinance, act of parliament or enactment having force of law;

“token” means the essential element of a pre-payment metering system used to transfer information from a point of sale for electricity credit to a pre-payment meter and *vice versa*;

“total connected motor load” means the sum total of the kW input ratings of all the individual motors connected to an installation;

“total motor load connected” means the sum total of the kW input ratings of all the individual motors connected to an installation;

“vending” means the transaction where pre-paid electricity is sold and a token is produced;

“voltage” means the root-mean-square value of electrical potential between two conductors.

- (2) Words applying to any individual shall include persons and groups, and the masculine gender shall include females as well as males and the singular number shall include the plural and vice versa.

2. Other terms

All other terms used in this bylaw shall, unless the context otherwise requires, have the meaning assigned thereto in the Electricity Act, the OH&S Act, or the Local Government: Municipal Systems Act 2000 (Act No 32 of 2000).

3. Headings and titles

The headings and titles in this bylaw shall not affect the interpretation or construction thereof.

CHAPTER 2 GENERAL CONDITIONS OF SUPPLY

4. Provision of Electricity Services

Only the Service Provider appointed by the Service Authority shall supply or contract for the supply of electricity within the jurisdiction of the Municipality.

5. Supply by agreement

- (1) No person shall use or be entitled to use an electricity supply from the Service Provider unless or until such person have entered into an agreement in writing with the Service Provider for such supply. The agreement and supply of electricity shall in all respects be governed by this Bylaw, which shall, *mutatis mutandis*, be deemed to be conditions to which every agreement entered into between the Service Provider and a customer is subject.
- (2) If a person uses electricity without entering into an agreement with the Service Provider, the Service Provider may discontinue the supply immediately without any notice. Such person will be liable for the cost of electricity used as provided in section 19 of this bylaw.

6. Service of notice

- (1) Any notice or other document that is served on any person in terms of this bylaw is regarded as having been served-
 - (a) when it has been delivered to that person personally;
 - (b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of sixteen years;
 - (c) when it has been posted by registered or certified mail to that person's last known residential or business address in the Republic and an acknowledgement of the posting thereof from the postal service is obtained;
 - (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c); or
 - (e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the property or premises, if any, to which it relates.
- (2) When any notice or other document must be authorised or served on the owner, occupier or holder of any property or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier or holder of the property or right in question, and it is not necessary to name that person.
- (3) Any legal process is effectively and sufficiently served on the Service Authority when it is delivered to the Municipal Manager or a person in attendance at the municipal manager's office.

7. Compliance with notices

Any person on whom a notice duly issued or given under this bylaw is served shall, within the time specified in such notice, comply with its terms.

8. Application for supply:

- (1) An application for an initial supply of electricity or an application for a connection with greater capacity shall be made in writing by the customer on the prescribed form obtainable at the office of the Service Provider, and the estimated load, in kVA or Amps, of the installation, shall be stated therein. Such application shall be made as early as possible before the supply is required in order to facilitate the work of the Service Provider.
- (2) A temporary supply shall be valid for a period of three months unless explicitly authorised by the Engineer in writing for a longer term, after which renewal application must be approved by the Engineer.

- (3) Should there be no renewal application or the application not being approved by the Engineer as contemplated in subsection (2), the supply may be disconnected at the Service Provider's sole discretion without giving written notice of its intention to do so.

9. Processing of requests for supply

- (1) Applications for an initial supply of electricity will be processed and the supply made available within the periods stipulated in NRS 047- Quality of Service, which will be subject to the timeous payment of the relevant connection fees and deposit.
- (2) The Engineer may, before granting an application for an initial supply, inspect the electrical installation to ensure that it is safe and complies with this bylaw and all other relevant legislation and the applicant must provide a valid Certificate of Compliance, signed by an accredited person.
- (3) No electricity will be provided to an electrical installation until all the necessary documentation have been duly signed and lodged and all the prescribed fees and deposits paid.

10. Arbitration

If at any time any difference or question arises between the Service Provider and the Customer as to the construction, interpretation or effect of this bylaw or as to the rights, obligations or liabilities of either party, such difference or question or matter or thing so subject to agreement or adjustment shall be referred to the National Electricity Regulator (NER) for a decision. An appeal from the decision of the National Electricity Regulator shall be dealt with in accordance with the Electricity Act, provided that the provisions of this section do not relieve any customer from the obligation to pay the account and to comply with these bylaws.

11. Wayleaves

- (1) The Service Provider may lay or erect services above or below ground on any thoroughfare or land not vested in the Service Authority or on any private property where it is impractical to use an alternative route. The Service Provider shall give written notice of its intension to do so to the owner of the said private property or to the person in whom is vested the legal title to the land or thoroughfare as aforesaid exists, as the case may be. The Service Provider shall only apply this alternative as a last resort.
- (2) The Service Provider shall take all reasonable precautions not to damage or disrupt the use of the said land.
- (3) The Service Provider may remove any object or rectify any activity that may endanger the integrity of the distribution system under his control.

12. Servitudes and right of way

- (1) Subject to the provisions of subsection (3) the Service Provider may directly, or through the services of a Service Provider that it appoints, within its municipal area:
- (a) provide, establish and maintain electricity services;
 - (b) acquire, construct, lay, extend, enlarge, divert, maintain, repair, discontinue the use of, close up and destroy electricity supply mains;
 - (c) construct, erect or lay any electricity supply main on, across, through, over or under any street or immovable property and the ownership of any such main shall vest in the Service authority or the Service Provider, as the case may be;
 - (d) do any other thing necessary or desirable for or incidental, supplementary or ancillary to any matter contemplated by paragraphs (a) to (c).

- (2) If the Service Provider constructs, erects or lays any electricity supply main on, across, through, over or under any street or immovable property not owned by the Service Authority or Service Provider or under the control of or management of the Service Authority or Service Provider, it shall not be obliged to pay to the owner of such street or property any compensation in the absence of agreement, or as determined by arbitration or a court of law.
- (3) The Service Provider shall, before commencing any work other than repairs or maintenance on or in connection with any electricity supply main on immovable property not owned by the Service Authority or under the control or management of the Service Provider, give the owner or occupier of such property reasonable notice of the proposed work and the date on which the Service Provider proposes to commence such work.

13. Right of admittance to inspect, test and/or do maintenance work

- (1) The Service Provider shall, through its employees, contractors and their assistants and advisers, have access to or over any property for the purposes of-
 - (a) doing anything authorised or required to be done by the Service Provider under this bylaw or any other law;
 - (b) inspecting and examining any service mains and anything connected therewith;
 - (c) enquiring into and investigating any possible source of electricity supply or the suitability of immovable property for any work, scheme or undertaking of the Service Provider and making any necessary survey in connection therewith;
 - (d) ascertaining whether there is or has been a contravention of the provisions of this bylaw or any other law; and
 - (e) enforcing compliance with the provisions of this bylaw or any other law.
- (2) The Service Provider may, by notice in writing served on the owner or occupier of any property, require such owner or occupier to make acceptable arrangements within the time stipulated in such notice with the Engineer to provide access to such property to the Engineer's representatives for a purpose referred to in sub-section (1).
- (3) In consequence of the existence of a state of war or the occurrence of any calamity, emergency or disaster, the Service Provider may gain access to or over any property without notice and may take whatever action as may, in its opinion, be necessary or desirable.

14. Refusal or failure to give information

No person may refuse or fail to give such information as may be reasonably required of him by any duly authorised official of the Service Provider, or render any false information to any such official regarding any aspect of the electrical installation, electricity consumption or any matter affected by the electricity supply agreement.

15. Refusal of admittance

No person shall hinder, obstruct, interfere with or refuse admittance to the Engineer or any duly authorised official of the Service Provider in the performance of his / her duties under this bylaw or of any duty connected therewith or relating thereto.

16. Improper use

- (1) A customer may not, without the prior written consent of the Engineer, supply electricity, whether temporarily or permanently, to any point or place which does not constitute part of the electrical installation for which a supply has been agreed upon.

- (2) If the customer uses the electricity for any purpose or deals with the electricity in any manner which the Engineer has reasonable grounds for believing it interferes in an improper or unsafe manner or is calculated to interfere in an improper or unsafe manner with the efficient supply of electricity to any other customers, the Service Provider may, with or without notice, immediately disconnect the electricity supply.
- (3) Supply disconnected in terms of subsection (2) shall be restored as soon as the cause for the disconnection has been permanently remedied or removed and all requirements laid down by the Engineer have been met.
- (4) The fee as prescribed by the Service Provider for the disconnection and reconnection shall be payable by the customer before the electricity supply is restored, unless it can be shown to the satisfaction of the Engineer that the customer did not use or deal with the electricity in an improper or unsafe manner.

17. Electricity tariffs and fees

The Service Provider will make information on the approved tariffs and fees available to any member of the public. Copies of the approved electricity tariffs, charges and fees may be obtained from the offices of the Service Authority or Service Provider.

18. Deposit

- (1) The Service Provider reserves the right to require the customer to deposit a sum of money as security in payment of any charges which are due or may become due to the Service Provider. The amount of the deposit or acceptable security in respect of each electricity installation shall be determined in accordance with the Municipality's Credit Management Bylaws.
- (2) The deposit may be increased if the Service Provider deems the deposit held to be inadequate.
- (3) Such deposit shall not be regarded as being in payment or part payment of any accounts due for the supply of electricity for the purpose of obtaining any discount provided for in the electricity tariff referred to in this bylaw.
- (4) On cessation of the supply of electricity, the amount of such deposit, free of any interest, less any amounts owing to the Service Provider at that stage whether for electricity or otherwise, shall be refunded to the customer.
- (5) If a deposit paid in terms of this bylaw is not claimed and refunded to the customer within one year after termination of the supply agreement or within one year of a customer ceasing to use electricity for any reason whatsoever, then such deposit shall be deemed to have been forfeited to the Service Provider, who shall be entitled to deal with that deposit as it deems fit.

19. Payment of charges

- (1) The customer shall be liable for all charges listed in the prescribed tariff for the electricity service provided or supplied to his/her premises.
- (2) The Service Provider shall provide on the account or token all relevant information (units, date, amount, etc) on which the account or token is based.
- (3) All accounts shall be deemed to be payable when issued by the Service Provider and each account shall, on its face, reflect the due date and a notice indicating that the supply may be disconnected in terms of the Electricity Act should the charges in respect of such supply remain unpaid after the due date. Such notice shall be

regarded as adequate written notice for the supply to be disconnected when payment is not received.

- (4) An error or omission in any account or failure to render an account shall not relieve the customer of his obligation to pay the correct amount due for electricity supplied to the premises.
- (5) Where a duly authorized official of the Service Provider has visited the premises for the purpose of disconnecting the supply in terms of subsection (3) and he is obstructed or prevented from effecting such disconnection, the charge shall become payable for each visit necessary for the purpose of such disconnection.
- (6) After disconnection for non-payment of an account or a contravention of any provision of this bylaw, the prescribed fees and any amounts due for electricity consumed shall be paid before re-connection.

20. Interest on overdue accounts

The Service Provider may charge interest on overdue accounts that are not paid by the due date appearing on the account, at an interest rate as determined from time to time by the Service Provider.

21. Resale of electricity

- (1) Unless otherwise authorised by the Engineer, no person may sell or supply electricity to any other person or entity for use on any other premises, or permit or offer such resale or supply to take place. If electricity is resold for use on the same premises, the electricity resold shall be measured by a submeter of a type which has been approved by the South African Bureau of Standards and installed and programmed in accordance with the standards of the Engineer.
- (2) The tariff, rates and charges at which, and the conditions of sale under which the electricity is resold, shall not be less favourable to the purchaser than those that would have been payable and applicable had the purchaser been a direct customer of the Service Provider. Every reseller shall furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information provided by the Service Provider to its electricity customers.
- (3) Any person reselling electricity as contemplated in this section shall furnish a statement showing the consumption, the previous and current readings and amount payable by every customer supplied, upon request by the Engineer. Such statement shall be furnished to the Engineer within thirty (30) days of such a request.

22. Right to disconnect supply

- (1) Unless otherwise provided, the Service Provider shall have the right to disconnect the supply to any premises if, after notice has been given to the occupier of its intention to do so:
 - (a) the person liable to pay for such supply fails to pay any charge due to the Service Provider in connection with any supply which he/she may at any time have received from the Service Provider in respect of such premises;
 - (b) the person liable to pay for such supply fails to pay any charge due to the Service Authority in connection with any other service;
 - (c) if there has been a deliberate overloading or increase of the supply above the notified maximum demand;
 - (d) where any of the provisions of this bylaw and/or the Regulations are being contravened.

- (2) In the case where an installation has been illegally reconnected after having been previously disconnected by the Service Provider, or in the case where the Service Provider's electrical equipment has been tampered with to prevent the full registration of consumption by the meter, the electricity supply may be physically removed from those premises.
- (3) Notwithstanding the above, in the case of a grave risk or where tampering with the supply is detected by the Engineer or his duly authorised representative, no notice is required.
- (4) After disconnection for non-payment of accounts or the improper or unsafe use of electricity, the fee as prescribed by the Service Provider shall be payable by the customer.

23. Non-liability of the Service Authority and the Service Provider

Neither the Service Authority nor the Service Provider shall be liable for any loss or damage, direct or consequential, suffered or sustained by a customer as a result of or arising from the cessation, interruption or discontinuance of the supply of electricity, unless caused by negligence on the part of the Service Authority or the Service Provider.

24. Unusual consumption of electricity

Under no circumstances shall any rebate be allowed on the account for electricity supplied and accurately metered in respect of additional electricity being consumed due to failure of any equipment.

25. Failure of supply

The Service Provider will not attend to a failure of supply due to a fault in the electrical installation or the Service cable beyond the point of supply of the Customer. When any failure of supply is found to be due to a fault in the electrical installation of the customer or to the faulty operation of apparatus used in connection therewith, the Service Provider shall have the right to –

- (1) charge the customer the prescribed fee for each restoration of the supply; and
- (2) recover from the customer the cost of making good or repairing any damage which may have been done to the Service Provider's equipment by such fault or faulty operation as aforesaid.

26. Seals of the Service Provider

The meter, service protective devices and all apparatus belonging to the Service Provider shall be sealed or locked by a duly authorised official of the Service Provider, and no person, unless being duly authorised thereto, shall in any manner or for any reason whatsoever remove, break, deface, or tamper or interfere with such seals or locks.

27. Tampering with service connection or supply mains

- (1) No person shall, or allow any other person, in any manner or for any reason whatsoever to tamper or interfere with any meter or service connection or service protective device or supply mains or any other equipment of the Service Provider.
- (2) Where prima facie evidence of tampering exists, or where metering equipment has been by-passed, the Service Provider shall have the right to disconnect the supply immediately and without prior notice to the customer. The customer shall be liable for all fees and charges levied by the Service Provider for such disconnection.
- (3) Where tampering, interfering or bypassing has resulted in the metering equipment recording less than the true consumption, the Service Provider shall have the right to recover from the customer the full cost of its estimated consumption as determined by the Engineer.
- (4) Where consecutive tampering occurred and the supply has been removed by the Service Provider, an application for an initial connection needs to be done and all related fees are payable prior to the connection of the supply.

28. Protection of Service Provider's electrical network

- (1) No person shall, except with the consent of the Engineer and subject to such conditions as may be imposed –
 - (a) construct, erect or position, or permit the construction, erection or laying of any structure, building or other object, or plant trees or vegetation over, or in such a position or in such a manner as to interfere with or endanger the electrical network;
 - (b) excavate, open up or remove the ground above, next to, under or near any part of the electrical network;
 - (c) damage, endanger, remove or destroy, or do any act likely to damage, endanger or destroy any part of the electrical network;
 - (d) make any unauthorized connection to any part of the electrical network or divert or cause to be diverted any electricity therefrom;

- (e) install paving over distribution or service cables without adequate sleeves. The Service Provider will not be liable for any damage caused to paving in a street reserve or servitude;
 - (f) do excavations over the Service Provider's cables without a permit issued by the Engineer.
- (2) The owner and/or occupier shall limit the height of trees or length of projecting branches in the proximity of overhead lines or provide a means of protection which, in the opinion of the Engineer, will adequately prevent the tree from interfering with the conductors should the tree or branch fall or be cut down. Should the owner fail to observe this provision, the Service Provider shall have the right, and after prior written notification, or without notification in an emergency, to cut or trim the trees or other vegetation in such a manner as to comply with this provision and shall be entitled to enter the property for this purpose.
 - (3) The cost of any such work performed by the Service Provider which was necessary due to the contravention of this bylaw, shall be for the account of the person who instructed or acted in contravention of this bylaw.
 - (4) The Service Provider reserves the right to implement any policy in the form of regulations regarding the rights of the Service Provider in respect of the protection of the electricity distribution system.
 - (5) The Service Provider may –
 - (a) fill-in and make good any ground excavated or removed in contravention with this bylaw;
 - (b) repair and make good any damage done in contravention of this bylaw or resulting from a contravention of this bylaw; and
 - (c) remove anything damaging, obstructing or endangering or likely to damage, obstruct, endanger or destroy any part of the electrical distribution system.
 - (6) The Service Provider may, subject to obtaining an order of court, demolish, alter or other wise deal with any building, structure or other object constructed, erected or laid in contravention with this bylaw.
 - (7) The Service Provider may, in case of an emergency or disaster, remove anything damaging, obstructing or endangering or likely to damage, obstruct, endanger or destroy any part of the electrical distribution system.

29. Unauthorised reconnections

- (1) No person other than a person specifically authorised thereto by the Service Provider in writing shall reconnect, attempt to reconnect or cause or permit to be reconnected to the supply mains or service connection any electrical installation or installations which have been disconnected by the Service Provider.
- (2) Where the supply that has previously been disconnected is found to have been reconnected, the customer using the supply shall be liable for all charges and for electricity consumed or estimated by the Engineer to have been consumed between the date of disconnection and the date the supply was found to be reconnected and any other charges raised in this regard. Furthermore, the Service Provider reserves the right to remove part or all of the supply equipment until such time as payment has been received in full. In addition, the customer will be required to apply for a new connection and will be responsible for all the costs associated with the reinstatement of such supply equipment.

- (3) Where the electricity supply has been disconnected due to unsafe conditions in the customer's installation, the supply may only be reconnected after the customer has submitted a valid certificate of compliance to the Service Provider.

30. Temporary disconnection and reconnection

- (1) The Service Provider shall, at the request of the customer, temporarily disconnect and reconnect the supply to the customer's electrical installation upon payment of the prescribed fee for each such disconnection and subsequent reconnection.
- (2) In the event of the necessity arising for the Service Provider to effect a temporary disconnection and reconnection of the supply to a customer's electrical installation and the customer is in no way responsible for bringing about this necessity, the Engineer shall waive payment of the fee hereinbefore referred to.
- (3) The Engineer may only under exceptional circumstances temporarily disconnect the supply to any premises without notice, for the purpose of effecting repairs or carrying out tests or for any other legitimate purpose. In all other instances adequate notice shall be given.

31. Temporary work

Electrical installations requiring a temporary supply shall not be connected directly or indirectly to the supply mains, except with the written permission of the Engineer. Full information as to the reasons for and nature of such temporary work shall accompany the application for the aforesaid permission, and the Engineer may refuse such permission or may grant the same upon such terms and conditions as he deems desirable and necessary.

32. Load reduction

- (1) At times of peak load, or in an emergency, or when, in the opinion of the Engineer, it is necessary for any reason to reduce the load on the electricity supply system of the Service Provider, the Engineer may without notice interrupt and, for such period as the Engineer may deem necessary, discontinue the electricity supply to any customer's electrically operated thermal storage water heater or any specific appliance or the whole installation. Neither the Service Authority, the Service Provider nor the Engineer shall be liable for any loss or damage directly or consequentially due to or arising from such interruption and discontinuance of the electricity supply.
- (2) The Service Provider may install upon the premises of the customer such apparatus and equipment as may be necessary to give effect to the provisions of subsection (1), and the Engineer may at any reasonable time enter any premises for the purpose of installing, inspecting, testing adjusting and/or changing such apparatus and equipment.
- (3) Notwithstanding the provisions of subsection (2), the customer or the owner, as the case may be, shall, when installing an electrically operated water storage heater, provide such necessary accommodation and wiring specified by the Engineer to facilitate the installation of the apparatus and equipment referred to in subsection (2).

33. Switchgear and equipment

- (1) The supply and installation of all dedicated equipment such as switchgear, cables and equipment which forms part of the service connection shall, unless otherwise approved, be paid for by the customer. The customer shall also contribute towards the equipment required in the distribution network to make available his supply.

- (2) In the case of an high or medium voltage supply, the customer's electrical installation and protection equipment interfacing with the electricity supply, shall be approved by the Engineer and such equipment shall be installed under the supervision of a registered engineer.
- (3) No person shall operate high or medium voltage equipment under control of the Service Provider without the written authority of the Engineer.
- (4) All earthing and testing of high or medium voltage equipment linked to the Service Provider's network shall be conducted by or under the supervision of the Engineer.
- (5) The customer shall provide and install an approved main switch/es and/or any other equipment required at his/her point of control.

34. Substation accommodation

- (1) The Engineer may, on such conditions as may be deemed fit by the Service Provider, require the owner to provide and maintain approved accommodation which shall constitute a substation or switch or meter room and which shall consist of a separate room or rooms to be used exclusively for the purpose of housing the Service Provider's equipment necessary for the supply requested by the applicant. The accommodation shall be situated at a point to which free and unrestricted access is available at all times for purposes of meter reading, operation and maintenance.
- (2) The Service Provider reserves the right to supply its own networks from its own equipment installed in such accommodation.
- (3) If additional accommodation is required by the Service Provider, such additional accommodation shall be provided by the applicant at no cost to the Service Provider.

35. Supply diagram and specification

- (1) When more than one electrical installation or electricity supply from a common main or more than one meter is required for any building or block of buildings, or where an alternative source of electricity supply is used, the schematic diagram of the circuits starting from the main switch and a specification shall on request be supplied to the Engineer in duplicate for approval, before any construction work commences or any material in connection therewith is ordered.
- (2) Where an electrical installation is to be supplied from the MV system of the Service Provider, a complete specification and drawings of the MV installation to be installed by the customer shall, if so required, be submitted to the Engineer for approval before any construction work commences or any material in connection therewith is ordered.

36. Standby supply

Where a standby supply of electricity is required from the Service Provider for any premises having a separate source of electricity supply, prior written approval of the Engineer must be obtained and will be subject to such terms and conditions laid down by the Engineer.

37. Customer's emergency / standby supply equipment

- (1) No emergency or standby equipment provided by a customer in terms of any Regulations for his own operational requirements shall be connected to any installation without the prior written approval of the Engineer. Application for such approval shall be made in writing and shall include a full specification of the equipment and a wiring diagram. The standby equipment shall be so designed and

installed that it is impossible for the Service Provider's supply mains to be energized by means of a back-feed from such equipment. The customer shall be responsible for providing and installing all such protective equipment.

- (2) A customer's standby generating equipment will only be permitted to run in parallel with the Service Provider's supply mains with special written permission from by the Engineer and in terms of a customised agreement. The customer shall be responsible for providing, installing and maintaining all the necessary synchronizing and protective equipment required for such safe parallel operation, to the satisfaction of the Engineer.

38. Installation requirements and standards

- (1) The Engineer may from time-to-time issue requirements and standards specifying the requirements of the Service Provider regarding matters not specifically covered in the Regulations or this bylaw, but which are necessary for the safe, efficient operation and management of the supply of electricity.
- (2) Notwithstanding the provisions in subsection (1), the onus for obtaining the latest information remains on the customer, their contractors, consultants and architects.

CHAPTER 3 RESPONSIBILITIES OF CUSTOMERS

39. Customer to erect and maintain electrical installation

Any electrical installation connected or to be connected to the supply mains, and any additions or alterations thereto which may be made from time to time, shall at all times be provided, erected, maintained and kept in good order by the customer at his own expense and in accordance with this bylaw and the Regulations.

40. Fault in the electrical installation

- (1) If a customer becomes aware of any fault that develops in the electrical installation which constitutes a hazard to persons, livestock or property, the customer shall immediately disconnect the electricity supply and take steps to remedy the fault.
- (2) The Engineer may require the customer to reimburse the Service Provider for any expense which it may incur as a result of a fault in the customer's electrical installation.

41. Discontinuance of use of supply

- (1) In the event of a customer being metered by a conventional meter and monthly billed for electricity and desiring to discontinue using the electricity supply or vacating any premises, he/she shall give at least two full working days' notice in writing to the Service Provider of such intended discontinuance and cancellation of the supply agreement, failing which he/she shall remain liable for payment of electricity consumption, due in terms of the approved tariffs for the supply of electricity until the expiration of two full working days after such notice has been given.
- (2) In the event of a customer being metered by a prepayment meter and desiring to discontinue using the electricity supply or vacating any premises, he/she shall give notice in writing to the Service Provider of such intended discontinuance and cancellation of the supply agreement, failing which he/she shall remain liable for payment of any amounts due in terms of the approved tariffs for the supply of electricity until after such notice has been given.

42. Change of occupier

- (1) If the person taking over occupation of the premises desires to continue using the electricity supply, he/she shall apply in accordance with the provisions of section 5 of these bylaws.
- (2) If the new occupier referred to in subsection (1) fails to make application for an electricity supply within three (3) working days of taking occupation of the premises, the supply may be disconnected at the Service Provider's sole discretion without giving written notice of its intention to do so.
- (3) The new occupier shall be liable to the Service Provider for the electricity supply and electricity consumption from the date of occupation or the person referred to in subsection (2) from the date the previous occupier indicated he/she vacated the premises.
- (4) Where premises are fitted with pre-payment meters, the customer occupying the premises at the time shall be deemed to be the customer. Until such time as an application is made for an electricity supply in terms of section 5 of these bylaws by such person, he/she will be liable for all charges and fees owed to the Service Provider in respect of that metering point as well as any outstanding charges and fees whether accrued by that customer or not.

43. Service apparatus

- (1) The customer shall be liable to the Service Provider for all costs arising from any damage to or loss of any metering equipment, service protective device, service connection cable or other apparatus on the premises, being the property of the Service Provider, unless such damage or loss is shown to have been occasioned by an Act of God, an act or omission of an employee of the Service Provider, is a result of normal aging or caused by an abnormality in the supply of electricity to the premises.
- (2) Where there is a common metering position, the liability detailed in subsection (1) shall devolve on the owner of the premises.
- (3) The amounts due in terms of subsections (1) and (2) shall be determined and certified by the Engineer.

CHAPTER 4
SPECIFIC CONDITIONS OF SUPPLY

44. Service connection

- (1) The customer shall bear the cost of the service connection, as determined by the Service Provider, and shall not be entitled to any compensation from the Service Authority nor the Service Provider in respect of such service connection.
- (2) Notwithstanding subsection 1, ownership of the service connection shall vest in the Service Provider. The Service Provider shall be responsible for maintaining such service connection up to the point of supply.
- (3) The Service Provider or any person duly authorised by the Engineer shall determine the work required and the cost for a service connection.
- (4) All service connections shall be laid underground, unless otherwise required by the Engineer.

- (5) The customer shall provide, fix and/or maintain on his premises such ducts, wire ways, trenches and fastenings for the service connection as may be required by the Engineer.
- (6) The conductors used for a service connection shall have a cross-sectional area of not less than 10 mm² (copper or copper equivalent), and all conductors shall have the same cross-sectional area, unless otherwise approved by the Engineer.
- (7) The Service Provider shall only provide one service connection to each registered erf unless specifically otherwise approved by the Engineer. In respect of two or more premises belonging to one owner and situated on adjacent erven, a single supply may be made available provided the erven are consolidated or notarially tied.
- (8) The customer shall ensure that all covers of a wire way carrying the supply circuit from the point of supply to the metering equipment, are made to fit the seals of the Service Provider.
- (9) Any person making a service connection must ensure that within the meter box, the service conductors or cable, as the case may be, terminate in an unobscured position and that the conductors are visible throughout their length when cover plates are removed.
- (10) In the case of blocks of buildings occupied by a number of individual customers, the owner shall ensure that separate wire ways and conductors or cables are laid from the common metering room or rooms to each individual customer in the blocks of buildings. Alternatively, if trunking is used, the conductors of the individual circuits shall be clearly identified and tied together every 1,5m throughout its length.

45. Metering accommodation

- (1) Only where required by the Engineer, the customer shall provide approved accommodation for switchgear and metering equipment in a position acceptable by the Engineer. The customer shall also provide an approved meter board complete with adequate conductors for the Service Provider's metering equipment, service apparatus and protective devices. Such accommodation and protection shall be provided and maintained to the satisfaction of the Engineer at the cost of the owner.
- (2) The accommodation referred to in subsection (1) shall be situated to provide free and unrestricted access at all times for purposes of operation and maintenance of the service equipment. Access at all reasonable hours shall be afforded for the inspection of meters.
- (3) The owner of the premises shall provide adequate electric lighting in the space set aside for accommodating the metering equipment and service apparatus.
- (4) Where in the opinion of the Engineer the position of the meter, service connection, protective devices or main distribution board is no longer readily accessible or becomes a source of danger to life or property or in any way becomes unsuitable, the customer shall move it to a new position approved by the Engineer. The cost of such repositioning shall be borne by the customer and carried out within the time period specified by the Engineer.
- (5) Only apparatus in connection with the supply of electricity shall be installed or stored in accommodation for the Service Provider's metering equipment, unless specifically approved by the Engineer in writing.

CHAPTER 5 SYSTEMS OF SUPPLY

46. Quality of Supply

The Service Provider shall give alternating current supplies at nominal declared voltages and at 50 Hz as prescribed by the Electricity Act, (Act 41 of 1987). In the absence of a quality of supply agreement, the parameters and requirements as set out in NRS 047 and NRS 048 (as amended) shall be applicable.

47. Load limitations

- (1) Where the estimated load, calculated in terms of sound engineering practices does not exceed 15 kVA, the customer shall ensure that electrical installation is arranged for a two-wire single-phase and the point of control in the electrical installation shall be equipped with a 60 A single-phase Curve 2 Circuit breaker, unless otherwise approved by the Engineer.
- (2) Where a three-phase four-wire supply is required by the customer, the customer shall ensure that the load is approximately balanced over the three phases. The maximum out-of-balance load shall not exceed 15 kVA, unless otherwise approved by the Engineer.
- (3) No person may connect any current-consuming appliance, inherently single phase in character and with a rating that exceeds 15 kVA to the electrical installation without the prior written approval of the Engineer.

48. Interference with other customers

- (1) No person shall operate electrical equipment having load characteristics which, singly or collectively, give rise to voltage variations, harmonic currents or voltages, or unbalanced phase currents that fall outside the limits of the supply agreement or standards determined by the Engineer from time to time, at the relevant point of common coupling and the fault level on the distribution system. If such supply is found to interfere with the supply of electricity to other customers, the Engineer shall have the right, after written notice, or in exceptional circumstances without notice, to terminate such supply at any time. Neither the Service Authority, nor the Service Provider or the Engineer, shall be liable for any loss or damage occasioned by the customer as a result of such termination.
- (2) The assessment of interference with other customers shall be conducted by means of measurement taken at the point of common coupling.
- (3) Should the measurement referred to in subsection 1 indicate that undue interference is occurring, the customer shall, at his / her own cost, install the necessary equipment to filter out the interference and prevent it reaching the supply mains.
- (4) No person may erect any structures or grow vegetation within a safe distance from the Service Provider's distribution system or electrical servitudes, which distance is determined by the Engineer in accordance with the OH&S Act.

49. Supplies to motors

- (1) Unless otherwise approved by the Engineer the rating of motors connected to the electrical installation and distribution system shall be limited as follows:
 - (a) Limited size for low voltage motors –

The rating of a low voltage single-phase motor shall be limited to 2 kW and/or the starting current shall not exceed 70 A. All motors exceeding these limits shall be wound for three phases.

- (b) The maximum starting and accelerating currents of LV three-phase alternating current motors shall be related to the capacity of the customer's service connection, as follows:

Insulated service cable, size in mm ² , copper equivalent mm ²	Maximum permissible starting current A	Suggested maximum motor rating in kW		
		Direct-on-line (6 x full-load current)	Star/Delta (2,5 x full-load current)	Other means (1,5 x full-load current)
		kW	kW	kW
16	72	6	13,5	23
25	95	7,5	18	30
35	115	9	22	36,5
50	135	10	25	45
70	165	13	31	55
95	200	16	-	67
120	230	-	-	77
150	260	-	-	87

- (c) Customers supplied at medium voltage –

Where an installation is supplied at medium voltage, the starting current of a low voltage motor shall be limited to 1,5 times the rated full-load current of the transformer supplying such a motor.

The starting arrangement for all medium voltage motors shall be subject to the approval of the Engineer.

- (2) Electrical protective devices for motors shall be of such a design to effectively prevent sustained over-current and single-phasing where applicable.

50. Power factor

- (1) The power factor of any electrical connection shall be maintained by the customer within the limits of 0,85 lagging and 0,9 leading.
- (2) Where it is necessary to install power factor corrective equipment to comply with subsection (1), such corrective devices shall be connected to the individual appliance terminals unless the correction of the power factor is automatically controlled.
- (3) The consumer shall, at his/her own cost, install such corrective devices.

CHAPTER 6
MEASUREMENT OF ELECTRICITY

51. Metering

- (1) The Service Provider shall, subject to payment of the prescribed fees, provide, install and maintain appropriately rated metering equipment at the point of metering for the purpose of measuring the electricity supplied.
- (2) Electricity used by a customer where conventional metering is used, shall be ascertained by the reading of the appropriate meter or meters at regular intervals. Where the metering equipment is found to be defective, the consumption for the period shall be estimated based on at least three (3) months consumption.
- (3) Where the electricity used by a customer is charged at different tariff rates, the consumption shall be metered separately for each rate.
- (4) The Service Provider reserves the right to meter the supply to blocks of shops and flats, tenement-houses and similar buildings for the buildings as a whole, or for individual units, or for groups of units.
- (5) A person may not make any alterations, repairs, additions or electrical connections of any description on the supply side of the point of metering, unless authorised to do so or specifically approved in writing by the Engineer.

52. Accuracy of metering

- (1) Any meter shall be conclusively presumed to be registering accurately when tested in the manner prescribed in Subsection (5) hereof and if its error is found to be within the limits of error as contemplated in NRS 057, Part 2: Electricity Metering: Minimum Requirements or other approved standard specifications.
- (2) The Service Provider shall have the right to test its metering equipment. If it is established by test or otherwise that such metering equipment is defective, the Service Provider shall in accordance with the provisions of sub-section (6) and (7)-
 - (a) in the case of a conventional meter, adjust the account rendered;
 - (b) in the case of a pre-payment meter-
 - (i) render an account where the meter has been under-registering, or
 - (ii) issue a free token where the meter has been over-registering;
- (3) The customer shall be entitled to have the metering equipment tested by the Service Provider upon payment of the prescribed fee. If such tests reveal that the metering equipment does not comply with the system accuracy requirements stipulated in NRS 057, Part 2 or other approved standard specifications, an adjustment in accordance with the provisions of subsections (2) and (6) shall be made and the appropriate fee shall be refunded.
- (4) If the customer disputes the results of the tests referred to in subsection 3, he / she has the right to have the metering equipment under dispute tested by an independent testing authority accredited by the South African Accreditation Services at his / her own cost. The result of such test shall be final and binding.
- (5) Meters shall be tested in the manner prescribed by NRS 057 Part 2: Electricity Metering: Minimum Requirements or other approved standard specifications.

- (6) When an adjustment is made to the electricity consumption registered by a meter in terms of this section, such adjustment shall either be based on the percentage error of the meter as determined by the test referred to in sub-section (5), or upon a calculation by the Engineer from consumption data in his possession.
- (7) In the event of an adjustment made in terms of subsection (6), the adjustment may not exceed a period of twelve (12) months preceding the date on which the metering equipment was found to be inaccurate, provided that this subsection does not prevent payment for over or under-recovery for any longer period where any one of the parties is able to prove and substantiate the electricity consumption.
- (8) Where the actual load of a customer exceeds the capacity of the metering to the extent that the Service Provider deems it necessary to alter or replace its metering equipment to match the increased load, the costs of such alteration or replacement shall be borne by the customer and will be regarded as part of the supply upgrade costs.
- (9)
 - (a) Prior to the Service Provider making any adjustment to an account in terms of sub-section (6), the Engineer shall -
 - (i) notify the customer in writing of the monetary value of the adjustment to be made and the reasons therefore; and
 - (ii) in such notification provide sufficient particulars to enable the customer to submit representations thereon.
 - (b) The Engineer shall consider any presentation provided by the customer in terms of subsection (a) and shall, after consideration of all the facts, decide whether the account should be adjusted.
 - (c) The consumer has a right to appeal against the decision of the Engineer in terms of section 62 of the Municipal Systems Act, 2000.
- (10) If the Engineer is satisfied that a pre-payment meter did not register correctly, the Service Provider must replace the meter immediately and any credits still registered in favour of the customer on the faulty meter must be transferred to the new pre-payment meter.

53. Reading of conventional meters

- (1) Unless otherwise prescribed, conventional meters shall be read at intervals of approximately one month and the fixed charges due in terms of the tariff shall be determined accordingly.
- (2) If the Service Provider is for any reason unable to read the conventional meter, it may render an estimated account. The energy consumption shall be adjusted in a subsequent account in accordance with the actual energy consumption.
- (3) When a customer vacates a property and the Service Provider is for any reason unable to make a final reading, an estimation of the consumption may be made and the final account rendered accordingly.
- (4) A customer may at any stage and upon payment of the prescribed fee, request the Service Provider to do an additional reading.
- (5) If any calculation, reading or metering error is discovered in respect of any account rendered to a customer, the Service Provider shall rectify the error in subsequent accounts. Any such correction shall be based on the actual tariffs applicable during the period in question;

- (6) No person may influence or try to influence or interfere with the metering or meter readings in any manner.

54. Prepayment metering

- (1) No refund of the amount tendered for the purchase of electricity shall be given at the point of sale after initiation of the vending process by which the prepayment meter token is issued.
- (2) At the request of the customer, the Service Provider will issue copies of the most recent issued token for the transfer of credit to a prepayment meter.
- (3) When a customer vacates any premises where a prepayment meter is installed, no refund for the credit remaining in the meter shall be made to the customer.
- (4) The Service Provider shall not be liable for the reinstatement of credit in a prepayment meter lost due to tampering with, or the incorrect use or the abuse of, pre-payment meters and/or tokens.
- (5) Where a customer is indebted to the Service Provider for electricity consumed or to the Service Authority for any other service supplied by the Service Authority, including rates, or for any charges previously raised against him in connection with any service rendered, the Service Provider may deduct any amount tendered to first offset the amount owing to the Service Authority.
- (6) The Service Provider may, in its discretion, appoint vendors for the sale of credit for prepayment meters.

CHAPTER 7
ELECTRICAL CONTRACTORS

55. (1) Where an application for a new or increased supply of electricity has been made to the Service Provider, the Engineer may in his discretion accept notification of the completion of any part of an electrical installation, the circuit arrangements of which permit the electrical installation to be divided up into well-defined separate portions, and such part of the electrical installation may, at the discretion of the Engineer, be inspected, tested and connected to the supply mains as though it was a complete installation.
- (2) The examination, test and inspection that may be carried out at the discretion of the Service Provider in no way relieves the electrical contractor/accredited person, the user or lessor, as the case may be, from its responsibility for any defect in the installation. Such examination, test and inspection shall not be taken under any circumstances (even where the electrical installation has been connected to the supply mains) as indicating or guaranteeing in any way that the electrical installation has been carried out efficiently with the most suitable materials for the purpose or that it is in accordance with this bylaw or the safety standard, and neither the Service Authority nor the Service Provider shall be held responsible for any defect or fault in such electrical installation.
56. Neither the Service Authority nor the Service Provider shall be held responsible for the work done by the electrical contractor/accredited person at a customer's premises and shall not in any way be responsible for any loss or damage which may be occasioned by fire or by any accident arising from the state of the wiring on the premises.

CHAPTER 8 COST OF WORK

57. The Service Provider may repair and make good any damage done in contravention of this bylaw or resulting from a contravention of this bylaw. The cost of any such work carried out by the Service Provider which was necessary due to the contravention of this bylaw, shall be to the account of the person who acted in contravention of this bylaw.

CHAPTER 9 LEGAL MATTERS

58. **Offences and Penalties**

- (1) Any person who contravenes any of the provisions of these bylaws shall be guilty of an offence and is liable upon conviction to a fine not exceeding ten thousand rands or imprisonment for a period not exceeding six months or to such imprisonment without the option of a fine or to both such fine and such imprisonment and, in the case of a continuing offence, to an additional fine not exceeding two hundred rands or additional imprisonment for a period not exceeding ten days or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued.
- (2) Any person who continues to commit an offence after notice has been served on him/her to cease committing such offence or after he/she has been convicted of such offence shall be guilty of a continuing offence.
- (3) Every person committing a breach of the provisions of these bylaws shall be liable to recompense the Service Authority and/or Service Provider for any loss or damage suffered or sustained by it in consequence of such breach.

59. **Applicability**

This bylaw is applicable to the supply of electricity within the supply area of the Service Authority, irrespective of whether or not the locus of consumption falls within the judicial boundaries of the Service Authority.