Bill for Introduction into the National Assembly —

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THE ENERGY (AMENDMENT) BILL, 2015

A Bill for

AN ACT of Parliament to amend the Energy Act and for connected purposes

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Energy (Amendment) Act, 2015.

2. The principal Act is amended by inserting the following new section immediately after section 52—

52A. (1) Subject to subsection (2) a licensee shall be liable to compensate a consumer where due to power outages or surges the consumer—

(a) incurs financial loss;

(b) suffers from physical injuries; or

(c) any other case as may be determined under this Act or any written law.

(2) Subsection (1) shall apply to power outages and surges that exceed a cumulative three hours within a twenty four hour period.

(3) Where a consumer incurs financial loss, the licensee shall compensate the consumer by incorporating the compensation into the consumer’s bill by way of a subsidy which shall, be an equivalent amount to the loss incurred as presented by the consumer and agreed by the licensee.

(4) Where due to power outages or surges, a consumer suffers from physical injuries the licensee shall compensate the consumer in a manner determined by the Court.
MEMORUNDUM OF OBJECTS AND REASONS

The principal object of this Bill is to make necessary amendments to the Energy Act, to ensure that compensation is paid out to consumers who suffer losses due to power outage and delay in power restoration by the licensee.

The Bill proposes to set out a comprehensive manner in which the compensation is paid out to consumers by the licensee.

The proposed amendment is intended to mainstream efficiency of power supply in the country.

The Bill does not concern the County Governments and neither does it affect the powers and functions of county governments.

Dated the 21st April, 2015.

ABDULSWAMAD NASSIR,
Member of Parliament.