

Cape Agulhas, South Africa

Electricity Supply

Legislation as at 3 October 2005

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Cape Agulhas South Africa

Electricity Supply By-law, 2005

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Chapter 1 General

1. Definitions

(1) In this by-law, 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 the standard specifications—

- (a) SANS 1019 Standard voltages, currents and insulation levels for electricity supply;
- (b) SANS 1607 Electromechanical watt-hour meters;
- (c) SANS 1524 Parts 0, 1 & 2—Electricity dispensing systems;
- (d) SANS IEC 60211 Maximum demand indicators, Class 1.0;
- (e) SANS IEC 60521 Alternating current electromechanical watt-hour meter (Classes 0.5, 1 & 2);
- (f) SANS 10142-1 Code of practice for the wiring of premises;
- (g) NRS 047 National Rationalised Specification for the Electricity Supply—Quality of Service;
- (h) NRS 048 National Rationalised Specification for the Electricity Supply—Quality of Supply; and
- (i) NRS 057 Electricity Metering: Minimum Requirements.

"**certificate of compliance**" means a certificate issued in terms of the regulations in respect of an electrical installation or part of an electrical installation by an accredited person;

"**consumer**" in relation to premises means:

- (a) any occupier thereof or any other person with whom the municipality has contracted to supply or is actually supplying electricity thereat; or
- (b) if such premises are not occupied, any person who has a valid existing agreement with the municipality for the supply of electricity to such premises; or
- (c) if there is no such person or occupier, the owner of the premises;

"**credit meter**" means a meter where an account is issued subsequent to the consumption of electricity;

"**electrical contractor**" means a person who undertakes to perform electrical installation work on behalf of any other person, but excludes an employee of such first-mentioned person;

"electrical installation" means any machinery, in or on any premises, used for the transmission of electricity from a point of control to a point of consumption anywhere on the premises, including any article forming part of such an installation irrespective of whether or not it is part of the electrical circuit, but excluding—

- (a) any machinery of the supplier related to the supply of electricity on the premises;
- (b) any machinery used for the transmission of electricity of which the voltage shall not exceed 50 V where such electricity is not derived from the main supply of a supplier;
- (c) any machinery which transmits electrical energy in telecommunication, television or radio circuits;
- (d) an electrical installation on a vehicle, vessel, train or aircraft;

"engineer" means the official in charge of the electricity undertaking of the municipality or any other person duly authorised to perform this duty on his behalf;

"high voltage" means the set of nominal voltage levels that are used in power systems for bulk transmission of electricity in the range of 44kV Un H 220 kV. [SANS 1019];

"installation work" means the installation, extension, modification or repair of an electrical installation, including the connection of machinery at the supply terminals of such machinery;

"low voltage" means the set of nominal voltage levels that are used for the distribution of electricity and whose upper limit is generally accepted to be an a.c. voltage of 1 000 V (or a d.c. voltage of 1 500 V). [SANS 1019];

"medium voltage" means the set of nominal voltage levels that lie above low voltage and below high voltage in the range of 1 kV Un H 44 kV. [SANS 1019];

"meter" means a device which records the demand and/or the electrical energy consumed;

"motor rating" means the maximum continuous kW output of a motor as stated on the maker's rating plate;

"municipal area" means the area of jurisdiction of the municipality;

"municipality" means the Municipality of Cape Agulhas;

"NRS" means the National Rationalised Specification for the Electricity Supply compiled by the Electricity Supply Liaison Committee and issued by South African Bureau of Standards;

"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 control of such premises or responsible for the management thereof, and includes the agent of any such person when he/she is absent from the Republic of South Africa or his/her whereabouts are unknown;

"owner" in relation to premises means the person in whom is vested the legal title thereto;

"point of consumption" means any point of outlet or the supply terminals of machinery which is not connected to a point of outlet and which converts electrical energy to another form of energy: Provided that in the case of machinery which has been installed for any specific purpose as a complete unit, the point of consumption shall be the supply terminals which have been provided on the unit of machinery for that purpose;

"**point of control**" means the point at which the electrical installation on or in any premises can be switched off by a user or lessor from the electricity supplied from the point of supply;

"**point of metering**" means the point at which the consumer's consumption of electricity is metered and which may be at the point of supply or at any other point on the distribution system of the municipality or the electrical installation of the consumer, as specified by the engineer; provided that it shall meter all of, and only, the consumer's consumption of electricity;

"**point of outlet**" means any termination of an electrical installation which has been provided for connecting any electrical machinery without the use of tools;

"**point of supply**" means the point determined by the engineer at which electricity is supplied to any premises by the municipality;

"**premises**" means any land or any building or structure above or below ground level and includes any vehicle, aircraft or vessel;

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

"**regulations**" means Regulations made in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended;

"**SANS**" means a standard which has been set and issued by the South African Bureau of Standards in terms of the provisions of the Standards Act, No. 29 of 1993;

"**safety standard**" means the Code of Practice for the Wiring of Premises SANS 10142-1 incorporated in the regulations;

"**service connection**" means all cables and equipment required to connect the supply mains to the electrical installation of the consumer at the point of supply;

"**service protective device**" means any fuse or circuit breaker installed for the purpose of protecting the municipality's equipment from overloads or faults occurring on the installation or on the internal service connection;

"**standby supply**" means an alternative electricity supply not normally used by the consumer;

"**supply mains**" means any part of the municipality's electricity network;

"**supply terminals**", in relation to machinery installed as a complete unit, means the terminals or connection clamps on such machinery where the external conductors supplying the machinery with electricity are terminated or connected;

"**tariff**" means the tariff of charges and fees for the supply of electricity, determined in terms of the municipality's Tariff Policy By-law;

"**Tariff Policy By-law**" means the Tariff Policy By-law adopted by the municipality and published in the Provincial Gazette.

"**token**" means the essential element of a prepayment metering system used to transfer information from a point of sale for electricity credit to a prepayment meter and vice versa; and

"**voltage**" means the root-mean-square value of electrical potential between two conductors.

- (2) All other terms used in this by-law shall, unless the context otherwise requires, have the meaning assigned thereto in the Electricity Act, 1987 (Act 41 of 1987), as amended, or the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended.

Chapter 2

General conditions of supply

2. Supply of Electricity by Municipality

Only the municipality may supply or contract for the supply of electricity within the municipal area.

3. Supply by agreement

- (1) No electricity supply will be given to any electrical installation on any premises unless the owner or occupier of the premises has entered into an agreement with the municipality for such supply.
- (2) No person may use or is entitled to use an electricity supply from the municipality unless or until such person has entered into an agreement with the municipality for such supply.
- (3) The agreement referred to in subsections (1) and (2) together with the provisions of this by-law governs the supply of electricity to any premises.
- (4) A person who uses an electricity supply without having entered into an agreement with the municipality is liable for the cost of electricity used.
- (5) The consumer is liable for the payment of all fees in respect of the supply of electricity, until the agreement has been terminated in accordance with this By-law.

4. Compliance with notices

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

5. Application for supply

- (1) A prospective consumer must on a form provided by the municipality apply for the supply of electricity.
- (2) An applicant for the supply of electricity must indicate the estimated load, in kVA, required.
- (3) An application for an electricity supply for a period of less than one year is regarded as an application for a temporary supply of electricity and will be considered at the discretion of the engineer and subject to such conditions as he or she may deem fit.
- (4) An application for an electricity supply must be lodged with the municipality at least ten working days before the supply is required.
- (5) The engineer may, before approving an application for the supply of electricity, inspect any electrical installation to which such an application relates, with a view to establish whether such installation complies with the provisions of this by-law.

6. Processing of requests for supply

Applications for the supply of electricity will be processed and the supply made available within the periods stipulated in NRS 047.

7. Wayleaves

- (1) The municipality may refuse to lay or erect a service connection above or below ground on any thoroughfare or land not vested in the municipality or on any private property, unless and until the

prospective consumer have provided the engineer with written permission from the owner of such private property or by the person who has legal title to such land or thoroughfare, as the case may be, authorising the laying or erection of a service connection thereon.

- (2) If such permission is at any time withdrawn or if the private property or thoroughfare changes ownership and the new owner refuses to grant or continue such permission, the cost of any alteration required to be made to a service connection in order that the supply of electricity may be continued, and of any removal thereof which may become necessary in the circumstances, shall be borne by the consumer to whose premises the supply of electricity is required to be continued.

8. Municipality's right of access to premises

The occupier of premises must give the engineer or any duly authorised official of the municipality access at all reasonable hours to the premises in order to read, inspect, install or repair any meter or service connection for the supply of electricity, or to disconnect, stop or restrict the supply of electricity.

9. Obstruction of employees

No person may wilfully—

- (a) hinder, obstruct or interfere with an employee of the municipality in the performance of any duty relating to this bylaw;
- (b) refuse to furnish such information as the municipality may reasonably require; or
- (c) give to the municipality any information which to his or her knowledge is false or misleading.

10. Improper use

- (1) If the engineer has reason to believe that a consumer uses electricity for any purpose or deals with the electricity in any manner which interferes or is calculated to interfere in an improper or unsafe manner with the efficient supply of electricity to any other consumer, the engineer may, with or without notice, disconnect the electricity supply to such consumer.
- (2) The engineer must restore the electricity supply as soon as the cause for the disconnection has been permanently remedied or removed and the consumer has paid the relevant fee for the disconnection and reconnection, unless it can be shown that the consumer did not use or deal with the electricity in an improper or unsafe manner.

11. Tariffs, fees, availability charges and deposits

- (1) The tariffs, fees, availability charges and deposits in respect of services rendered by the municipality in terms of this by-law, are determined in terms of the Tariff Policy By-law.
- (2) Any charge or fee determined by the municipality for a service rendered in terms of this by-law, becomes due and payable on or before the due date specified in the Tariff Policy By-law.

12. Interest on overdue accounts

- (1) A consumer must pay interest on overdue accounts in respect of a service rendered in terms of the provisions of this by-law.
- (2) Interest on overdue accounts is charged at a rate of interest determined in terms of the Tariff Policy By-law.

13. Resale of electricity

- (1) Unless otherwise authorised by the municipality, no person may sell or supply electricity, supplied to his/her premises under an agreement with the municipality, to any other person or persons for use on any other premises, or permit or suffer such resale or supply to take place.

- (2) If electricity is resold for use upon the same premises, the electricity resold must be measured by a submeter of a type which has been approved by the South African Bureau of Standards and supplied, installed and programmed in accordance with the standards of the municipality.
- (3) The tariff, rates and charges at which and the conditions of sale under which electricity is thus resold may not be less favourable to the purchaser than those that would have been payable and applicable had the purchaser been supplied directly with electricity by the municipality.
- (4) A re-seller of electricity must furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information details provided by the municipality to its electricity consumers.

14. Right to disconnect supply

- (1) The engineer may disconnect the supply of electricity to any premises where any of the provisions of this by-law are being contravened, after notice has been given to the occupier of its intention to do so, or, in the case of a grave risk, without notice.
- (2) In the case where an installation has been illegally reconnected on a consumer's premises after having been previously legally disconnected by the municipality, or in the case where the municipality's electrical equipment has been tampered with to prevent the full registration of consumption by the meter, the engineer may physically remove the electricity supply from those premises.

15. Non-liability of the Municipality

The Municipality is not liable for any loss or damage, direct or consequential, suffered or sustained by a consumer as a result of or arising from the cessation, interruption or any other abnormality of the supply of electricity, unless caused by negligence on the part of the municipality.

16. Leakage of electricity

No rebate will be allowed on the account for electricity supplied and metered in respect of electricity wasted owing to leakage or any other fault in the electrical installation.

17. Failure of supply

- (1) The municipality will not attend to a failure of supply of electricity due to a fault in the electrical installation of the consumer, except when such failure is due to the operation of the service protective device of the municipality.
- (2) When any failure of supply of electricity is found to be due to a fault in the electrical installation of the consumer or to the faulty operation of apparatus used in connection therewith, the municipality may charge the consumer the relevant fee for each restoration of the supply of electricity in addition to the cost of making good or repairing any damage which may have been done to the service main and meter by such fault or faulty operation.

18. Sealed and locked apparatus

Where the municipality has sealed or locked any meter, service protective device or other apparatus, whether or not belonging to the municipality, no person other than an authorised official of the municipality, may in any manner or for any reason whatsoever remove, break, deface, or tamper or otherwise interfere with any such seal or lock.

19. Tampering with service connection or supply mains

- (1) No person may in any manner or for any reason whatsoever tamper or interfere with any meter or metering equipment or service connection or service protective device or supply mains or any other equipment of the municipality.
- (2) Where there is prima facie evidence that sub-section (1) has been contravened, the municipality may disconnect the supply of electricity immediately and without prior notice to the consumer and the consumer is liable for all fees and charges for such disconnection.
- (3) Where any person has contravened sub-section (1) and such contravention has resulted in the meter recording less than the true consumption, the municipality may recover from the consumer the full cost of the estimated consumption.

20. Protection of Municipality's supply mains

- (1) No person may, except with the consent of the engineer and subject to such conditions as he or she may impose—
 - (a) construct, erect or lay, or permit the construction, erection or laying of any building, structure 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 supply mains;
 - (b) excavate, open up or remove the ground above, next to, under or near any part of the supply mains;
 - (c) damage, endanger, remove or destroy, or do any act likely to damage, endanger or destroy any part of the supply mains;
 - (d) make any unauthorized connection to any part of the supply mains or divert or cause to be diverted any electricity there from.
- (2) The Engineer may—
 - (a) demolish, alter or otherwise deal with any building, structure or other thing constructed, erected or laid in contravention with this by-law;
 - (b) fill in and make good any ground excavated or removed in contravention with this by-law;
 - (c) repair and make good any damage done in contravention of this by-law or resulting from a contravention of this by-law; and
 - (d) remove anything damaging, obstructing or endangering or likely to damage, obstruct, endanger or destroy any part of the electrical distribution system.
- (3) The municipality may in the 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.
- (4) The owner or occupier must cut or prune trees in the proximity of overhead lines or otherwise ensure that trees do not interfere with the conductors when the tree or its branch falls or is cut down, failing which the engineer may after prior written notice, or at any time in an emergency, cut or trim the trees and may enter the property for this purpose.

21. Prevention of tampering with service connection or supply mains

If the engineer decides that it is necessary or desirable to take special precautions in order to prevent tampering with any portion of the supply mains, service connection or service protective device or meter or metering equipment, the consumer must either supply and install the necessary protection or pay the costs involved where such protection is supplied by the municipality.

22. Unauthorised connections

No person other than a person authorised thereto by the engineer in writing may connect, attempt to connect or cause or permit to be connected any electrical installation or part thereof to the supply mains or service connection.

23. Unauthorised reconnections

- (1) No person other than a person authorised thereto by the engineer in writing may reconnect, attempt to reconnect or cause or permit to be reconnected to the supply mains or service connection any electrical installation or installations which has or have been disconnected by the municipality.
- (2) Where the supply of electricity that has previously been disconnected is found to have been reconnected, the consumer using the supply of electricity is liable for all charges for electricity consumed between the date of disconnection and the date the electricity supply was found to be reconnected and any other charges levied in this regard.

24. Temporary disconnection and reconnection

- (1) The engineer may, at the request of the consumer, temporarily disconnect and reconnect the supply of electricity to the consumer's electrical installation upon payment of the fee for each such disconnection and subsequent reconnection.
- (2) If the engineer finds it necessary to effect a temporary disconnection and reconnection of the supply of electricity to a consumer's electrical installation and the consumer is in no way responsible for bringing about this necessity, the Municipality may waive payment of the fee referred to in subsection (1).
- (3) The engineer may without notice temporarily disconnect the supply of electricity to any premises, for the purpose of effecting repairs or carrying out tests or for any other legitimate purpose.

25. Temporary supplies

If the engineer is of the opinion that any temporary supply of electricity is interfering with the efficient and economical supply of electricity to other consumers, the engineer may at any time with notice, or under exceptional circumstances without notice, terminate such temporary supply and, the municipality is not liable for any loss or damage suffered by the consumer by such termination.

26. Temporary work

- (1) No electrical installation requiring a temporary supply of electricity may be connected directly or indirectly to the supply mains, except with the written permission of the engineer and upon such terms and conditions as the engineer may deem fit.
- (2) A person requiring the permission referred to in subsection (1) must furnish full information as to the reasons for and nature of the temporary work.

27. 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 Municipality, the engineer may without notice interrupt and, for such period as he or she may deem necessary, discontinue the electricity supply to any consumer's electrically operated thermal storage water heater or any specific appliance or the whole installation.
- (2) The Municipality may install upon the premises of the consumer such apparatus and equipment as may be necessary to give effect to the provisions of subsection (1), and any duly authorised official

of the municipality 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 sub-section (2), the consumer or the owner, as the case may be, must, when installing an electrically operated water storage heater, provide such necessary accommodation and wiring as the Municipality may decide to facilitate the later installation of the apparatus and equipment referred to in sub-section (2).
- (4) The municipality is not liable for any loss or damage directly or consequentially due to or arising from any interruption or discontinuance of the electricity supply in terms of subsection (1).

28. High, medium and low voltage switchgear and equipment

- (1) The consumer must pay for the supply and installation of the switchgear, cables and equipment forming part of the service connection for the supply of electricity at either high, medium or low voltage, unless otherwise approved by the engineer.
- (2) All such equipment installed on the consumer's premises must be compatible with the municipality's electrical performance standards.
- (3) No person may open, close, isolate, link or earth high or medium voltage switchgear or equipment without giving reasonable prior notice to the engineer.
- (4) The consumer, who has high or medium voltage switchgear installed for the supply of electricity at medium or low voltage, must advise the municipality of the competent person appointed by the consumer in terms of the regulations, and of any changes made to such appointments.
- (5) The consumer must provide and install a low voltage main switch and/or any other equipment required by the engineer for the supply of electricity at low voltage.
- (6) All earthing or testing of medium voltage switchgear connected to the municipality's network is undertaken by the engineer.

29. Substation accommodation

- (1) The engineer may, on such conditions as may be deemed fit, require the owner to provide and maintain accommodation to be used as a substation, consisting of a separate room or rooms for the purpose of housing medium voltage cables and switchgear, transformers, low voltage cables and switchgear and other equipment necessary for the supply of electricity requested by the owner or consumer.
- (2) The owner or consumer must ensure that accommodation is situated at a point to which free, adequate and unrestricted access is available at all times for purposes connected with the operation and maintenance of the equipment.
- (3) The municipality may supply its own networks from its own equipment installed in such accommodation, and if additional accommodation is required by the engineer, such additional accommodation shall be provided by the applicant at the cost of the Municipality.

30. Wiring diagram and specification

- (1) When more than one electrical installation or electricity supply from a common main or more than one distribution board or meter is required for any building or block of buildings, the wiring diagram of the circuits starting from the main switch and a specification must on request be supplied to the engineer in duplicate for approval before the work commences.
- (2) Where an electrical installation is to be supplied from a substation on the same premises on which the current is transformed from high voltage, or from one of the substations of the municipality through mains separate from the general distribution system, a complete specification and drawings for the plant to be installed by the consumer must, if so required, be forwarded to the engineer for approval before any material in connection therewith is ordered.

31. Standby supply

No person is entitled to a standby supply of electricity from the municipality for any premises having a separate source of electricity supply, except with the written consent of the engineer and subject to such terms and conditions as may be laid down by the engineer.

32. Consumer's emergency standby supply equipment

- (1) No emergency standby equipment provided by a consumer may be connected to any installation without the prior written approval of the engineer and then upon such terms and conditions as the engineer may deem fit.
- (2) An application for approval in terms of subsection (1) must be in writing and must include a full specification of the equipment and a wiring diagram.

Chapter 3 Responsibilities of consumers

33. Consumer to provide and maintain electrical installation

The consumer must at own cost install and maintain 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 in accordance with this by-law and the regulations.

34. Fault in electrical installation

- (1) If any fault develops in the electrical installation, which threatens life or property, the consumer must immediately disconnect the electricity supply, inform the municipality and immediately take steps to remedy the fault.
- (2) The engineer may require the consumer to reimburse the municipality for any expense incurred in connection with a fault in the electrical installation.

35. Discontinuance of use of supply

A consumer who wishes the electricity supply to be discontinued, must give the municipality at least two full working days' written notice, failing which the consumer will remain liable for all payments due for the supply of electricity until the expiration of two full working days after such notice has been given.

36. Change of occupier

- (1) A consumer must, on vacating any premises, give the municipality at least two working days' written notice of his or her intention to discontinue using the electricity supply, failing which he or she shall remain liable for payment of such supply.
- (2) If the new occupier wishes to continue using the electricity supply, he or she must make application in accordance with the provisions of this by-law and must within two full working days from the date specified in the aforesaid application as the date when such supply is required, comply with the provisions of this by-law, failing which the supply will be disconnected, and the new occupier will be liable for the electricity supply from the said date till such time as the supply is so disconnected.
- (3) Where premises are fitted with pre-payment meters any person occupying the premises at that time shall be deemed to be the consumer. Until such time as an application is made by this person for a supply of electricity, in terms of this by-law, he or she will be liable for all charges and fees owed to the municipality for that metering point as well as any outstanding charges and fees whether accrued by that person or not.

37. Service apparatus

- (1) The consumer is responsible for the safe accommodation of any meter, service protective device, service connection or other apparatus of the municipality on the premises, and must reimburse the municipality for any costs incurred or loss suffered or damage sustained by the municipality in respect thereof.
- (2) If, during a period of disconnection of an installation from the supply mains, the service main, metering equipment or any other service apparatus, being the property of the municipality and having been previously used, have been removed without its permission or have been damaged so as to render reconnection dangerous, the owner or occupier of the premises, as the case may be, during such period shall bear the cost of overhauling and/or replacing such equipment.
- (3) Where there is a common metering position, the owner of the premises is responsible for the service equipment of the municipality referred to in subsection (1).
- (4) The amount payable under subsection (1) is determined by the engineer, whose decision is final and binding.

Chapter 4 Specific conditions of supply

38. Service connection

- (1) The consumer must pay for a service connection.
- (2) Every part of a service connection laid or installed by the municipality, remain the property of the municipality and the municipality is responsible for the maintenance of such service connection up to the point of supply.
- (3) A service connection is installed by the engineer at the cost of the consumer.
- (4) A service connection must be laid underground, whether the supply mains are laid underground or erected overhead, unless an overhead service connection is specifically required by the engineer.
- (5) The consumer must provide, fix and/or maintain on his premises such ducts, wireways, trenches, fastenings and clearance to overhead supply mains as may be required by the engineer for the installation of the service connection.
- (6) The conductor used for the service connection must have a cross-sectional area according to the size of the electrical supply but shall not be 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) Unless otherwise approved by the engineer, the Municipality will only provide one service connection to each registered erf.
- (8) Any covers of a wireway carrying the supply circuit from the point of supply to the metering equipment must be made to accept the seals of the Municipality.
- (9) Within the meterbox, the service conductor or cable, as the case may be, must terminate in an unobscured position and the conductors must be visible throughout their length when cover plates, if present, are removed.
- (10) In the case of blocks of buildings occupied by a number of individual consumers, separate wireways and conductors or cables must be laid from the common metering room or rooms to each individual consumer in the blocks of buildings. Alternatively, if trunking is used, the conductors of the individual circuits must be clearly identified (tied together every 1,5 m) throughout their length.

39. Metering accommodation

- (1) The consumer must provide accommodation in an approved position for the meter board and adequate conductors for the municipality's metering equipment, service apparatus and protective devices.
- (2) The accommodation must be provided and maintained, to the satisfaction of the engineer, at the cost of the consumer or the owner.
- (3) The accommodation must be situated, in the case of credit meters, at a point to which free and unrestricted access may be had at all reasonable hours for the reading of meters, but at all times for purposes connected with the operation and maintenance of the service equipment.
- (4) The consumer must give officials of the municipality access at all reasonable hours for the inspection of prepayment meters.
- (5) Where submetering equipment is installed, accommodation separate from the municipality's metering equipment must be provided.
- (6) The consumer or, in the case of a common meter position, the owner of the premises must provide adequate electric lighting in the space set aside for accommodating the metering equipment and service apparatus.
- (7) 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 cause of danger to life or property or in any way becomes unsuitable, the consumer must at own cost and with due despatch relocate it to an approved position.
- (8) The accommodation for the municipality's metering equipment and protective devices may only include the consumer's main switch and main protective devices. No apparatus other than that used in connection with the supply of electricity and use of electricity may be installed or stored in such accommodation unless approved.

Chapter 5 Systems of supply

40. Load requirements

- (1) Supplies must be in alternating current as prescribed by the Electricity Act, 1987 (Act 41 of 1987).
- (2) The Engineer may require a consumer to accept an electricity supply at high voltage.
- (3) The frequency of the alternating current supply is 50 Hz.

41. Load limitations

- (1) Where the estimated load, calculated in terms of the safety standard, does not exceed 15 kVA, the electrical installation must be arranged for a two-wire single-phase supply of electricity, unless otherwise approved by the engineer.
- (2) Where a three-phase four-wire supply of electricity is provided, the load must be approximately balanced over the three phases but the maximum out-of-balance load shall not exceed 15 kVA, unless otherwise approved by the engineer.
- (3) No current-consuming appliance, inherently single phase in character, with a rating which exceeds 15 kVA may be connected to the electrical installation without the prior approval of the engineer.

42. Interference with other persons' electrical equipment

- (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 which fall outside the applicable standard specification.
- (2) The assessment of interference with other persons' electrical equipment shall be carried out by means of measurements taken at the point of common coupling.
- (3) Should it be established that undue interference is in fact occurring, the consumer shall, at his/her own cost, install the necessary equipment to filter out the interference and prevent it reaching the supply mains.

43. Supplies to motors

Unless otherwise approved by the engineer the rating of motors shall be limited as follows:

- (1) Limited size for low voltage motors—

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

- (2) Maximum starting and accelerating currents of three-phase alternating current motors—

The starting current of three-phase low voltage motors permitted must be related to the capacity of the consumer's service connection, as follows:

Insulated service cable, size in mm ² , copper equivalent	Maximum permissible starting current	Maximum motor rating in kW		
		Direct on line (6 × full-load current)	Star/Delta (2,5 × full-load current)	Other means (1,5 × full-load current)
mm ²	A	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	38	67

Insulated service cable, size in mm ² , copper equivalent	Maximum permissible starting current	Maximum motor rating in kW		
		18	46	77
120	230	18	46	77
150	260	20	52	87

- (3) Consumers supplied at medium voltage—

In an installation supplied at medium voltage the starting current of a low voltage motor is limited to 1,5 times the rated full-load current of the transformer supplying such a motor. The starting arrangement for medium voltage motors is subject to the approval of the engineer.

44. Power factor

- (1) If required by the engineer, the power factor of any load must be maintained within the limits 0,85 lagging and 0,9 leading.
- (2) Where, for the purpose of complying with sub-section (1), it is necessary to install power factor corrective devices, such corrective devices must be connected to the individual appliance terminals unless the correction of the power factor is automatically controlled.
- (3) The consumer must, at his/her own cost, install such corrective devices.

45. Protection

Electrical protective devices for motors must be of such a design as effectively to prevent sustained overcurrent and single phasing, where applicable.

Chapter 6 Measurement of electricity

46. Metering

- (1) The municipality must, at the consumer's cost in the form of a direct charge or fee, provide, install and maintain appropriately rated metering equipment at the point of metering for measuring the electricity supplied.
- (2) Except in the case of prepayment meters, the electricity used by a consumer during any metering period must be ascertained by the reading of the appropriate meter or meters supplied and installed by the municipality and read at the end of such period except where the metering equipment is found to be defective, or the municipality invokes the provisions of section 50(2) of this by-law, in which case the consumption for the period shall be estimated.
- (3) Where the electricity used by a consumer is charged at different tariff rates, the consumption will be metered separately for each rate.
- (4) The municipality may 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) No alterations, repairs or additions or electrical connections of any description may be made on the supply side of the point of metering unless specifically approved in writing by the engineer.

47. Accuracy of metering—

- (1) A meter must be conclusively presumed to be registering accurately if its error, when tested in the manner prescribed in sub-section (3) hereof, is found to be within the limits of error as provided for in the applicable standard specifications.
- (2) The engineer may test the municipality's metering equipment.
If it is established by test or otherwise that such metering equipment is defective, the municipality will—
 - (a) in the case of a credit meter, adjust the account rendered;
 - (b) in the case of prepayment meters,
 - (i) render an account where the meter has been under-registering, or
 - (ii) issue a free token where the meter has been over-registering, in accordance with the provisions of subsection (6).
- (3) The consumer may request that the metering equipment be tested by the municipality on payment of the relevant fee. If the metering equipment is found not to comply with the system accuracy requirements as provided for in the applicable standard specifications, an adjustment in accordance with the provisions of sub-sections (2) and (6) will be made and the aforesaid fee shall be refunded.
- (4) In case of a dispute, the consumer may at his or her own cost request that the metering equipment under dispute be tested by an approved independent testing authority, and the result of such test will be final and binding on both parties.
- (5) Meters must be tested in the manner as provided for in the applicable standard specifications.
- (6) When an adjustment is made to the electricity consumption registered on a meter in terms of sub-section (2) or (3), such adjustment must either be based on the percentage error of the meter as determined by the test referred to in subsection (5) or upon a calculation by the municipality from consumption data in its possession. Where applicable, due allowance shall be made, where possible, for seasonal or other variations which may affect the consumption of electricity.
- (7) When an adjustment is made as contemplated in subsection (6), the adjustment may not exceed a period of six months preceding the date on which the metering equipment was found to be inaccurate. The application of this section does not bar a consumer from claiming back overpayment for any longer period where the consumer is able to prove the claim in the normal legal process.
- (8) Where the actual load of a consumer differs from the initial estimated load provided for under section 8(1) to the extent that the municipality deems it necessary to alter or replace its metering equipment to match the load, the costs of such alteration or replacement must be borne by the consumer.
- (9) (a) Prior to the municipality making any upward adjustment to an account in terms of sub-section (6), the municipality will—
 - (i) notify the consumer in writing of the monetary value of the adjustment to be made and the reasons therefor;
 - (ii) in such notification provide sufficient particulars to enable the consumer to submit representations thereon, and
 - (iii) call upon the consumer in such notice to provide it with reasons in writing, if any, within 21 days or such longer period as the Municipality may permit why his/her account should not be adjusted as notified.

- (b) Should the consumer fail to make any representations during the period referred to in subsection 9(a)(iii) the municipality may adjust the account as notified in subsection 9(a)(i).
- (c) The municipality must consider any reasons provided by the consumer in terms of subsection (9)(a) and must, if satisfied that a case has been made out therefor, adjust the account appropriately.
- (d) If a duly authorized official of the municipality decides after having considered the representation made by the consumer that such representations do not establish a case warranting an amendment to the monetary value established in terms of sub-section (6), the municipality may adjust the account as notified in terms of subsection 9(a)(i), subject to the consumer's right to appeal the decision of the official in terms of section 62 of the Municipal Systems Act, 2000.

48. Reading of credit meters

- (1) Unless otherwise prescribed, credit meters will normally be read at intervals of one month and the fixed or minimum charges due in terms of the tariff shall be assessed accordingly. The municipality is not obliged to effect any adjustments to such charges.
- (2) If for any reason the credit meter cannot be read, an estimated account will be rendered and the electrical energy consumed will be adjusted in a subsequent account in accordance with the electrical energy actually consumed.
- (3) When a consumer vacates a property and a final reading of the meter is not possible, an estimation of the consumption may be made and the final account rendered accordingly.
- (4) The consumer may upon payment of the relevant fee request a special reading of the meter.
- (5) If any calculating, reading or metering error is discovered in respect of any account rendered to a consumer, the error will be corrected in subsequent accounts. Any such correction will only apply in respect of accounts for a period of 6 months preceding the date on which the error in the accounts was discovered, and shall be based on the actual tariffs applicable during the period; provided that a consumer may claim back overpayment for any longer period where the consumer is able to prove the claim in the normal legal process.

49. Prepayment metering

- (1) No refund of the amount tendered for the purchase of electricity credit shall be given at the point of sale after initiation of the process by which the prepayment meter token is produced.
- (2) Copies of previously issued tokens for the transfer of credit to the prepayment meter may be issued at the request of the consumer.
- (3) When a consumer vacates any premises where a prepayment meter is installed, the municipality will not refund the consumer for the credit remaining in the meter.
- (4) The municipality is not liable for the reinstatement of credit in a prepayment meter lost due to tampering with, or the incorrect use or the abuse of, prepayment meters and/or tokens.
- (5) The municipality appoints vendors for the sale of credit for prepayment meters but does not guarantee the continued operation of any vendor.

Chapter 7

Electrical contractors

50. Requirements supplementary to those in the Regulations

- (1) Where an application for a new or increased supply of electricity has been made to the municipality, the engineer may at his/her 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 were a complete installation.
- (2) The examination, test and inspection that may be carried out at the discretion of the the engineer in no way relieves the electrical contractor/accredited person or the user or owner, as the case may be, from his 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 by-law or the safety standard, and the municipality cannot be held responsible for any defect or fault in such electrical installation.

51. Responsibility of Electrical Contractors

The municipality is not responsible for the work done by the electrical contractor/accredited person on a consumer's premises nor 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

General

52. Recovery of Cost

The municipality may repair and make good any damage done in contravention of this by-law or resulting from a contravention of this by-law. The cost of any such work carried out by the municipality which was necessary due to the contravention of this by-law, will be for the account of the person who acted in contravention of this by-law.

53. Delegation of powers and duties

- (1) The engineer may delegate any power or duty that have been conferred on the engineer in terms of this by-law to any official of the council.
- (2) A delegation in terms of sub-section (1)—
 - (a) must be in writing;
 - (b) is subject to any limitations, conditions and directions the engineer may impose;
 - (c) does not divest the engineer of the responsibility concerning the exercise of the power or the performanse of the duty.
- (3) The engineer may amend or withdraw any delegation in terms of sub-section (1), but no such amendment or withdrawal shall invalidate anything done as a consequence of such delegation.

54. Penalties

- (1) Any person who contravenes any of the provisions of sections 5, 7, 13, 14, 20, 25, 26, 27, 29 and 30 of this by-law is guilty of an offence.
- (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 is guilty of a continuing offence.
- (3) Any person convicted of an offence under this by-law for which no penalty is expressly provided is liable to a fine not exceeding ten thousand rands or imprisonment for a period not exceed 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.
- (4) Every person committing a breach of the provisions of this by-law must recompense the municipality for any loss or damage suffered or sustained by it in consequence of such breach.

55. Repeal

The By-laws specified in the first column of Schedule 1 are hereby repealed to the extent set out in the second column of the Schedule.

Schedule**BY-LAWS REPEALED**

TITLE OF BY-LAW	EXTENT OF REPEAL
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