

2022-07-21

OBJECTS AND REASONS

This Bill would amend the *Electric Light and Power Act, 2013* (Act 2013-21).

Arrangement of Sections

1. Short title
2. Amendment of section 5 of Act 2013-21
3. Insertion of section 5A into Act 2013-21

BARBADOS

A Bill entitled

An Act to amend the *Electric Light and Power Act, 2013* (Act 2013-21).

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Electric Light and Power (Amendment) Act, 2022*.

Amendment of section 5 of Act 2013-21

2. *Section 5(4) of the Electric Light and Power Act, 2013 (Act 2013-21), in this Act referred to as the principal Act, is deleted and the following substituted:*

“(4) An applicant to whom subsection (3) applies shall not be issued a licence until an opportunity has been given to interested parties, in accordance with section 5A, to make representations or objections to the Minister in relation to his application.

(5) Subject to section 5A(6), where an applicant to whom subsection (3) applies makes an application under this section, the application and any information and documents submitted in respect of the application shall be made available for public inspection.”.

Insertion of section 5A into Act 2013-21

3. *The principal Act is amended by inserting after section 5, the following:*

“Representations or objections regarding application for licence

5A.(1) An interested party who desires to make a representation or an objection in relation to an application for a licence by an applicant to whom section 5(3) applies shall, within 28 days of the first publication of notice of the application, inform the Minister in writing of his representation or objection.

(2) The interested party

(a) shall state his interest in the application;

- (b) shall, as far as practicable, state concisely, in numbered paragraphs, the precise nature and ground of his representation or objection;
 - (c) shall include any supporting evidence; and
 - (d) shall not make a representation or an objection in respect of anything that is not directly related to a matter set out in section 6(2)(b) or (3).
- (3) Where the Minister, after consultation with the Committee, considers that there is merit in a representation or objection made by an interested party but additional information on the representation or objection is required, the Minister may, within 28 days of receipt of the representation or objection, give the interested party an opportunity to provide such information orally or in writing.
- (4) An interested party shall be given no less than 14 days' written notice of the date on which he will have an opportunity to provide additional information pursuant to subsection (3).
- (5) The Committee shall, in making a recommendation to the Minister in respect of an application for a licence, take into account any representation or objection made in relation to the application that the Minister considers to have merit.
- (6) Nothing in this section entitles an interested party to have access to information in the application of an applicant where
 - (a) the applicant requests, in accordance with subsection (7), that the information be kept confidential; and
 - (b) the Minister, after consultation with the Committee, determines that there is merit in the request and grants the request.

- (7) A request for confidentiality under subsection (6) shall include
- (a) a summary of the nature of the information to be kept confidential;
 - (b) the reason for the request, including details of the specific harm that would result if the information were publicly disclosed; and
 - (c) any objection to the disclosure of a summary of the information.
- (8) Notwithstanding subsection (6)(b), the Minister shall not grant a request for confidentiality where, after consultation with the Committee, the Minister determines that the public interest in the disclosure of the information outweighs the interest of the applicant in keeping the information confidential.”.

Read three times and passed the House of Assembly this
day of _____, 2022.

Speaker

Read three times and passed the Senate this _____ day of
, 2022.

President