

SABAH RENEWABLE ENERGY ENACTMENT 2024

SABAH RENEWABLE ENERGY (ALLOCATION FROM ELECTRICITY  
TARIFFS) ORDER 2024

ARRANGEMENT OF ORDER

*Order*

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SABAH RENEWABLE ENERGY ENACTMENT 2024  
(No. 18 of 2023)

SABAH RENEWABLE ENERGY (ALLOCATION FROM ELECTRICITY TARIFFS)  
ORDER 2024  
(G.N.S 7 of 2024)

IN exercise of the powers conferred by subsection 26(1) of the Sabah Renewable Energy Enactment 2024, the Minister makes the following order:

**Citation and commencement**

1. (1) This order may be cited as the Sabah Renewable Energy (Allocation from Electricity Tariffs) Order 2024.
- (2) This Order comes into operation on 3 January 2024.

**Interpretation**

2. In this Order, unless the context otherwise requires —
  - “allocation month” means a calendar month commencing from 3 January 2024; and
  - “distribution licensee” means the distribution licensee listed in the Schedule.

**Allocation and payment from electricity tariffs**

3. (1) A distribution licensee shall allocate and pay into the Fund for each allocation month a sum equivalent to one point six per centum of the tariffs levied and collected, after deducting any applicable discounts, under subsection 39(1) of the Electricity Supply Enactment 2024 from its consumers other than domestic consumers utilizing electricity supply of three hundred kilowatt hours and below per month.
- (2) The tariffs levied and collected under subparagraph (1) shall be based on —
  - (a) the actual electricity supplied (in kilowatt-hour); and
  - (b) wherever applicable, the availability of a supply of electricity (in kilowatt).

(3) The allocated sum referred to in subparagraph (1) shall be paid into the Fund monthly in arrears in the following manner:

- (a) the first monthly payment comprising allocations made in the allocation month of January 2024 shall be paid by a distribution licensee into the Fund on or before 1 May 2024; and
- (b) each subsequent monthly payment comprising allocations made for each allocation month after January 2024 shall be deposited by the distribution licensee into the Fund on or before the first day of fourth month after the respective allocation month.

### **Reconciliation of payments**

4. (1) The Commission shall annually reconcile all payments made by a distribution licensee under subparagraph 3(3) with the sum equivalent to one point six per centum of the tariffs levied and collected under subsection 39(1) of the Electricity Supply Enactment 2024 as specified under subparagraph 3(1) based on the audited financial statements of the distribution licensee.

(2) The Commission may, at any time, for the purpose of the annual reconciliation referred to in subparagraph (1), request a distribution licensee to provide such information or other supporting documents within the period specified in the request, or any extension of time granted by the Commission.

(3) Upon receiving the request under subparagraph (2), the distribution licensee shall provide such information or other supporting documents within the period specified in the request or any extension of time granted by the Commission.

(4) After the annual reconciliation under subparagraph (1) is carried out by taking into consideration the information or other supporting documents referred to in subparagraph (3), the Commission shall issue a report to the distribution licensee.

(5) Notwithstanding that the information or other supporting documents requested under subparagraph (2) are not provided by the distribution licensee under subparagraph (3), the Commission shall proceed with the reconciliation under subparagraph (1) and issue a report to the distribution licensee.

(6) The Commission shall provide a copy of the report issued under subparagraph (4) or (5) to the Minister.

(7) The report issued by the Commission under subparagraph (4) or (5) shall be final.

### **Recovery of shortfall**

5. (1) If the report referred to in subparagraph 4(4) or (5) shows that there is a shortfall in the allocation or payment to be made by a distribution licensee under paragraph 3, the Commission shall, as soon as possible, notify the distribution licensee in writing of the shortfall and request the distribution licensee to pay the shortfall into the Fund.

(2) The distribution licensee shall pay the shortfall under subparagraph (1) into the Fund without any interest within thirty days from the date of receipt by the distribution licensee of the notification.

### **Refund of overpayment**

6. If the report referred to in subparagraph 4(4) or (5) shows that there has been an overpayment in the allocation or payment made by a distribution licensee under paragraph 3, the Commission shall refund such overpayment without interest to the distribution licensee from the Fund within thirty days from the date of such report.

SCHEDULE

[Paragraph 2]

DISTRIBUTION LICENSEE

<i>Item</i>	<i>Name</i>
1.	Sabah Electricity Sdn. Bhd.

Made this 3 January 2024.

DATUK SERI PANGLIMA HAJI HAJI BIN HAJI NOOR,  
*Chief Minister of Sabah.*