

**ACT**  
**OF THE PARLIAMENT OF THE REPUBLIC OF GHANA**  
**ENTITLED**

**PUBLIC UTILITIES REGULATORY COMMISSION (AMENDMENT) ACT,  
2010**

AN ACT to amend the Public Utilities Regulatory Commission Act, 1997 (Act 538) to impose a levy on electricity and natural gas transmission services and other prescribed public utility services and to provide for related matters.

DATE OF ASSENT: 31<sup>ST</sup> MAY 2010

PASSED by Parliament and assented to by the President:

**Section 35 of Act 538 amended**

1. The Public Utilities Regulatory Commission Act, 1997 (Act 538) referred to in this Act as the principal enactment is amended in section 35 by the insertion

(a) of paragraph (e) after paragraph (d)

"(e) moneys from the levy imposed under section 35A"; (b) of subsection (2)

"(2) moneys received by or on behalf of the Commission shall be deposited in an account to the credit of the Commission in a bank approved by the Minister responsible for Finance".

Principal enactment amended by the insertion of section 35A

2. The principal enactment is amended by the insertion after section 35 of section 35A

"Levies payable to the Commission

35A (1) A public utilities service provider which provides to the public for a fee, whether directly or indirectly

(a) transmission services for electricity or natural gas; or

(b) other public utility services prescribed by the Board on the recommendation of a Minister with responsibility for the service shall pay to the Commission the levy specified in the First Schedule to this Act.

(2) Paragraph (b) does not apply to a utility service which is related to a petroleum product.

(3) The rate of the levy in a particular year shall be adjusted to reflect the rate of inflation in that year. (4) Moneys received from the levy shall be applied according to the formula prescribed in the Second Schedule to this Act.

(5) The Board acting in consultation with the Minister for Finance may by legislative instrument make Regulations to amend the Schedule to this Act" .

Principal enactment amended by insertion of Schedules

3. The principal enactment is amended by the insertion after section 51 of the Schedules

"First Schedule

Electricity, Natural Gas and Other Utilities Levy Section 35A (1)

No.	Description of utility service	Levy GHp
1.	Electricity transmission	0.2 per kilowatt hour
2.	Natural Gas transmission	0.2 per standard cubic feet

*Public Utilities Regulatory Commission* **Act 800**

*(Amendment) Act, 2010*

**"Second Schedule**

**Application of Levy**

**Section 35A (4)**

No.	Levy GHP	Application
1.	0.08 per kilowatt hour of electricity and 0.08 per standard cubic feet of natural gas transmitted	Public Utilities Regulatory Commission activities
2.	0.04 per kilowatt hour of electricity and 0.04 per standard cubic feet of natural gas transmitted	Public Utilities Regulatory Commission pro-poor water programmes
3.	0.03 per kilowatt hour of electricity and 0.03 per standard cubic feet of natural gas transmitted	Energy Commission Regulatory activities
4.	0.05 per kilowatt hour of electricity and 0.05 per standard cubic feet of natural gas transmitted	Rural Electrification"