

# **REPUBLIC OF VANUATU**

## **BILL FOR THE UTILITIES REGULATORY AUTHORITY (AMENDMENT) ACT NO.            OF 2025**

### **Explanatory Note**

This Bill amends the Utilities Regulatory Authority Act No. 11 of 2007 (“the Act”).

The Government recognises the importance of utilities in Vanuatu to ensure that all utilities operating in Vanuatu are to be treated fairly and equally under the Act.

The Government also recognises the importance of petroleum in Vanuatu and for the Utilities Regulatory Authority (“the Authority”) to control the price of petroleum and ensure it is regulated with a fair and reasonable pricing system.

The Bill provides for the following:

- It includes in the definition of ‘regulated service’ petroleum to allow the Authority to determine the price of petroleum; and
- That the Authority when determining the electricity price for a utility must take into account electricity purchased or electricity available for purchase by a utility from an independent power producer; and
- That an individual person or a utility who supplies a regulated service for payment must have the approval of the Authority before charging a price for a regulated service; and
- It deletes the requirement under section 3 of the Act that “the Authority when making its decision or when applying the Act, must not diminish the economic entitlement of a utility to any concession agreement made under the Electricity Supply Act [CAP 65] or the Water Supply Act [CAP 24] on or before the commencement of this Act.”  
This change is made to allow all utilities operating in Vanuatu to be regulated fairly and equally under the Act.

**Minister of Finance and Economic Management**



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#### Arrangement of Sections

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## **BILL FOR THE UTILITIES REGULATORY AUTHORITY (AMENDMENT) ACT NO. OF 2025**

An Act to amend the Utilities Regulatory Authority Act No.11 of 2007.

Be it enacted by the President and Parliament as follows-

### **1 Amendment**

The Utilities Regulatory Authority Act No. 11 of 2007 is amended as set out in the Schedule.

### **2 Commencement**

This Act commences on the day on which it is published in the Gazette.

## SCHEDULE

### AMENDMENTS OF UTILITIES REGULATORY ACT NO. 11 OF 2007

#### 1 Section 1

Insert in their correct alphabetical positions:

“**Minister** means the Minister responsible for Public Finance and Economic Management;

**petroleum** means any liquid hydrocarbon or mixture of hydrocarbons, and any inflammable mixture (liquid, viscous, or solid) containing any liquid hydrocarbon;”

#### 2 References to “Minister responsible for finance”

Delete all references to “Minister responsible for finance” (wherever occurring), substitute “Minister”

#### 3 Section 1 (Definition of “regulated service”)

After “electricity”, insert “, petroleum”

#### 4 Section 1 (After paragraph (b) of the definition of “relevant Minister”)

Insert

“(c) in respect of petroleum, the Minister responsible for petroleum;”

#### 5 Section 3

Delete all the words from and including “to the extent” to and including “the commencement of this Act”

#### 6 Subsection 18(4)

Repeal the subsection, substitute

“(4) The maximum price determined under subsection (1) in respect of the supply of electricity by a utility to a consumer must take into account:

(a) the least cost generation for that utility; or

(b) the electricity purchased or electricity available for purchase by the utility from an independent power producer pursuant to the power

purchase agreement made under the Electricity Supply Act [CAP 65].

- (5) An individual person or a utility must have the approval of the Authority before charging a price for a regulated service.”

**7 Subsection 21(1)**

After “utility”, insert “or an individual person”

**8 Subsection 21(6)**

After “subsection”, insert “13(2) or”

**9 Section 29A**

Repeal the section.

**10 Subsection 33(1)**

Delete “responsible for public utilities”

**11 Table A1 of the Schedule**

Delete the fifth and sixth row.

**12 Part C**

Delete the third and fourth row of the table.