

ANTIGUA AND BARBUDA

No. of 2004

**BILL FOR**

**AN ACT** to amend the Public Utilities Act, Cap. 359.

[ ]

**ENACTED** by the Parliament of Antigua and Barbuda as follows —

- 1.** This Act may be cited as the Public Utilities (Amendment) Act, 2004. Short title.
- 2.** The Public Utilities Act, in this Act referred to as “the principal Act” is amended by the repeal of the definition of “Commission”. Amendment of section 2.
- 3.** Section 15 of the principal Act is repealed and the following substituted — Amendment of section 15  
Cap. 359.

“15.(1) The tariffs charged by the Authority for public utilities supplied or provided by it to customers shall be such as may be determined from time to time by the Authority after consultation with such persons or groups of persons representing the public and private sectors and with the approval of the Minister.

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(2) The Minister shall publish in the Gazette such tariffs as are determined by the Authority under subsection (1)”.

Amendment of  
section 9(5).

**4.** The First Schedule to the principal Act is amended as follows —

(a) by the repeal of paragraph (1) and the substitution of the following —

“1. The Authority shall consist of eleven persons to be designated Commissioners, appointed by the Cabinet from among persons appearing to it to be qualified by reason of having had experience and shown capacity in matters relating to trade, law, finance, engineering technology, administration or labour relations”.

(b) by the repeal of paragraph (4) and the substitution of the following —

“4. A Commissioner shall subject to the provisions of this Schedule, hold office for such period being not less than two or more than five years as may be specified in the instrument appointing him, and shall be eligible for reappointment”.

(c) by the repeal of paragraph 9(4) and the substitution of the following —

“(4) The quorum of the Authority shall be seven including the chairman or the Deputy Chairman or the Commissioner elected to act as chairman under subparagraph (3)”.

(d) by the deletion of the word “Director” or “Directors” wherever these appear an in the Schedule and the substitution of the word “Commissioner” or “Commissioners”.

Fourth Schedule  
Repealed.

**5.** The Fourth Schedule to the principal Act is repealed.



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Clause 3(c) seeks to increase the quorum from five to seven. This amendment has become necessary as a result of the increase in the number of persons proposed to constitute the membership of the Authority.

Justin L. Simon Q.C.,  
Attorney General and  
Minister of Justice and  
Legal Affairs

**ANTIGUA AND BARBUDA**

**THE PUBLIC UTILITIES (AMENDMENT) ACT 2004**

**ARRANGEMENT OF SECTIONS**

**Section**

1. Short title.
2. Amendment of section 2.
3. Amendment of section 15, Cap. 359.
4. First Schedule amended.
5. Fourth Schedule repealed.