



STATE OF SABAH

I assent,

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TUN DATUK SERI PANGLIMA (DR) HAJI JUHAR
BIN DATUK HAJI MAHIRUDDIN,
Yang di-Pertua Negeri.

3RD JANUARY, 2024.

No. 16 of 2023

An Enactment to amend the Energy Commission of Sabah Enactment 2023.

ENACTED by the Legislature of the State of Sabah as follows:

Short title and commencement

1. (1) This Enactment may be cited as the Energy Commission of Sabah (Amendment) Enactment 2024.
(2) This Enactment comes into operation on 3 January 2024.

Amendment of section 2

2. Energy Commission of Sabah Enactment 2023 [No.11 of 2022], which is referred to as the “principal Enactment” in this Enactment, is amended in section 2 —

(a) by inserting after the definition of “committee” the following definitions:

‘ “electricity” means electrical energy or electrical power when generated, produced, transmitted, distributed, supplied or utilized for any purpose except for the transmission of any communication or signal;

“electricity supply laws” means the Electricity Supply Enactment 2024 and includes —

(a) any subsidiary legislation made under the Electricity Supply Enactment 2024; and

(b) any other legislation relating to electricity under which the Commission is to exercise any function, including any subsidiary legislation made under such legislation;’;

(b) by substituting for the definition of “energy supply activities” the following definition:

‘ “energy supply activities” includes —

(a) in relation to electricity —

(i) the supply and use of electricity to which the electricity supply laws apply; and

(ii) the generation, transmission and distribution of electricity which include retail for the supply and use of electricity under subparagraph (i);

- (b) in relation to gas —
 - (i) the supply and use of gas to which the gas supply laws apply; and
 - (ii) the delivery, transportation, distribution and reticulation of gas for the supply and use of gas under subparagraph (i); and
- (c) any other activity regulated under the energy supply laws;’;
- (c) in the definition of “energy supply laws”, by inserting after paragraph (a) the following paragraph:
 - “(aa) the electricity supply laws;”;
- (d) by substituting for the definition of “installation” the following definition:
 - “installation” —
 - (a) in relation to electricity, has the meaning assigned to it by the electricity supply laws; and
 - (b) in relation to gas, has the meaning assigned to it by the gas supply laws;’;
- (e) in the definition of “Minister”, by inserting after the words “relating to” the words “electricity supply and”;
- (f) by deleting the word “and” at the end of the definition of “Minister of Finance”;
- (g) by inserting after the definition of “Minister of Finance” the following definition:
 - “non-renewable energy” means energy which depletes when used and includes energy from energy sources such as coal, oil shale, tar sands, crude oil, oil, natural gas and nuclear power;’;

- (h) by substituting for the full stop at the end of the definition of “officer” the words “; and”; and
- (i) by inserting after the definition of “officer” the following definition:
 - “renewable energy” means energy which is not depleted when used and includes energy obtained from energy sources such as biomass, hydropower, solar power, geothermal power, wind power, waves and tides.’.

Amendment of section 14

3. Section 14 of the principal Enactment is amended in subsection (1) —

- (a) by inserting after paragraph (a) the following paragraph:
 - “(aa) to advise the Minister on all matters relating to the generation, production, transmission, distribution, supply and use of electricity as provided under the electricity supply laws;”;
- (b) by inserting after paragraph (c) the following paragraph:
 - “(ca) to regulate all matters relating to the supply of electricity industry and to protect any person from dangers arising from the generation, production, transmission, distribution, supply and use of electricity as provided under the electricity supply laws;”;
- (c) in paragraph (e), by inserting after the words “economy and safety” the words “in the generation, production, transmission, distribution, supply and use of electricity and”;
- (d) in paragraph (f), by inserting after the words “in respect of” the words “the generation, production, transmission, distribution and supply of electricity and”;

(e) by inserting after paragraph (f) the following paragraph:

“(fa) to promote the use of renewable energy and the conservation of non-renewable energy;”;

(f) by substituting for paragraph (g) the following paragraph:

“(g) to promote research into, and the development and the use of, new techniques relating to —

(i) the generation, production, transmission, distribution, supply and use of electricity; and

(ii) the supply of gas through pipelines and the use of gas supplied through pipelines;”;

(g) in paragraph (h), by inserting after the words “development of” the words “the electricity supply industry and”; and

(h) in paragraph (i), by inserting after the words “self-regulation in” the words “the electricity supply industry”.

CERTIFIED by me to be a true copy of the Bill passed by the Legislative Assembly on Wednesday, the 3rd day of January, 2024.

DATUK SERI PANGLIMA HAJI KADZIM BIN HAJI M. YAHYA,
Speaker,
State Legislative Assembly.