



## CONSULTATION PAPER

# PROPOSED MODIFICATIONS TO ELECTRICITY LICENCES

Closing date for submissions of comments and feedback:

15 Aug 2008

**Note: There will be no extension of deadline beyond 15 Aug 2008, 5 pm**

16 JUL 2008

ENERGY MARKET AUTHORITY  
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**Disclaimer:**

The information in this Consultation Paper is not to be treated by any person as any kind of advice. The Energy Market Authority shall not be liable for any damage or loss suffered as a result of the use of or reliance on the information given in this Consultation Paper.

## **1 Introduction**

- 1.1 The electricity licences issued by the EMA under the Electricity Act (Cap 89A) set out the conditions with which electricity licensees are required to comply.

## **2 Proposed Modifications**

- 2.1 EMA intends to modify certain conditions of the electricity licences. Pursuant to Section 12 of the Electricity Act, EMA hereby gives notice to the electricity licensees concerned on the proposed modifications as set out in Appendix 1.
- 2.2 The proposed modifications are necessary arising from the amendments to Gas Act which were brought into force in Feb 2008. Modifications to the generation licence are also proposed to provide greater visibility and certainty on the commissioning schedule for new generation capacity. The details are given in Appendix 1.

## **3 Request for comments and feedback**

- 3.1 EMA invites comments and feedback on the proposed modifications to the electricity licences as set out in the Appendix 1.
- 3.2 Please send your submission by e-mail to:

[Jolene Tan@ema.gov.sg](mailto:Jolene_Tan@ema.gov.sg) and [Teo Nan Shing@ema.gov.sg](mailto:Teo_Nan_Shing@ema.gov.sg)

Alternatively, you may send your submission by post/fax to the following address:

*Economic Regulation and Licensing Branch  
Regulation Division  
Energy Market Authority  
111 Somerset Road, #15-05  
Singapore 238164.  
Fax: (65) 6 835 8084*

Please use the form given in Appendix 2 for your submission.

- 3.3 Anonymous submission will not be considered.
- 3.4 Clarifications, if any, with regard to the proposed modifications should reach EMA by 5pm on 23 Jul 2008.
- 3.5 All comments and feedback must reach EMA by 5 pm on 15 Aug 2008.
- 3.6 EMA will acknowledge receipt of all submissions electronically. Please contact Ms Jolene Tan or Mr Teo Nan Shing if you have not received an acknowledgement of your submission within two business days.
- 3.7 EMA reserves the right to make public all or parts of any written submissions made in response to this Consultation Paper and to disclose the identity of the source. Any part of the submission, which is considered by respondents to be confidential, should be clearly marked and placed as an annex. EMA will take this into account regarding disclosure of the information submitted.

~ End ~

**APPENDIX 1**

**PROPOSED MODIFICATIONS TO**

**ELECTRICITY LICENCES**

## Energy Market Authority of Singapore

### Proposed Modification to the Electricity Licence For Transmission Licensee – SP PowerAssets Ltd

No.	Original Text	Modification	Reasons
<b>Condition 7: Composition of the Board of Directors</b>			
1	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections (b) or (c) of Section 6(1) of the Gas Act (Cap. 119A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections <del>(b)</del>, (c), <u>(d)</u>, <u>(g)</u> or <u>(h)</u> of Section 6(1) of the Gas Act (Cap. 119A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine</u>.</p>	<p>Consequence changes due to amendments to the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>
<b>Condition 8: Prohibition of Acquisition of Shares</b>			
2	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections (b) or (c) of Section 6(1) of the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections <del>(b)</del>, (c), <u>(d)</u>, <u>(g)</u> or <u>(h)</u> of Section 6(1) of the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine</u>.</p>	<p>Consequence changes due to amendments to the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>

## Energy Market Authority of Singapore

### Proposed Modification to the Electricity Licence For Transmission Agent Licensee – SP PowerGrid Ltd

No.	Original Text	Modification	Reasons
<b>Condition 7: Composition of the Board of Directors</b>			
3	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections (b) or (c) of Section 6(1) of the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections <del>(b)</del>, (c), <u>(d)</u>, <u>(g)</u> or <u>(h)</u> of Section 6(1) of the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine</u>.</p>	<p>Consequence changes due to amendments to the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>
<b>Condition 8: Prohibition of Acquisition of Shares</b>			
4	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections (b) or (c) of Section 6(1) of the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections <del>(b)</del>, (c), <u>(d)</u>, <u>(g)</u> or <u>(h)</u> of Section 6(1) of the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine</u>.</p>	<p>Consequence changes due to amendments to the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>

## Energy Market Authority of Singapore

### Proposed Modification to the Electricity Licence For Market Company – Energy Market Company Pte Ltd

No.	Original Text	Modification	Reasons
<b>Condition 7: Composition of the Board of Directors</b>			
5	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act.</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; <u>or</u></p> <p>(b) <u>any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections (c), (d), (g) or (h) of Section 6(1) of the Gas Act (Cap. 116A).</u></p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine.</u></p>	<p>Consequence changes due to amendments to the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>
<b>Condition 8: Prohibition of Acquisition of Shares</b>			
6	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act.</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; <u>or</u></p> <p>(b) <u>any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections (c), (d), (g) or (h) of Section 6(1) of the Gas Act (Cap. 116A).</u></p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine.</u></p>	<p>Consequence changes due to amendments to the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>



## Energy Market Authority of Singapore

### Proposed Modification to the Electricity Licence For Market Support Services Licensee – SP Services Ltd

No.	Original Text	Modification	Reasons
<b>Condition 7: Composition of the Board of Directors</b>			
7	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) a gas retailer under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) <del>a gas retailer under the Gas Act (Cap. 116A)</del> <u>any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections (c), (d), (g) or (h) of Section 6(1) of the Gas Act (Cap. 116A).</u></p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine.</u></p>	<p>Consequence changes due to amendments to the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>
<b>Condition 8: Prohibition of Acquisition of Shares</b>			
8	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) a gas retailer under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (a), (c), (d) or (f) of Section 6(1) of the Act; or</p> <p>(b) <del>a gas retailer under the Gas Act (Cap. 116A)</del> <u>any person authorised by a gas licence or exempted from the obligation to hold a gas licence, to engage in an activity referred to in one or more of subsections (c), (d), (g) or (h) of Section 6(1) of the Gas Act (Cap. 116A).</u></p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine.</u></p>	<p>Consequence changes due to amendments to the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>

## Energy Market Authority of Singapore

### Proposed Modification to the Electricity Licence For Retail Electricity Licensee

<u>No.</u>	<u>Original Text</u>	<u>Modification</u>	<u>Reasons</u>
<b>Condition 2: Composition of the Board of Directors</b>			
9	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any other retail electricity licensee or any person exempted from the obligation to hold an electricity licence to retail electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any other retail electricity licensee or any person exempted from the obligation to hold an electricity licence to retail electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), <u>(ba)</u>, (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter <u>or gas transport agent</u> under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine.</u></p>	<p>Consequence changes due to amendments to the Electricity Act and the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>
<b>Condition 3: Prohibition of Acquisition of Shares</b>			
10	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any other retail electricity licensee or any person exempted from the obligation to hold an electricity licence to retail electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any other retail electricity licensee or any person exempted from the obligation to hold an electricity licence to retail electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (ba), (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter <u>or gas transport agent</u> under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine.</u></p>	<p>Consequence changes due to amendments to the Electricity Act and the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>

## Energy Market Authority of Singapore

### Proposed Modification to the Electricity Licence For Generation Licensee

<u>No.</u>	<u>Original Text</u>	<u>Modification</u>	<u>Reasons</u>
<b>Condition X: Failure to Commence Commercial Operation</b>			
11	New licence condition.	1. <u>The failure of the Licensee to commence commercial operation of any generating unit by its respective commercial operation date as specified in Schedule A, may result in revocation of the licence or removal of the relevant generating unit from the Schedule A.</u>	Existing Electricity Licences for Generation Licensee have a condition on “Requirement to Commission Generating Units”.  EMA proposes to add the proposed new licence condition to existing as well as new generation licences. The proposed condition will ensure that the commissioning schedule as reflected in Schedule A would more accurately reflect the generation capacity that will be available in Singapore.
<b>Condition 4: Composition of the Board of Directors</b>			
12	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any other generation electricity licensee or any person exempted from the obligation to hold an electricity licence to generate electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any other generation electricity licensee or any person exempted from the obligation to hold an electricity licence to generate electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), <u>(ba)</u>, (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter <u>or gas transport agent</u> under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine.</u></p>	<p>Consequence changes due to amendments to the Electricity Act and the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>
<b>Condition 5: Prohibition of Acquisition of Shares</b>			
13	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any other generation electricity licensee or any person exempted from the obligation to hold an electricity licence to</p>	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any other generation electricity licensee or any person exempted from the obligation to hold an electricity licence</p>	<p>Consequence changes due to amendments to the Electricity Act and the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so</p>

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No.	Original Text	Modification	Reasons
	<p>generate electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>to generate electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), <u>(ba)</u>, (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter <u>or gas transport agent</u> under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine.</u></p>	<p>as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>

## Energy Market Authority of Singapore

### Proposed Modification to the Electricity Licence For Wholesaler Licensee (Generation)

No.	Original Text	Modification	Reasons
<b>Condition 4: Composition of the Board of Directors</b>			
14	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any other generation licensee or any person exempted from the obligation to hold an electricity licence to generate electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (ba), (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any other generation licensee or any person exempted from the obligation to hold an electricity licence to generate electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (ba), (e) or (g) of Section 6(1) of the Act; or</p> <p>(d) a gas transporter <u>or gas transport agent</u> under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine</u>.</p>	<p>Consequence changes due to amendments to the Electricity Act and the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>
<b>Condition 5: Prohibition of Acquisition of Shares</b>			
15	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any other generation licensee or any person exempted from the obligation to hold an electricity licence to generate electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (ba), (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any other generation licensee or any person exempted from the obligation to hold an electricity licence to generate electricity;</p> <p>(b) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (ba), (e) or (g) of Section 6(1) of the Act; or</p> <p>(c) a gas transporter <u>or gas transport agent</u> under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine</u>.</p>	<p>Consequence changes due to amendments to the Electricity Act and the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>

## Energy Market Authority of Singapore

### Proposed Modification to the Electricity Licence For Wholesaler Licensee (Interruptible Load Service)

No.	Original Text	Modification	Reasons
<b>Condition 2: Composition of the Board of Directors</b>			
16	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (e) or (g) of Section 6(1) of the Act; or</p> <p>(b) a gas transporter under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall procure that at all times its directors shall not be employed by nor hold any office or engagement with:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), <u>(ba)</u>, (e) or (g) of Section 6(1) of the Act; or</p> <p>(b) a gas transporter <u>or gas transport agent</u> under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine</u>.</p>	<p>Consequence changes due to amendments to the Electricity Act and the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>
<b>Condition 3: Prohibition of Acquisition of Shares</b>			
17	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), (e) or (g) of Section 6(1) of the Act; or</p> <p>(b) a gas transporter under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition.</p>	<p>1. The Licensee shall not directly or indirectly through its related enterprises acquire or hold any shares in:</p> <p>(a) any person authorised by an electricity licence or exempted from the obligation to hold an electricity licence, to engage in an activity referred to in one or more of subsections (b), <u>(ba)</u>, (e) or (g) of Section 6(1) of the Act; or</p> <p>(b) a gas transporter <u>or gas transport agent</u> under the Gas Act (Cap. 116A).</p> <p>2. The Authority may, on such terms as it may specify in writing and notified to the Licensee, waive or vary any of the requirements of this Condition <u>for such period, as the Authority may determine</u>.</p>	<p>Consequence changes due to amendments to the Electricity Act and the Gas Act. The principle of separation of control between the non-contestable and the contestable segments of the electricity and gas industries remains so as to maintain a level playing field for industry participants in both the electricity and gas sectors.</p> <p>For clarity that the terms on which the Authority may grant waiver or variation of this licence condition may include the duration of such waiver or variation.</p>

Industry Comments on the Proposed Modification to the electricity licence for \_\_\_\_\_ Licensee

Name: \_\_\_\_\_

Designation: \_\_\_\_\_

Company: \_\_\_\_\_

Email: \_\_\_\_\_

Submission Date: \_\_\_\_\_ (dd/mm/yy)

No.	Licence Condition (e.g. Condition 3: Prohibition of Acquisition of Shares)	Industry Comments