



# THE ELECTRICITY DISPUTES TRIBUNAL

## 1. Background

The Electricity Act, Chapter 145 of the laws of Uganda was enacted in 1999. Its objective is to regulate the generation, transmission, sale, export, import and distribution of electrical energy in Uganda, among others.

## 2. Establishment

The Electricity Disputes Tribunal (EDT) is established by section 94, part xiii of the Electricity Act

## 3. Constitution and Quorum

- The Tribunal is constituted of the Chairperson, Vice Chairperson and other members. The Chairperson and Vice Chairperson must be persons qualified to be judges of the High Court.
- The Tribunal has a registrar who is responsible for the day today administration of the Tribunal. This person must qualify to be a Registrar of the High Court

## 4. Jurisdiction/Mandate

- To hear and determine all matters referred to it relating to the electricity sector save or the trial of criminal offences or a dispute that a licensee and any other party may have agreed to settle in accordance with their agreement.
- The Tribunal may therefore handle all disputes involving the Regulation, Generation, Transmission and Distribution of Electricity. Any consumer of electricity or any person who is any way aggrieved by

any electricity power supply related processes may apply to the Tribunal for redress.

**4.1** In exercise of its jurisdiction, the Tribunal has all powers of the High Court. An aggrieved person may also resort to the Tribunal in the following instances

- A licensee/prospective licensee who is aggrieved by a directive/decision by the Electricity Regulatory Authority (ERA)
- Refusing to grant a license
- To comply with a particular condition or
- To revoke a license
- To modify the terms and conditions of a license.
- Refusing to modify conditions of a license that he/she feels has become unduly onerous.
- Refusing to transfer a license to another.
- On the use of land for installation and maintenance of electricity power supply lines in, over or upon any land.
- On terms set by the Uganda Land Commission or the District Land Board to use land
- To remove or alter the route of any electricity power supply line
- On any question as to entitlement to compensation to the right of use or as to sufficiency of compensation to a consumer who has suffered damage or loss caused by the negligence of the holder of the electricity power supply license

## **5. The Hearing Process**

- Written complaints are submitted to the Registry of the Tribunal
- A formal communication and a copy of the complaint are sent to the respondent to respond within a prescribed period after which the matter is fixed for hearing
- The Tribunal is constituted for a hearing when members are present and proceedings are presided over by the chairperson and in his/her absence the vice chairperson
- The Tribunal may seek technical advice from persons whose specialized knowledge may assist it in proceedings
- The Tribunal meets as and when there is need to exercise its jurisdiction under the act
- The Tribunal is authorized to conduct its proceedings without procedural formality, but is obliged to observe the rules of natural justice, and may regulate its own procedure. The Act empowers the chairperson to give

directions relating to arrangement of the business of the Tribunal, the place where the Tribunal may sit and the procedure.

- The Tribunal has developed a set of procedural rules to guide parties which procedural rules do not compromise or negate the intention of the Act to allow flexibility in the proceedings of the Tribunal as opposed to the rigidity of the rules in the ordinary court.

## **6. Reviews/Appeals**

- The Tribunal may, on its own motion or upon application by an aggrieved party, review its judgement and orders.
- Any person aggrieved person by a decision of the Tribunal may, within thirty days from the date of the decision or order, appeal to the High Court;
- It is not lawful for any court or another Tribunal to entertain any action or proceedings of any nature for the purpose of questioning any judgement, finding, ruling, order or proceeding of the Tribunal

## **7. Enforcement**

- Judgement and orders of the Tribunal are executed and enforced in the same manner as those of the High Court

**For more details, Please contact us**

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