

TO BE PUBLISHED IN THE OFFICIAL GAZETTE
GOVERNMENT OF PAKISTAN.

ALTERNATIVE ENERGY DEVELOPMENT BOARD

Islamabad, the August 30, 2021.

NOTIFICATION

S.R.O. 1074(I)/2021. - In exercise of the powers conferred by section 19 of the Alternative Energy Development Board Act, 2010 (XIV of 2010), the Alternative Energy Development Board is pleased to make the following regulations, namely: -

1. **Short title and commencement.** - (1) These regulations shall be called the Alternative Energy Development Board (Certification) Regulations, 2021.

(2) These regulations shall come into force at once.

2. **Definitions.** - (1) In these regulations, unless there is anything repugnant in the subject or context,-

(a) "Act" means the Alternative Energy Development Board Act, 2010 (XIV of 2010);

(b) "certificate" means a certificate issued under these regulations;

(c) "certified installer" means an installer holding a valid certificate;

(d) "customer agreement" means a written agreement between the certified installer and the customer compliant with the requirements under these regulations;

(e) "installer" means a person engaged in the business of installation of projects;

(f) "project" means the design, installation and commissioning of equipment, facilities and products for generation of electricity by solar or wind resource;

(g) "licence" means a licence issued by the Pakistan Engineering Council to the installer under the Pakistan Engineering Council Act, 1975; and

(h) "secretary" means the secretary to the Board.

(2).- Words and expressions used but not defined in these regulations shall have the same meaning as assigned thereto in the Act.

3. **Receipt of applications.** (1) An installer eligible per the criteria specified in schedule 1 to these regulations may apply to the Board for certification along with.-

- (a) the documents and information listed in schedule 2; and
 - (b) the processing fee specified in schedule 1.
- (2) An incomplete application shall be returned within ten working days and may be re-filled by the applicant after removing the deficiency whereupon the date of filing shall be the date when the complete application is received by the Board.
- (3) A complete application shall be examined by the committee, comprising three members each nominated by the Chief Executive Officer, Power Division and Pakistan Council for Renewable Energy Technologies, Science and Technology Division among its officers, in its fortnightly meetings for compliance with these regulations and upon being so found shall be placed before the Chief Executive Officer with a recommendation for issuing the certificate not later than twenty one working days of filing of complete application.
- (4) The applications may be processed and certificate issued via an online portal set up by the Board.
4. **Certificate** - (1) On receipt of the recommendation pursuant to sub-regulation (3) of regulation 3 and, subject to receipt of the certification fee specified in schedule 1, the Chief Executive Officer shall authorize the secretary to sign and issue the certificate.
- (2) Each certificate unless revoked earlier in accordance with these regulations shall be valid for three years from the date it is issued.
- (3) A certificate issued under these regulations shall.-
- (a) signify that the certified installer has been screened for compliance with good practices in the installation, operation or servicing of projects; and
 - (b) bind the certified installer to comply with its obligations listed in schedule 3.
- (4) Relevant particulars and contact details of the certified installers shall be published on Board's website with links to the installers' websites.
- (5) Where a certificate has been issued, a separate certificate shall not be required by a hundred percent owned subsidiary of the certified installer incorporated to avail financing facilities from banks where the installation, commissioning, servicing or operation of the project is carried out for all practical purposes by the certified installer itself.
5. **Renewal of certificate.** (1) The application for renewal of the certificate and its processing shall be governed, *mutatis mutandis*, by regulations 3 and 4.
- (2) Where an application for renewal is filed not later than forty five days before the expiry of a certificate, the certificate shall remain valid beyond its expiry date pending the outcome of the renewal application.

6. **Revocation or suspension.**-(1) The Chief Executive Officer may, upon becoming aware of a breach of these regulations or the customer agreement by a certified installer revoke or suspend its certificate after providing an opportunity of being heard and rectify the breach.

(2) A caution for the awareness of customers may be displayed on any database of the certified installers pending the proceedings under sub-regulation (1).

(3) A certified installer whose certificate is revoked or suspended shall be listed in a negative list.

(4) A certificate may be suspended or revoked if the licence issued to the certified installer becomes invalid, is suspended or is revoked by the Pakistan Engineering Council.

(5) A certified installer whose certificate is revoked may apply for removal of his name from the negative list and for issue of the certificate afresh after expiry of six months following the revocation of the certificate.

7. **Repeal and savings.** (1) The Alternative Energy Development Board (Certification) Regulations, 2018, referred to hereinafter as the repealed regulations, stand repealed.

(2) The certifications pursuant to the repealed regulations shall remain valid till their respective expiry dates. Upon expiry of such certifications, new certificates shall be issued under these regulations.

8. **Fees.** All fees received pursuant to these regulations shall be paid into the Fund constituted under section 13 of the Act.

SCHEDULE 1

(see to regulations 3(1) and 4(1))

| Category | Capacity | Eligibility Criteria |
|-----------------|-----------------|--|
| C-1 | Above 500 kW | Pakistan Engineering Council (PEC)'s license in C3/FC-1 or above category under the relevant specialization codes ¹ |
| C-2 | Up to 500 kW | PEC's license in C5/FC-1 or above category under the relevant specialization codes ² |
| C-3 | Up to 250 kW | PEC's license in C6/FC-1 or above category under the relevant specialization codes ³ |

Registration with the relevant tax authorities pursuant to (i) the Income Tax Ordinance, 2001, (ii) the Sales Tax Act, 1990, and (iii) the relevant sales tax on services law of the province(s) in which services are to be/being rendered at the time of application for certification or renewal in each case, with status of active tax payer is required for the installer to be eligible for any of the categories mentioned above.

Certification Fee

| Category | Application Processing Fee (non-refundable) with annual increase of 5% for each calendar year | Certification Fee with annual increase of 5% for each calendar year |
|-----------------|--|--|
| C-1 | PKR 16,000/- | PKR 640,000/- |
| C-2 | PKR 16,000/- | PKR 480,000/- |
| C-3 | PKR 16,000/- | PKR 320,000/- |

¹ Specialized codes as specified by the Pakistan Engineering Council for contractors and operators in solar PV / wind systems include EE-11 (General electrical works & solar system) or ME-07 (General mechanical works & solar system)

² ibid

³ ibid

SCHEDULE 2
(see to regulations 3(1) and 5(1))

Part I
(Documents required for initial application pursuant to regulation 3(1))⁴

- i. Application form (available on the Board's website)
- ii. Authority letter/ board resolution along with the copy of CNIC/passport of the applicant authorizing the signatory to apply for the certification of the installer under the regulations
- iii. Applicant's profile
- iv. Company's certificate of incorporation or registered partnership deed (as applicable)⁵
- v. Pakistan Engineering Council (PEC)'s valid license for the relevant categories under the relevant specialization codes
- vi. Income tax registration certificate and active taxpayer status report
- vii. Sales tax registration certificate(s) and sale tax return(s) of last three months, as applicable
- viii. Particulars of installed projects per proforma given at Board's website
- ix. Pay order or deposit challan of non-refundable application processing fee in the name of Alternative Energy Fund
- x. An irrevocable, unconditional, without recourse, on demand bank guarantee, valid for a period of not less than four (4) years, in the form acceptable to AEDB (placed on AEDB's website) equivalent to an amount of PKR 500,000/- for the categories C1, C2 and C3 respectively;
- xi. An affidavit on stamp paper by the applicant or by an authorized person on behalf of the applicant confirming that:
 - a. the information and the documents accompanying the application are true and correct and nothing has been concealed, misrepresented or misstated therein,
 - b. the applicant will comply with these regulations;
 - c. the project and equipment comprised therein shall be compliant with the standards and specifications set out in schedule 3;
 - d. the applicant will deploy staff as per project requirement; and

⁴ All documents must be signed and stamped by the applicant

⁵ AEDB will have a preference for the installers to be corporate entities to ensure public availability of their records and their regulation

- e. the applicant fulfils the eligibility requirements for the relevant category for which the application for certification is made.

Part II

(Documents required for application for renewal of certificate pursuant to regulation

5(1))⁶

- i. Renewal application form (available on Board's website)
- ii. Authority letter/ board resolution along with the copy of CNIC/passport of the applicant
- iii. Pakistan Engineering Council (PEC)'s valid license or registration certificate for the relevant categories under the relevant specialization codes
- iv. Except to the extent already provided, particulars of projects completed during the period of certification as per proforma at Board's website
- v. Affidavit as required for the initial application
- vi. An irrevocable, unconditional, without recourse, on demand bank guarantee, valid for a period of not less than four (4) years, in the form acceptable to AEDB (placed on AEDB's website) equivalent to an amount of PKR 500,000/- for the categories C1, C2 and C3 respectively

⁶ All documents must be signed and stamped by the applicant

SCHEDULE 3

(see to regulation 4(3)(b))

Obligations of Certified Installers

A certified installer shall:

1. educate the customer about the project equipment, its performance and its installation method;
2. provide, at minimum, the following warranties for the equipment and the project as a whole and shall include the same in the customer agreement:
 - (a) Warranty for PV modules or wind turbine generators (WTGs) against manufacturing defects – 10 years
 - (b) Standard performance warranty for PV modules/WTGs – 25 years
 - (c) Workmanship including locally supplied parts (except frames) – 5 years
 - (d) Mounting frames and associated parts – 10 years minimum (that can be up to 25 years if opted or required by the customer)
 - (e) Grid tie invertors – 5 years
 - (f) Hybrid invertors – 1 years
 - (g) Annual Energy Yield - [\bullet kWh/year], subject to the following conditions:
 - i. No tampering by unauthorized personnel
 - ii. Regular maintenance services hired from Installer
 - iii. Not valid under force majeure condition, natural or man-made disasters
 - iv. Yield could vary \pm 10% depending upon location;
3. rectify a breach of warranty at its own cost within fourteen (14) days of breach of warranty and shall pay appropriate compensation to the customer on installer's failure to rectify the breach of warranty as aforesaid;
4. not conceal or misrepresent any fact which affects the customer's decision in agreeing to the installation of the project by the certified installer;
5. include, at minimum, the details given in schedule 4 to these regulation in the customer agreement which shall be entered into by the certified installer on the stamp paper of requisite value before commencing installation or related services to the customer;
6. ensure that the bank guarantee remains valid for entire period of the certificate and, where applicable, is timely extended at least one (1) month prior to its expiry; and further agrees with and acknowledges the Board's right to encash the bank guarantee without any notice

or recourse to the certified installer where the certified installer is in breach of these regulations or the customer agreement;

7. ensure that each project and the equipment comprised therein is compliant with the following standards and specifications:
 - i. Underwriter laboratories UL1741 standards and addresses the electrical interconnection design of various forms of generating equipment (as amended from time to time);
 - ii. IEEE 1547 2003 (as amended from time to time);
 - iii. IEC 61215 (as amended from time to time);
 - iv. any other standards and specifications as specified by Board on its website or any other competent authority;
8. furnish to the Board, every six (6) months, particulars of the projects specifying the location, installed capacity and the customer's name, address and contact details in the proforma available on the Board's website;
9. take all appropriate safety measures specified by the Board or any other competent authority from time to time with respect to installation practices and methods;
10. not install a project exceeding the capacity of its respective certification category under these regulations and the license;
11. where it intends to expand its services to any province or Islamabad Capital Territory during the period of certification, get itself registered with the tax authorities under the relevant sales tax on services law for that province(s) or Islamabad Capital Territory and provide certified copy of such registration to AEDB prior to undertaking such services;
12. for net metering project,:
 - a. ensure that the net metering connection is approved by the relevant distribution company (DISCO) and the generation license is granted by the National Electric Power Regulatory Authority (NEPRA) within one hundred and twenty (120) days from the date of the customer agreement;
 - b. inform the Board and the Customer in writing explaining the delay (if any) by the DISCO or NEPRA in processing of the relevant documentations; and
13. perform the following activities, namely:-
 - i. undertake 'net metering' promotional activities for creating public awareness, such as road shows, distributing flyers, participating in exhibitions, targeting industries/ educational institutions/ businesses, independently as well as collectively for promotion of net metering all over Pakistan. If needed, also participate in the training workshops and seminars;

- ii. coordinate and work with the distribution companies, the regulatory bodies and other relevant public sector entities to expand the net metering connections portfolio at all customers' levels all over the country;
- iii. act as one stop shop and provide services to the customers to process their applications for net metering from start till the energization of net metering connections;
- iv. coordinate with the distribution companies for resolution of complaints regarding metering on priority; and
- v. participation in the meetings if and when called by Board for sharing progress, highlighting any issues faced in processing net metering applications etc.

SCHEDULE 4

(see to para 5 of schedule 3)

1 Material Particulars of the Customer and the Project

| | |
|---|---|
| Customer | Name, CNIC, Address |
| Installer | ... |
| Project Description | [*kw] [wind] / [solar] power generation system, with |
| Project Location | |
| Commencement | |
| Completion | |
| Net Metering or without Net Metering | |
| Minimum Warranties | |
| Additional Warranties (if any) | |
| Inclusions in the Project Scope | [system design] [processing of net-metering consents and licenses with NEPRA, DISCO, etc] ⁷ |
| Exclusions from the Project Scope | |

2 Products and Components to be supplied by the Installer for the Project for a solar PV project

| S# | Product description | Brand | S# of Equipment | Remarks | Performance expectancy |
|----|---------------------|-------|-----------------|---------|------------------------|
| 1 | PV Modules | | | | |

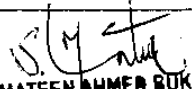
⁷ Illustrative only

| | | | | | |
|----|-----------------------------------|--|--|--|--|
| 2 | Inverter | | | | |
| 3 | DC cables | | | | |
| 4 | AC cables | | | | |
| 5 | PV frames | | | | |
| 6 | Earthing | | | | |
| 7 | AC breakers, fuse links | | | | |
| 8 | DC breakers and fuse links | | | | |
| 9 | AC surge protectors | | | | |
| 10 | DC surge protectors | | | | |
| 11 | Residual Current detector (RCD) | | | | |
| 12 | Bus bar | | | | |
| 13 | Manual disconnect | | | | |
| 14 | Any other accessories/attachments | | | | |

3 Products and Components to be supplied by the Installer for the Project for a wind project

| S# | Product description | Brand | S# of Equipment | Remarks | Performance expectancy |
|----|-----------------------------------|-------|-----------------|---------|------------------------|
| 1 | WTG | | | | |
| 2 | Inverter | | | | |
| 3 | DC cables | | | | |
| 4 | AC cables | | | | |
| 5 | PV frames | | | | |
| 6 | Earthing | | | | |
| 7 | AC breakers, fuse links | | | | |
| 8 | DC breakers and fuse links | | | | |
| 9 | AC surge protectors | | | | |
| 10 | DC surge protectors | | | | |
| 11 | Residual Current detector (RCD) | | | | |
| 12 | Bus bar | | | | |
| 13 | Manual disconnect | | | | |
| 14 | Any other accessories/attachments | | | | |

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