

**COMPLAINTS, INVESTIGATIONS AND CONSUMER PROTECTION
REGULATIONS, 2026**

**PUBLIC UTILITIES REGULATORY AUTHORITY ACT
CAP. 32:05 VOL. 5 LAWS OF THE GAMBIA, 2009
COMPLAINTS, INVESTIGATIONS AND CONSUMER PROTECTION
REGULATIONS, 2026
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**COMPLAINTS, INVESTIGATIONS AND CONSUMER PROTECTION
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**PUBLIC UTILITIES REGULATORY AUTHORITY (COMPLAINTS,
INVESTIGATIONS AND CONSUMER PROTECTION) REGULATIONS, 2026**

IN EXERCISE of the powers conferred on the Minister responsible for the Public Utilities Regulatory Authority by section 54(1) of the Public Utilities Regulatory Authority Act, Cap. 32:05 Vol. 5 Laws of The Gambia, and on the advice of the Public Utilities Regulatory Authority, these Regulations are made –

PART I – PRELIMINARY

1. Citation and Commencement

- (1) These Regulations may be cited as the **Public Utilities Regulatory Authority (Complaints, Investigations and Consumer Protection) Regulations, 2026**.
- (2) These Regulations shall come into force on such date as the Minister may appoint by Notice published in the Gazette.

2. Application

- (1) These Regulations apply to –
 - (a) all public utilities and licensees regulated by the Authority;
 - (b) all consumers of regulated public services; and
 - (c) any other person whose acts or omissions affect the provision, regulation, quality, pricing, safety, or legality of a regulated public service.
- (2) These Regulations apply across all sectors regulated by the Authority, unless expressly excluded by the Act or any other written law.
- (3) These Regulations apply without prejudice to technical, operational, engineering, and safety standards established under sector-specific regulations.

3. Objects of the Regulations

The objects of these Regulations are to –

- (a) give effect to the functions and mandate of the Authority under section 13 of the Public Utilities Regulatory Authority Act;
- (b) establish a harmonised, cross-sector framework for the receipt, handling, investigation and determination of complaints relating to regulated public services;
- (c) protect and promote the interests of consumers, including in relation to service quality, safety, reliability, accessibility, and fair treatment;
- (d) provide for the effective monitoring of compliance and the investigation of matters relating to regulated public services, licence conditions, and applicable regulatory instruments;
- (e) support the Authority's powers to issue determinations, directives, and orders in the exercise of its regulatory functions; and

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- (f) promote transparency, procedural fairness, consistency, proportionality, and accountability in regulatory decision-making, while recognising that sector-specific technical and service-quality standards shall continue to apply under their respective regulatory frameworks.

4. Interpretation

In these Regulations, unless the context otherwise requires –

“**Act**” means the Public Utilities Regulatory Authority Act, Cap. 32:05 Laws of The Gambia;

“**Authority**” means the Public Utilities Regulatory Authority established under section 3 of the Act;

“**authorised officer**” means a staff member of the Authority or any other person authorised in writing by the Authority to exercise powers or perform functions under the Act or these Regulations;

“**complaint**” means any written or oral communication of dissatisfaction capable of being acted upon made to the Authority by a consumer, licensee, public utility, or other affected person, relating to –

- (a) the provision, quality, reliability, pricing, billing, safety, legality, or continuity of a regulated public service; or
- (b) an alleged contravention of the Act, these Regulations, any sector-specific regulation, licence condition, directive, or order of the Authority;

“**complainant**” means any person who submits a complaint to the Authority;

“**consumer**” means any person who receives, uses, seeks to receive, or is affected by a regulated public service, whether directly or indirectly;

“**consumer charter**” means a document issued by a licensee or public utility and approved by the Authority setting out consumer rights, service commitments, complaint channels and applicable standards;

“**consumer protection**” means the set of regulatory measures, rights, obligations, and remedies established under the Act and these Regulations for the protection of consumers of regulated public services;

“**determination**” means a decision, ruling, order, or directive issued by the Authority following the consideration of a complaint, investigation, or hearing under these Regulations;

“**Formal Hearing Guidelines**” means the guidelines issued by the Authority governing hearings conducted under these Regulations;

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“**investigation**” means any inquiry, inspection, audit, examination, or fact-finding exercise undertaken by the Authority –

- (a) pursuant to a complaint; or
- (b) on the Authority’s own initiative,

for the purpose of determining compliance with the Act, these Regulations, any sector-specific regulation, licence condition, directive, or order;

“**illegal connection**” means any unauthorised connection, interference, bypass, tampering, manipulation, or unlawful use of infrastructure, systems, equipment, networks, or services of a public utility or licensee;

“**licensee**” means any person or entity authorised by the Authority under the Act to provide a regulated public service;

“**Minister**” means the Minister responsible for the Public Utilities Regulatory Authority;

“**party**” means any complainant, respondent, licensee, public utility, or other person participating in a complaint, investigation, or hearing under these Regulations;

“**public utility**” has the meaning assigned to it under the Act;

“**regulated public service**” means any service, activity, or operation falling within the regulatory mandate of the Authority, including communications, broadcasting, energy, water, petroleum, postal services, and any other sector designated by law or regulation;

“**respondent**” means any person or entity against whom a complaint is made or who is the subject of an investigation under these Regulations;

“**service unit**” means the applicable unit of measurement for a regulated public service, as prescribed by the Authority through regulations, guidelines, directives, or licence conditions.

PART II - GENERAL PRINCIPLES AND CONSUMER RIGHTS

5. General Regulatory Principles

In the administration and enforcement of these Regulations, the Authority shall be guided by the following principles –

- (a) legality, in that all actions shall be taken in accordance with the Act and applicable law;
- (b) procedural fairness, including the right of affected persons to be heard before adverse decisions are taken;

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- (c) proportionality, such that regulatory measures are appropriate, reasonable, and commensurate with the nature and gravity of the matter concerned;
- (d) consistency, to ensure that similar matters are treated in a similar manner across all regulated sectors;
- (e) transparency, in decision-making and communication, subject to confidentiality requirements under the Act;
- (f) accountability, in the exercise of regulatory powers;
- (g) efficiency, ensuring that complaints, investigations and determinations are handled within reasonable timeframes and using resources responsibly; and
- (h) accessibility, ensuring that all consumers, including vulnerable or special consumers, can readily access complaint-handling mechanisms and regulatory information.

6. Rights of Consumers

A consumer of a regulated public service has the right to –

- (a) receive accessible information on complaint procedures, service standards, disconnection procedures, remedies and available regulatory recourse;
- (b) receive regulated public services that meet prescribed quality, safety and service standards;
- (c) be treated in a fair, transparent and non-discriminatory manner by a licensee or public utility;
- (d) receive clear, accurate and timely information on tariffs, billing, terms and conditions, and service performance;
- (e) lodge a complaint and have that complaint considered in a fair, impartial and timely manner;
- (f) protection against unfair practices, abuse of market power or unlawful conduct by a licensee or public utility; and
- (g) obtain appropriate redress, remedial action or compensation where a contravention is established.

7. Right to Lodge Complaints

- (1) Any consumer or other affected person may lodge a complaint with the Authority in relation to –
 - (a) the provision or non-provision of a regulated public service;
 - (b) the quality, reliability, safety, pricing, or billing of a regulated public service; or
 - (c) an alleged contravention of the Act, these Regulations, any sector-specific regulation, licence condition, directive, or order of the Authority.

- (2) A complaint may be lodged directly with the Authority or in such other manner as the Authority may prescribe.

8. Obligations of Consumers

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A consumer shall—

- (a) use regulated public services in accordance with applicable laws, regulations, licence conditions and contractual terms;
- (b) refrain from illegal connections, tampering, or unauthorised interference with utility infrastructure or services;
- (c) provide accurate and complete information when lodging a complaint or engaging with the Authority;
- (d) cooperate with the Authority and any licensee or public utility in the resolution of complaints or investigations;
- (e) comply with lawful determinations or directives issued by the Authority under these Regulations; and
- (f) take reasonable steps to mitigate avoidable harm or risk to utility infrastructure;

but no consumer shall be denied access to the complaints-handling process solely on the basis of alleged non-compliance with this regulation.

9. Rights of Licensees and Public Utilities

A licensee or public utility has the right to—

- (a) fair, impartial and transparent treatment by the Authority;
- (b) reasonable notice of complaints, investigations or allegations made against it;
- (c) an opportunity to respond to complaints or allegations before adverse decisions are taken;
- (d) protection of confidential or commercially sensitive information, subject to the Act;
- (e) clear and predictable procedures in the handling of complaints, investigations and determinations; and
- (f) access to fair procedures, including the right to a hearing where required under these Regulations.

10. Obligations of Licensees and Public Utilities

A licensee or public utility shall—

- (a) provide regulated public services in compliance with the Act, these Regulations, sector-specific regulations, licence conditions, and directives of the Authority;
- (b) establish, maintain and publicise effective internal mechanisms for handling and resolving consumer complaints;
- (c) inform consumers of complaint-handling procedures and escalation pathways;
- (d) cooperate fully with the Authority in complaints handling, investigations, and enforcement processes;
- (e) provide information, documents, or access as lawfully required by the Authority;
- (f) refrain from conduct that undermines consumer protection, regulatory oversight, or public confidence; and

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- (g) not discourage, frustrate, delay or intimidate consumers in the exercise of their rights under these Regulations.

11. Protection against Retaliation

A licensee or public utility shall not suspend, terminate, degrade, or otherwise adversely affect a regulated public service solely on the ground that –

- (a) a consumer has lodged a complaint; or
- (b) a person has participated in proceedings under these Regulations.

12. Confidentiality and Protection of Parties

- (1) The Authority shall take reasonable measures to protect the confidentiality of consumers, licensees, public utilities, and other parties involved in complaints or investigations, subject to the requirements of the Act and due process.
- (2) Information obtained under these Regulations shall be disclosed only in accordance with the Act or as otherwise permitted by law.

PART III - COMPLAINTS HANDLING FRAMEWORK

13. Lodging of Complaints

- (1) A complaint under these Regulations shall be lodged in the form and manner prescribed by the Authority and shall comply, to the extent practicable, with the content requirements set out in Regulation 15.
- (2) A complaint may be lodged—
 - (a) directly by a consumer or other affected person;
 - (b) by a licensee or public utility; or
 - (c) by a duly authorised representative acting on behalf of a consumer or affected person.
- (3) The Authority may require that a complaint be submitted in writing, but may accept and record an oral complaint where the circumstances so require, including where literacy, disability or urgency considerations arise.

14. Internal Complaint Procedures

- (1) Unless the Authority otherwise directs, a complainant shall first lodge the complaint with the relevant licensee or public utility before referring the matter to the Authority.
- (2) A licensee or public utility shall acknowledge receipt of an internal complaint within five (5) working days and provide a substantive response within the period prescribed by the Authority.
- (3) The Authority may receive a complaint directly where the matter raises—

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- (a) urgency or risk of imminent harm;
- (b) public safety concerns;
- (c) systemic or widespread consumer harm; or
- (d) other exceptional circumstances.

(4) Nothing in these Regulations prevents the Authority from intervening at any stage where it considers it necessary in the public interest.

15. Contents of a Complaint

A complaint shall, as far as practicable, include the following information, and the Authority shall assist complainants who, due to literacy, disability or other limitations, are unable to provide written information –

- (a) the name and contact details of the complainant;
- (b) the identity of the licensee or public utility against whom the complaint is made;
- (c) a brief statement of the facts giving rise to the complaint;
- (d) the relief or remedy sought;
- (e) any supporting information or documents available to the complainant; and
- (f) the complainant's preferred method of communication, including telephone, SMS, email or postal address.

16. Service of Complaints on Respondents

- (1) Where a complaint is admissible, the Authority shall serve the complaint, or a summary of the complaint, on the respondent.
- (2) Service under sub-regulation (1) may be effected in such manner as the Authority may determine, including electronic or other prescribed means.
- (3) A respondent served with a complaint shall submit a response to the Authority within the period specified by the Authority.
- (4) Failure by a respondent to respond within the specified period shall not prevent the Authority from proceeding with the handling of the complaint.

17. Acknowledgement of Complaints

- (1) The Authority shall acknowledge receipt of a complaint within five (5) working days of receipt of a complaint or such period as it may prescribe.
- (2) An acknowledgement under sub-regulation (1) shall not constitute a determination on the merits of the complaint.

18. Timelines for Complaints Handling

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The Authority may prescribe standard timelines for the acknowledgement, assessment, referral, escalation, investigation and determination of complaints, and different timelines may be prescribed for different sectors or classes of complaint.

19. Preliminary Assessment of Complaints

- (1) Upon receipt of a complaint, the Authority shall conduct a preliminary assessment to determine whether the complaint—
 - (a) falls within the mandate of the Authority;
 - (b) is premature because the internal complaint process has not first been used, unless exceptional circumstances apply;
 - (c) is duplicative of a matter already determined by the Authority or otherwise pending before the Authority or another competent forum;
 - (d) is anonymous and incapable of investigation, unless it raises public-interest, safety, or systemic regulatory concerns;
 - (e) is frivolous, vexatious, abusive, or manifestly unfounded; and
 - (f) is otherwise properly admissible under these Regulations.
- (2) Anonymous complaints shall be considered where they raise credible allegations relating to public-interest, safety, systemic harm or regulatory compliance.
- (3) For the purposes of sub-regulation (1), the Authority may—
 - (a) request additional information from the complainant;
 - (b) refer the complaint to a licensee or public utility for initial resolution;
 - (c) reject or dismiss the complaint where it is outside the jurisdiction of the Authority or inadmissible under these Regulations; or
 - (d) take such other preliminary step as the Authority considers necessary for the fair and efficient handling of the complaint.

20. Referral of Complaints to Licensees or Public Utilities

- (1) Where the Authority considers it appropriate, it may refer a complaint to the relevant licensee or public utility for resolution in the first instance.
- (2) A licensee or public utility to whom a complaint is referred under sub-regulation (1) shall –
 - (a) investigate and respond to the complaint within the period specified by the Authority; and
 - (b) inform both the complainant and the Authority of the outcome.
- (3) The referral of a complaint under this regulation shall not preclude the Authority from subsequently taking further action under these Regulations.

21. Escalation of Complaints

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(1) Where –

- (a) a complaint referred to a licensee or public utility is not resolved to the satisfaction of the complainant; or
- (b) the licensee or public utility fails to respond within the period specified by the Authority,

the Authority may escalate the matter for further consideration in accordance with these Regulations.

(2) The Authority shall notify the complainant of any escalation and provide the respondent's position or lack thereof.

22. Consolidation of Complaints

The Authority may consolidate complaints raising similar issues of fact or law, where it considers that consolidation would promote efficiency, consistency, or effective resolution.

23. Records and Reporting

- (1) The Authority shall maintain records of complaints received, actions taken, and outcomes achieved under these Regulations.
- (2) The Authority shall maintain an electronic complaints management system capable of tracking complaint stages, deadlines and outcomes.
- (3) The Authority may publish aggregated or anonymised information on complaints and their resolution, subject to confidentiality requirements under the Act.

24. Investigation of Complaints

- (1) Where a complaint warrants further examination, the Authority may investigate the complaint in accordance with these Regulations.
- (2) An investigation may be referred to Part IV where it reveals potential breaches of licence conditions, regulatory requirements, safety standards or systemic consumer harm.
- (3) An investigation under this regulation may –
 - (a) be conducted as part of complaints handling; or
 - (b) be referred to Part IV where broader regulatory or enforcement issues arise.

25. Directives during Complaints Handling

- (1) For the purpose of facilitating the resolution of a complaint, the Authority may issue procedural or interim directives to a party.

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- (2) A directive issued under this regulation shall –
- (a) not constitute a final determination; and
 - (b) be limited to what is necessary to advance the handling of the complaint.

26. Withdrawal of Complaints

- (1) A complainant may withdraw a complaint by notice to the Authority.
- (2) The Authority shall notify the respondent of a withdrawal unless doing so would prejudice an ongoing investigation.
- (3) The withdrawal of a complaint shall not prevent the Authority from continuing to consider the matter where –
- (a) the complaint raises issues of regulatory concern; or
 - (b) continuation is necessary in the public interest.

27. Formal Hearing of Complaints

- (1) Where the Authority considers that a complaint cannot be resolved without a formal hearing, it may refer the matter for hearing under Part V.
- (2) A hearing under this regulation shall be conducted in accordance with the Formal Hearing Guidelines.

28. Fees and Costs Relating to Formal Hearings and Arbitration

- (1) Where a matter is referred for a formal hearing or arbitration under these Regulations, the parties to the proceedings shall be responsible for the payment of such administrative, procedural, and proceedings-related costs as may be determined by the Authority.
- (2) Costs under sub-regulation (1) may include –
- (a) costs associated with the administration and conduct of the hearing or arbitration;
 - (b) costs of experts, assessors, or panel members appointed by the Authority;
 - (c) transcription, recording, or documentation costs; and
 - (d) any other costs reasonably incurred in connection with the proceedings.
- (3) The Authority shall determine the manner in which costs are to be borne by the parties, having regard to –
- (a) the nature and complexity of the matter;
 - (b) the conduct of the parties; and
 - (c) the interests of fairness and consumer protection.

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- (4) The Authority may, where it considers it just and reasonable –
- (a) apportion costs between the parties;
 - (b) waive or reduce costs in whole or in part; or
 - (c) defer payment of costs.
- (5) The procedures relating to formal hearings and arbitration, including cost management, shall be governed by the Formal Hearing Guidelines issued by the Authority.

29. Alternative Dispute Resolution and Arbitration

- (1) The Authority may, where appropriate, facilitate or refer a complaint to alternative dispute resolution mechanisms, including mediation or arbitration.
- (2) Where mediation or ADR results in an agreement, the Authority may adopt the agreement as a binding directive or order.

30. Appeals from Complaint-Stage Determination

- (1) A party aggrieved by a determination made under these Regulations may appeal in accordance with the Act or any applicable written law.
- (2) An appeal shall not operate as a stay of a determination unless otherwise directed by the Authority or a competent body.

31. Appointment of Experts

- (1) The Authority may appoint one or more experts to assist in the consideration of a complaint.
- (2) An expert appointed under sub-regulation (1) shall act independently and in accordance with any terms specified by the Authority.

PART IV - INVESTIGATIONS

32. Power to Conduct Investigations

- (1) The Authority may conduct an investigation –
- (a) following the receipt, handling, or escalation of a complaint under Part III; or
 - (b) on its own initiative, where the Authority considers it necessary for the purpose of ensuring compliance with the Act, these Regulations, any sector-specific regulation, licence condition, directive, or order.
- (2) An investigation under these Regulations shall be conducted in accordance with section 39 of the Act and any applicable written law.

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33. Scope of Investigations

An investigation may relate to –

- (a) an alleged contravention of the Act, these Regulations, or any sector-specific regulation;
- (b) a breach of a licence condition, directive, or order of the Authority;
- (c) matters affecting consumer protection, service quality, safety, pricing, billing, or access;
- (d) systemic or widespread consumer harm arising from conduct or omissions of a licensee or public utility; or
- (e) any other matter within the regulatory mandate of the Authority.

34. Exercise of Investigative Powers

- (1) For the purposes of an investigation, the Authority may exercise the powers conferred under section 39 of the Act, including powers to –
 - (a) require the production of information, records, or documents;
 - (b) enter and inspect premises, equipment, or facilities in accordance with law;
 - (c) examine, copy, or extract records or data;
 - (d) require any person to provide information or explanations relevant to the investigation; and
 - (e) require access to electronic records, data systems, digital platforms or other technological systems used in the provision or management of regulated public services.
- (2) A person shall comply with a lawful requirement made under this Regulation within the timeframe specified by the Authority.

35. Appointment of Authorised Officers

- (1) The Authority may appoint one or more authorised officers to conduct or assist in an investigation under these Regulations.
- (2) An authorised officer exercising powers under these Regulations shall carry and, if requested, produce official identification issued by the Authority.

36. Cooperation during Investigations

- (1) A licensee, public utility, consumer, or any other person shall –
 - (a) cooperate fully with the Authority and authorised officers during an investigation;
 - (b) provide accurate, complete, and timely information as lawfully required; and
 - (c) refrain from obstructing, interfering with, or unduly delaying an investigation.
- (2) No person shall obstruct, hinder, threaten or improperly influence an authorised officer in the conduct of an investigation.

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37. Interim Directives during Investigations

- (1) Where the Authority considers it necessary to prevent serious harm to consumers, protect public safety, preserve evidence, or maintain the integrity of an investigation, it may issue interim directions pending the conclusion of an investigation.
- (2) An interim directive shall be issued in writing and may impose temporary conditions necessary to prevent harm or preserve evidence.
- (3) An interim direction under this regulation shall –
 - (a) be proportionate to the circumstances;
 - (b) be limited in scope and duration; and
 - (c) not constitute a final determination on the merits of the matter.

38. Notification of Investigations

- (1) Subject to sub-regulation (2), the Authority shall notify a licensee or public utility of the commencement of an investigation.
- (2) Where the Authority expands the scope of an investigation, it shall notify the licensee or public utility accordingly, unless such notification would –
 - (a) prejudice the investigation;
 - (b) risk the destruction or concealment of evidence; or
 - (c) pose a risk to public safety or the public interest.

39. Confidentiality during Investigations

- (1) The Authority shall take reasonable steps to protect the identity of complainants or whistleblowers, unless disclosure is required by law or necessary for due process.
- (2) Personal data obtained during an investigation shall be handled in accordance with applicable data protection laws.
- (3) Information obtained in the course of an investigation shall be treated as confidential, subject to –
 - (a) the requirements of the Act;
 - (b) the principles of procedural fairness; and
 - (c) any lawful requirement for disclosure.

40. Outcome of Investigations

- (1) Upon conclusion of an investigation, the Authority may –

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- (a) dismiss the matter where no contravention is established;
 - (b) resolve the matter through remedial or compliance measures;
 - (c) refer the matter for hearing, determination, or issuance of directions under Part V;
 - (d) initiate enforcement action in accordance with these Regulations and the Enforcement Regulations; or
 - (e) take any other action permitted under the Act.
- (2) The Authority shall communicate the outcome of an investigation in writing to the affected parties, including reasons for any action or decision taken.
- (3) The conclusion of an investigation shall not of itself constitute an enforcement measure unless and until the Authority proceeds in accordance with the applicable enforcement framework.

41. Relationship with Complaints, Hearings and Enforcement

- (1) An investigation under this Part may arise from, or run concurrently with, complaints handled under Part III.
- (2) Nothing in this Part shall prevent the Authority from –
- (a) referring a matter for a formal hearing under Part V; or
 - (b) continuing or initiating enforcement action in accordance with the Enforcement Regulations, where the circumstances so require.
- (3) An investigation may proceed notwithstanding the withdrawal of a complaint where the Authority considers it necessary to address systemic risk, safety concerns or potential non-compliance.

PART V - HEARINGS, DETERMINATIONS AND DIRECTIONS

42. Referral of Matters for Hearing or Determination

- (1) The Authority may refer a matter for hearing or determination where—
- (a) an investigation under Part IV indicates that a contravention may have occurred;
 - (b) a determination is required in the public interest; or
 - (c) the issues cannot be resolved through written submissions alone.
- (2) A matter may be determined —
- (a) following a hearing; or
 - (b) without a hearing, where the Authority is satisfied that a hearing is not required and the parties have been afforded an opportunity to be heard.

43. Notice of Hearing

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- (1) Where a matter is referred for a formal hearing, the Authority shall issue a notice of hearing to the parties.
- (2) A notice issued under sub-regulation (1) shall specify –
 - (a) the issues to be determined;
 - (b) the date, time, and place of the hearing;
 - (c) the procedure to be followed; and
 - (d) any other matter the Authority considers necessary.
- (3) A notice of hearing shall be provided at least ten (10) working days before the scheduled date, unless the Authority determines that a shorter period is necessary in the public interest.

44. Conduct of Hearings

- (1) The Authority may conduct hearings in person, virtually, or through hybrid means.
- (2) The standard of proof applicable to hearings under these Regulations is the balance of probabilities.
- (3) A hearing under these Regulations shall be conducted in accordance with –
 - (a) the principles of procedural fairness; and
 - (b) the Formal Hearing Guidelines issued by the Authority.
- (4) Without prejudice to sub-regulation (3), a party to a hearing has the right to –
 - (a) reasonable notice of the hearing;
 - (b) be informed of the issues to be determined;
 - (c) present evidence and make submissions; and
 - (d) be represented by a legal practitioner or any other person authorised by the Authority.

45. Evidence and Procedure

- (1) The Authority is not bound by strict rules of evidence and may receive such evidence as it considers relevant and reliable.
- (2) Parties shall have the right to present evidence, call witnesses, and make submissions.
- (3) The Authority may regulate its own procedure for the efficient and fair conduct of hearings.

46. Expert Evidence

- (1) The Authority may –
 - (a) receive expert evidence from a party; or
 - (b) appoint an independent expert or assessor to assist in the determination of a matter.

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- (2) An expert appointed under sub-regulation (1)(b) shall act independently and in accordance with any terms specified by the Authority.
- (3) An expert appointed under this Regulation shall disclose any actual or potential conflict of interest prior to accepting the appointment.

47. Determinations of the Authority

- (1) Upon consideration of a matter under these Regulations, the Authority may issue a determination.
- (2) A determination shall be issued within forty-five (45) working days of the close of the hearing or such longer period as the Authority may reasonably require.
- (3) A determination shall –
 - (a) be in writing;
 - (b) state the reasons for the decision; and
 - (c) be communicated to the parties.
- (4) A determination may include findings of fact, conclusions of law, and any directions or remedial measures considered appropriate.
- (5) The Authority may publish anonymised or redacted versions of determinations, subject to confidentiality requirements.

48. Settlement of Disputes

- (1) Where the parties reach a settlement in the course of a complaint, investigation, or hearing under these Regulations, the Authority may adopt the settlement as a binding directive, order, or determination.
- (2) A settlement recorded under this Regulation shall be enforceable in the same manner as a directive or order issued by the Authority.

49. Power to Issue Directions and Orders

- (1) Subject to the Act, the Authority may issue such directions or orders as it considers necessary or appropriate to –
 - (a) secure compliance with the Act, these Regulations, or any sector-specific regulation;
 - (b) remedy or prevent a contravention;
 - (c) protect consumers or the public interest; or
 - (d) give effect to a determination issued under these Regulations.
- (2) A direction or order may be time-bound and may contain such conditions as the Authority considers necessary to ensure compliance.

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- (3) A direction or order under sub-regulation (1) may require a person to –
- (a) take specified remedial action;
 - (b) cease or refrain from specified conduct;
 - (c) comply with licence conditions or regulatory requirements; or
 - (d) take such other action as the Authority may lawfully direct.

50. Timeframes and Compliance

- (1) A direction or order issued under these Regulations shall specify the timeframe for compliance.
- (2) Failure to comply with a direction or order within the specified timeframe constitutes a breach of these Regulations and may result in enforcement action under the Enforcement Regulations.

51. Interim Orders

- (1) The Authority may issue interim orders where it considers it necessary to—
- (a) prevent serious harm to consumers or the public;
 - (b) protect public safety; or
 - (c) preserve the effectiveness of a determination.
- (2) Interim orders may also be issued to preserve evidence or prevent systemic consumer harm.
- (3) An interim order shall—
- (a) be proportionate;
 - (b) be limited in duration; and
 - (c) not constitute a final determination.

52. Review or Variation of Directions and Orders

The Authority may, on its own initiative or upon application by a party, review, vary, or revoke a direction or order issued under these Regulations, where it considers it just and reasonable to do so.

53. Appeals from Hearing-Determination, Direction or Order

- (1) A party aggrieved by a determination, direction, or order made under this Part may appeal in accordance with the Act or any applicable written law.
- (2) An appeal shall not operate as a stay of a determination, direction, or order unless otherwise directed by the Authority or a competent body.

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- (3) An appeal shall be lodged within thirty (30) days of the date of the determination, direction or order, unless otherwise provided under applicable law.

54. Relationship with the Enforcement Framework

- (1) Where a determination, direction, or order issued under this Part is not complied with, the Authority may initiate enforcement action in accordance with Part X of these Regulations and the applicable Enforcement Regulations.
- (2) Nothing in this Part shall be construed as limiting or delaying the Authority's power to take enforcement action where non-compliance or regulatory breaches are established.

PART VI – CONSUMER PROTECTION MEASURES AND CROSS-SECTOR CONSUMER STANDARDS

55. Consumer Protection Mandate

- (1) The Authority shall promote and protect the interests of consumers of regulated public services in accordance with these Regulations, which constitute the primary cross-sector framework for consumer protection, complaints handling and investigations.
- (2) In performing its consumer protection mandate, the Authority shall have regard to –
- (a) fairness, transparency, and accountability;
 - (b) access to safe, reliable, and affordable services;
 - (c) the need to balance the interests of consumers, public utilities, and the public; and
 - (d) the requirement that sector-specific technical standards remain enforceable under their respective regulations.

56. Functions of the Authority in relation to Consumer Issues

The Authority shall –

- (a) receive, manage, and monitor consumer complaints;
- (b) facilitate early-stage resolution of complaints and liaise with licensees;
- (c) conduct consumer education and awareness activities;
- (d) monitor and evaluate compliance by licensees with consumer-protection obligations under these Regulations;
- (e) analyse consumer complaint trends to identify systemic or sector-wide issues; and
- (f) perform such other functions as may be assigned by the Act.

57. Consumer Liaison Officer

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- (1) The Authority may require a licensee or public utility to designate a Consumer Liaison Officer for the purposes of ensuring effective coordination of consumer-related matters under these Regulations.
- (2) A Consumer Liaison Officer shall—
 - (a) serve as the primary point of contact between the Authority and the licensee or public utility on consumer-related matters;
 - (b) coordinate the receipt, handling, and resolution of consumer complaints at an operational level;
 - (c) ensure timely and accurate communication with the Authority in relation to complaints, investigations, directives, and compliance matters;
 - (d) facilitate access to information, records, and personnel required by the Authority for the purposes of these Regulations; and
 - (e) perform such other functions as may be directed by the Authority.
- (3) A licensee or public utility shall ensure that the Consumer Liaison Officer—
 - (a) has adequate authority, resources, and access within the organisation to effectively perform the functions under these Regulations; and
 - (b) is able to respond to requests, directives, or communications from the Authority within the timeframes specified.
- (4) Failure by a licensee or public utility to—
 - (a) designate a Consumer Liaison Officer as required under this regulation;
 - (b) maintain an effective and responsive Consumer Liaison Officer; or
 - (c) comply with any requirement or directive relating to the functions of the Consumer Liaison Officer, constitutes a breach of these Regulations and may give rise to enforcement action under Part X and the applicable Enforcement Regulations.

58. Obligations of Licensees and Public Utilities in Consumer Engagement

A licensee or public utility shall –

- (a) establish and maintain effective mechanisms for engaging with consumers, including clear communication channels such as service centres, telephone lines, SMS, email, digital platforms, and online portals;
- (b) designate a consumer liaison or unit responsible for consumer-related matters;
- (c) publicise complaint-handling and internal escalation procedures;
- (d) provide timely responses to consumer inquiries and complaints referred by the Authority;
- (e) cooperate with the Authority in consumer education, outreach and complaint resolution; and
- (f) comply with any consumer-engagement requirements or directives issued by the Authority.

59. Interface between the Authority and Complaints Framework

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- (1) The Authority shall establish appropriate internal mechanisms to serve as the primary interface for receiving, screening, and managing complaints under Part III of these Regulations.
- (2) The Authority shall ensure that complaints are:
 - (a) assessed for completeness and admissibility; and
 - (b) referred to the appropriate unit or process for handling, investigation, or determination in accordance with these Regulations.
- (3) Without prejudice to Part III, the Authority may:
 - (a) facilitate early resolution of complaints where appropriate;
 - (b) monitor compliance by licensees and public utilities with complaint-handling obligations; and
 - (c) provide information and support to consumers throughout the complaints process.
- (4) Nothing in this regulation shall prevent a consumer from lodging a complaint directly with the Authority under Part III.

60. Consumer Information and Disclosure

A licensee or public utility shall –

- (a) provide consumers with clear, accurate and timely information on services, tariffs, billing, complaint procedures and consumer rights;
- (b) publish customer charters and service standards, where required by the Authority; and
- (c) ensure that all information provided to consumers is accessible, understandable and kept up-to-date.

61. Compliance with Sector-Specific Service Standards

- (1) A licensee or public utility shall comply with all sector-specific technical, operational, reliability, safety and quality-of-service standards applicable to the regulated service, including any standards prescribed under sector-specific regulations.
- (2) Any complaint relating to an alleged breach of such standards shall be handled in accordance with these Regulations.

62. Protection of Regulated Utility Infrastructure

- (1) A person shall not, without lawful authority—
 - (a) damage, vandalise, destroy, remove, obstruct or interfere with any infrastructure, equipment, network or asset used in the provision of a regulated public service; or
 - (b) carry out construction, excavation or other works in a manner that negligently, recklessly or unlawfully causes damage to such infrastructure.

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- (2) A person undertaking works that may reasonably be expected to affect regulated utility infrastructure shall take reasonable steps to—
- (a) identify the existence and location of such infrastructure; and
 - (b) coordinate with the affected licensee or public utility prior to commencing the works.
- (3) This regulation applies whether or not the person responsible for the damage is—
- (a) a consumer of the regulated public service;
 - (b) a licensee or public utility; or
 - (c) a third party, contractor, developer, road authority, or any other person.
- (4) Compliance with this regulation is without prejudice to any civil or criminal liability that may arise under any other written law.

63. Protection of Vulnerable or Special Consumers

- (1) In providing services, a licensee or public utility shall have due regard to the needs of vulnerable or special consumers, including elderly persons, persons with disabilities, low-income households, and essential service facilities.
- (2) The Authority may issue guidelines or directives prescribing additional protections for vulnerable consumers, including in relation to billing, disconnection, service continuity and communication accessibility.

64. Prohibition of Unfair Practices

A licensee or public utility shall not—

- (a) engage in unfair, misleading, or deceptive practices;
- (b) impose unjust or unreasonable conditions on consumers;
- (c) discriminate unfairly between consumers; or
- (d) make improper omissions, misrepresentations, or deceptive representations.

65. Consumer Redress and Remedies

- (1) Where a consumer suffers loss or detriment as a result of the conduct of a licensee or public utility, the Authority may –
- (a) require remedial action;
 - (b) direct restitution, credit or refund of charges;
 - (c) order service restoration;
 - (d) require compensation where permitted under the Act; or
 - (e) make such other orders as permitted under these Regulations.
- (2) Remedies under this regulation are without prejudice to enforcement action under Part X.

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66. Relationship with Complaints and Investigations

- (1) Consumer protection measures under this Part shall operate in conjunction with—
 - (a) complaints handling under Part III; and
 - (b) investigations under Part IV.
- (2) Nothing in this Part shall limit the right of a consumer to lodge a complaint or the powers of the Authority to investigate matters affecting consumers.

PART VII – CONSUMER PROTECTION IN RELATION TO RATES, TARIFFS AND FEES

67. Principles Governing Rates and Fees

In the regulation of rates and fees, the Authority and licensees or public utilities shall be guided by the following principles –

- (a) transparency, such that rates and fees are clearly disclosed and understood;
- (b) fairness and non-discrimination, ensuring equal treatment of similarly situated consumers;
- (c) cost-reflectivity, where applicable and justified;
- (d) affordability and consumer protection; and
- (e) predictability and regulatory certainty.

68. Transparency and Disclosure Obligations

A licensee or public utility shall –

- (a) disclose all approved rates and fees in a clear and accessible manner;
- (b) provide consumers with clear explanations of billing structures, charges, and applicable tariffs;
- (c) publish rates and fees in such form and manner as the Authority may prescribe; and
- (d) give reasonable prior notice to consumers of any proposed change to rates or fees.

69. Prohibition of Unjust, Unreasonable, or Discriminatory Pricing

A licensee or public utility shall not –

- (a) impose rates or fees that have not been approved by the Authority;
- (b) apply unjust, unreasonable, or arbitrary charges;
- (c) discriminate between consumers who are similarly situated;
- (d) impose hidden or misleading charges; or
- (e) apply rates or fees retrospectively without the approval of the Authority.

70. Approval and Review of Rates and Fees

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- (1) The Authority may require a licensee or public utility to submit rates, fees, or tariff proposals for approval.
- (2) The Authority may –
 - (a) approve, vary, suspend, or reject proposed rates or fees;
 - (b) require justification or supporting information; and
 - (c) review approved rates or fees where it considers it necessary in the public interest.

71. Consumer Consultation on Rates and Fees

- (1) Where the Authority considers that a proposed rate or fee change may materially affect consumers, it may require—
 - (a) public notice;
 - (b) consumer or stakeholder consultation; or
 - (c) a public hearing.
- (2) In determining rates and fees, the Authority shall have regard to consumer submissions received.

72. Transitional and Interim Rates

- (1) The Authority may approve interim or transitional rates or fees pending the completion of a full review.
- (2) Interim or transitional approvals shall be subject to such conditions as the Authority may impose.

PART VIII - BILLING AND PAYMENT

73. Guidelines on Refund of Customer Contributions and Submission of Information

- (1) The Authority may issue guidelines regulating the manner in which a public utility shall refund any contribution made by a customer or applicant towards the development or extension of a utility system.
- (2) A public utility shall submit such billing, payment, refund or related information as the Authority may reasonably require for regulatory or consumer-protection purposes, within the time specified by the Authority.

74. Connection of Service

- (1) A public utility shall provide an application form for a new service connection, which shall—
 - (a) be in English; and

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- (b) set out the terms and conditions upon which the service is to be supplied.
- (2) An applicant for a new service connection shall comply with the requirements prescribed by the public utility and applicable sector-specific technical or safety regulations.
- (3) Upon receipt of an application, a public utility shall provide an estimate of connection charges within the period prescribed by sector-specific regulations or directives of the Authority.
- (4) All service connections shall comply with applicable laws, technical standards and safety requirements.

75. Payment of Bills

- (1) A public utility shall establish accessible facilities throughout its service area for—
 - (a) payment of bills;
 - (b) inquiries and complaints; and
 - (c) other customer services.
- (2) A public utility shall make available multiple payment options, including electronic platforms where feasible.
- (3) A consumer shall, upon receipt of a bill, settle the undisputed amount by the due date indicated.
- (4) Where a cheque payment is dishonoured, the utility may recover any bank charges from the consumer and may withdraw the consumer's right to pay by cheque.

76. Payment by Instalment

- (1) A consumer and a public utility may agree on an instalment payment plan for an accumulated bill where —
 - (a) the utility failed to deliver a bill for a continuous period exceeding three months; or
 - (b) the utility undercharged the consumer.
- (2) Where a public utility and a consumer are unable to agree on an instalment plan, either party may refer the matter to the Authority for determination.

77. Disputed Bills

- (1) A public utility shall review and reconcile a bill which is disputed by a consumer.
- (2) The consumer shall pay any undisputed portion of the bill.
- (3) Where the entire bill is disputed, the consumer shall pay a reasonable amount agreed between the consumer and the utility until the dispute is resolved.
- (4) If the parties cannot agree on a reasonable amount, the Authority may determine the interim amount payable.
- (5) A utility shall not disconnect service for non-payment of a disputed amount while a dispute is under review, provided the consumer pays the undisputed or Authority-determined interim amount.
- (6) Where it is established after review that the bill is accurate, the consumer
 - (a) shall pay the bill; or
 - (b) may request an instalment payment plan in accordance with these Regulations.

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78. Undercharging of Consumption

- (1) Where a public utility undercharges a consumer, it shall notify the consumer in writing, explaining the cause of the undercharge and the amount recoverable.
- (2) Where a public utility decides to recover the shortfall, the public utility shall give the consumer the option to pay the shortfall by an instalment payment plan in accordance with regulation 76 (Payment by Instalment).
- (3) In recovering the shortfall, a public utility shall not charge interest on the amount due, except as provided under sub-regulation (6).
- (4) The duration of the instalment payment plan under sub-regulation (2) shall be equivalent to the period of the undercharge or a maximum period of twelve months, whichever is less.
- (5) A public utility which undercharges a consumer continuously for more than twelve months is entitled to recover the shortfall if the undercharging –
 - (a) was not due to the failure on the part of the public utility; or
 - (b) occurred due to the actions of the consumer.
- (6) Where a public utility establishes that a consumer is illegally using the service or has otherwise caused the public utility to undercharge the consumer, the public utility shall recover the shortfall and related penalties or interest as determined by the Authority.

79. Overcharging of Consumption

- (1) A public utility shall not overcharge a consumer.
- (2) Where overcharging occurs, the public utility shall—
 - (a) promptly correct the bill;
 - (b) credit or refund the full overcharged amount; and
 - (c) inform the consumer accordingly.
- (3) Refunds shall be issued using the same method of payment originally used by the consumer, unless otherwise agreed.
- (4) Where overcharging persists for three months or more, the consumer is entitled to interest on the overcharged amount at a rate approved by the Authority.

80. Vacation, Disposal, or Acquisition of Premises

- (1) A person who acquires or rents premises, shall check the status of the utility bills for the premises and immediately inform the public utility of any irregularities including the non-payment of previous bills.
- (2) A consumer who intends to vacate or dispose of premises shall –
 - (a) notify the public utility at least ten working days before vacating or disposing of the premises, for a final reading of the meter or disconnection of supply as appropriate; and
 - (b) provide an address to which the last bill of the consumer may be sent.

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- (3) The notice to be given under sub-regulation (2), shall be in writing, delivered to the public utility, and acknowledged by the public utility.
- (4) A consumer who fails to comply with sub-regulations (2) and (3) is liable to pay for the service supplied to the premises before vacation and during the period the premises remain vacant.
- (5) Where the consumer gives notice of less than ten working days, and the public utility is unable to read the meter or disconnect supply before the consumer vacates or disposes of the premises, the consumer is liable for payment for the service supplied to the premises up to the date of disconnection.
- (6) Where a public utility is duly notified by a consumer but fails to read the meter or disconnect supply within ten working days of the receipt of the notice, the consumer shall not be liable for payment of the service supplied to the premises after the consumer has vacated the premises.
- (7) Where the consumer fails to pay the amount on the last bill, after fourteen working days of receipt of the bill, the amount shall be transferred to the new or other account of the consumer with that public utility and the public utility shall be entitled to recover the amount as a debt.

81. Deposits

- (1) A public utility may request a cash deposit as a condition precedent to providing a service offered by the public utility.
- (2) The amount of the deposit shall be calculated using the estimated monthly consumption agreed on by the customer and the public utility as a guide.
- (3) A public utility may draw upon the deposit and offset the deposit against any outstanding bill that is not in dispute.
- (4) Where a deposit is drawn upon, the utility shall notify the consumer in writing within five (5) working days, stating the amount drawn and the reason.
- (5) Where the public utility does not draw upon the deposit for six months, the public utility shall refund the deposit with interest at the expiration of six months.
- (6) In respect of an industrial or commercial customer, the public utility may request a bank guarantee in addition to a deposit.
- (7) Where an industrial or commercial customer consistently pays the requisite bills over a period of six months, the public utility shall release the bank guarantee to the customer at the expiration of the sixth month.

82. Disconnection of Service

- (1) A public utility may disconnect service to a consumer where the consumer –
 - (a) requests the disconnection;
 - (b) fails to pay a bill for the service for more than fourteen days from the date of the demand for payment by the utility; or
 - (c) defaults on an agreed payment schedule for the service.

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- (2) A public utility that seeks to disconnect a service under paragraphs (b) and (c) of sub-regulation (1) shall give the consumer written notice of disconnection at least three working days before disconnecting the service.
- (3) The form of a notice issued under sub-regulation (2) to disconnect a service, shall be approved by the Authority.
- (4) A public utility may disconnect a consumer from the service mains of that public utility without notice where –
 - (a) the consumer tampers or interferes with utility equipment or a meter or permits another person to tamper or interfere with utility equipment or a meter;
 - (b) the consumer illegally connects the service or allows the service to be used in a manner that interferes with the supply of the service to others;
 - (c) the consumer uses a service which was legally connected in an unauthorised manner;
 - (d) the consumer refuses to allow an employee or agent of the public utility to read a meter or check utility equipment when the employee or agent of the public utility or agent has followed the procedures prescribed in the Customer Charter for obtaining access;
 - (e) a part of the apparatus or equipment connected with the supply to the premises of that consumer becomes defective or unsafe;
 - (f) the disconnection is necessary for maintenance or repair work; or
 - (g) the disconnection is necessary to remedy or address an emergency or safety issue.
- (5) A public utility shall not disconnect service where the consumer has lodged a complaint with the utility or the Authority in respect of a disputed bill, and has paid or continues to pay the undisputed or Authority-determined interim amount.

83. Time and Manner of Disconnection

- (1) Disconnection of electricity, water, or sewerage services shall occur only during hours approved by the Authority.
- (2) Disconnection shall not occur—
 - (a) on public holidays or their eves;
 - (b) where safety risks exist; or
 - (c) during declared emergencies.
- (3) Notification of planned interruptions shall be made using at least two communication channels, including SMS, radio, public notice, utility website or other appropriate means.

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84. Interruption of Service

- (1) A public utility may interrupt service for maintenance, repair, or safety reasons.
- (2) Planned interruptions shall, where practicable, be communicated to affected consumers at least three working days in advance.

85. Protection of Vulnerable Consumers

- (1) A public utility shall give special consideration to vulnerable consumers, including—
 - (a) elderly persons;
 - (b) persons with disabilities; and
 - (c) essential service facilities.
- (2) A public utility shall not unreasonably refuse to consider alternative payment or service continuity arrangements for such consumers.
- (3) The Authority may issue directives prescribing additional safeguards for vulnerable consumers, including modified payment or disconnection procedures.

86. Wrongful Disconnection

A disconnection is wrongful where it—

- (a) occurs in contravention of these Regulations; or
- (b) results from utility error or unjustified action.

87. Reconnection of Service

- (1) Where a public utility disconnects a service to a consumer for non-payment of bills, that public utility shall reconnect the service within twenty-four hours after the payment of –
 - (a) the full amount owed or the first instalment under an agreed instalment payment plan;
 - (b) the applicable reconnection charge, and where applicable, interest on the amount as approved by the Authority; and
 - (c) other lawful charges related to the service.
- (2) Where the service was disconnected due to a contravention of a provision of these Regulations by the consumer, the public utility concerned shall reconnect the service within twenty-four hours after the public utility receives appropriate evidence that the violation has been corrected.
- (3) A public utility shall maintain records of reconnection requests and timelines and shall submit such information to the Authority upon request.

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- (4) Where the service was disconnected for maintenance, repair work or safety reasons, the public utility shall reconnect the service in accordance with the applicable prescribed standards.

88. Order for Reconnection by the Authority

The Authority may order the reconnection of a service where it determines that—

- (a) disconnection was unlawful or unreasonable; or
- (b) reconnection is necessary in the public interest.

**PART IX - REPORTING, RECORDS AND OPERATIONAL
OBLIGATIONS**

89. Relationship with Sector-Specific Legislation

- (1) The obligations imposed under this Part are in addition to any reporting, record-keeping, or operational obligations imposed under—
- (a) the Act;
 - (b) sector-specific legislation;
 - (c) subsidiary legislation; or
 - (d) applicable licence conditions, codes or directives.
- (2) Where a provision of this Part imposes a higher or more protective standard in relation to consumer protection, transparency, or accountability, that standard shall apply to the extent permitted by the Act and any applicable written law.

90. Duty to Maintain Records

- (1) Every public utility shall maintain accurate, complete, and verifiable records relating to—
- (a) service provision and performance;
 - (b) consumer complaints and resolutions;
 - (c) billing, payments, and refunds;
 - (d) service interruptions, outages, and failures;
 - (e) compliance with directives of the Authority; and
 - (f) any other matter required by the Authority.
- (2) Records shall be maintained in a manner that enables inspection, audit, and verification by the Authority.

91. Submission of Information to the Authority

- (1) The Authority may require a public utility to submit such information, reports, or returns as may be necessary for the performance of its regulatory functions.

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- (2) A public utility shall comply with a request under sub-regulation (1) within the time specified by the Authority.
- (3) Failure to submit information as required constitutes a breach of these Regulations.

92. Retention and Form of Records

- (1) Records required under this Part shall be retained for a minimum period specified by the Authority.
- (2) Records may be kept in physical or electronic form, provided that they are—
 - (a) accessible;
 - (b) secure; and
 - (c) capable of being reproduced upon request.

93. Consumer Information and Disclosure Obligations

- (1) A public utility shall provide consumers with clear, accurate, and timely information relating to –
 - (a) tariffs, fees, and charges;
 - (b) terms and conditions of service;
 - (c) complaint handling procedures;
 - (d) consumer rights and obligations; and
 - (e) service standards and performance indicators.
- (2) A public utility shall ensure that all consumer information published under this Regulation is kept current and accessible.
- (3) Any licensee, public utility, or regulated person engaged in the dissemination of broadcast or broadcast-like content within the regulatory mandate of the Authority shall also disclose -
 - (a) content standards and moderation rules;
 - (b) procedures for lodging content-related complaints; and
 - (c) mechanisms for appeal or review.

94. Complaints and Consumer Interface Records

- (1) A public utility shall maintain a complaints register containing—
 - (a) the nature of each complaint;
 - (b) the date of receipt;
 - (c) actions taken;
 - (d) timelines for resolution; and
 - (e) the outcome.

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(2) Complaints registers shall be made available to the Authority upon request.

95. Investment and Infrastructure Plans

(1) A public utility shall submit investment or infrastructure development plans where required by—

- (a) sector-specific legislation;
- (b) licence conditions; or
- (c) a directive of the Authority.

(2) Investment plans may include—

- (a) capacity expansion;
- (b) rehabilitation and maintenance;
- (c) service improvement; and
- (d) sustainability measures.

(3) Investment plans shall be accompanied by justification or supporting documentation where required by the Authority.

96. Emergency Response, Safety and Continuity Plans

(1) A public utility shall prepare and maintain emergency response, safety, and continuity plans appropriate to its sector.

(2) Such plans shall address—

- (a) service disruptions and outages;
- (b) public health and safety risks;
- (c) environmental hazards;
- (d) data security and system resilience, where applicable.

(3) A public utility shall submit its emergency response, safety and continuity plans to the Authority upon request.

97. Periodic Regulatory Reporting

(1) A public utility shall submit periodic reports to the Authority in the manner and frequency specified by the Authority.

(2) The Authority may prescribe different reporting frequencies for different sectors or classes of public utilities.

(3) Reports may relate to –

- (a) service performance;
- (b) consumer protection indicators;
- (c) compliance with regulatory obligations;

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(d) incidents and remedial actions.

98. Standardisation of Reporting Formats

- (1) The Authority may issue guidelines or templates to standardise reporting across sectors.
- (2) A public utility shall comply with such guidelines or templates.

99. Inspection and Audit Powers

- (1) The Authority may inspect records, systems, and operations of a public utility for the purpose of verifying compliance with these Regulations.
- (2) Inspections may be conducted routinely or in response to complaints, investigations, or enforcement actions.

100. Verification and Corrective Directions

- (1) Where deficiencies are identified, the Authority may issue corrective directions requiring remedial action.
- (2) Failure to comply with a corrective direction constitutes a breach of these Regulations.

**PART X - ENFORCEMENT LINKAGE AND REGULATORY
ACTION**

101. Referral for Enforcement Action

- (1) Where, in the course of implementing these Regulations, the Authority determines that a public utility, licensee, or any other regulated person has—
 - (a) failed to comply with an obligation under these Regulations;
 - (b) obstructed or failed to cooperate with a complaints, investigation, or hearing process;
 - (c) failed to comply with a directive, interim measure, or determination issued under these Regulations; or
 - (d) engaged in conduct resulting in systemic or repeated consumer harm,

the Authority may refer such matter for enforcement action in accordance with the Enforcement Regulations, without limiting any additional powers conferred by the Act.

- (2) A referral under this Regulation may be made whether or not—
 - (a) the matter originated from a consumer complaint; or
 - (b) the matter arose from an investigation initiated by the Authority on its own motion.

102. Effect of Non-Compliance with Authority Orders

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(1) A failure by a public utility or service provider to comply with any of the following issued under these Regulations—

- (a) directives;
- (b) interim measures;
- (c) determinations;
- (d) orders relating to billing, payment, reconnection, refunds, or consumer protection,

constitutes grounds for enforcement action under the Enforcement Regulations.

(2) For the avoidance of doubt, non-compliance under sub-regulation (1) constitutes a contravention for the purposes of the Public Utilities Regulatory Authority (Enforcement) Regulations, 2026.

103. Applicable Enforcement Framework

(1) All enforcement action arising under this Part shall be carried out in accordance with—

- (a) the Act;
- (b) the Public Utilities Regulatory Authority (Enforcement) Regulations, 2026;
- (c) any applicable sector-specific written law; and
- (d) applicable licence conditions.

(2) Nothing in these Regulations shall be construed as expanding, limiting, or otherwise varying the enforcement powers conferred on the Authority under any written law.

104. Non-Duplication and Savings

- (1) These Regulations establish procedures, standards, and consumer protection obligations relating to complaints, investigations, hearings, and service delivery.
- (2) Enforcement measures, sanctions, penalties, and remedies arising from non-compliance shall be governed exclusively by the Enforcement Regulations.

PART XI – TRANSITIONAL, SAVINGS, SUPERSESION AND REPEAL

105. Transitional Application

- (1) These Regulations shall apply to all complaints, investigations, consumer protection matters, billing disputes and consumer utility engagements commenced on or after the coming into force of these Regulations.
- (2) Where, immediately before the coming into force of these Regulations, any complaint, investigation, inquiry or consumer protection process was pending before the Authority under any existing regulation, guideline, procedure or administrative instrument, that matter shall—

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- (a) continue to be dealt with under the provisions of these Regulations; or
 - (b) where the Authority considers it just and expedient, continue under the procedure in force at the time the matter was commenced.
- (3) The Authority may issue directions to ensure the smooth transition of pending matters into the framework established by these Regulations.

106. Supersession of Sector-Specific Complaint and Consumer Protection Provisions

- (1) These Regulations constitute the primary framework governing complaints handling, investigations, and consumer-protection matters across all regulated sectors.
- (2) Any sector-specific instrument containing provisions on complaints handling, consumer protection, investigations, billing disputes, or consumer-utility engagement shall, to the extent of any inconsistency, be read subject to these Regulations.
- (3) No sector-specific regulation or instrument shall be interpreted as establishing or permitting a parallel, conflicting or independent complaints, investigations or consumer protection regime outside the framework established under these Regulations.
- (4) This supersession does not apply to sector-specific technical, operational, engineering, safety, or service-quality standards.
- (5) Nothing in these Regulations shall be construed as preventing the Authority from issuing sector-specific technical standards or operational requirements, provided that such standards or requirements are consistent with and subordinate to these Regulations.

107. Preservation of Sector-Specific Technical Obligations

- (1) Nothing in these Regulations shall be construed as repealing or limiting—
 - (a) technical, operational or safety obligations imposed on public utilities under sector-specific legislation or licences; or
 - (b) reporting or compliance obligations that do not relate to complaints, investigations or consumer protection procedures.
- (2) Sector-specific obligations shall continue to apply insofar as they are consistent with these Regulations.
- (3) Sector-specific technical, operational, reliability, continuity, engineering, metering, safety and quality-of-service standards shall continue to be governed by the relevant sector-specific legislation or regulations, and complaints relating to such standards shall be handled under these Regulations.

108. Continuity of Acts, Decisions and Directions

- (1) Any act done, decision made, direction issued, notice served or guideline applied by the Authority in relation to complaints, investigations or consumer protection before the coming into force of these Regulations shall be deemed to have been validly done under these Regulations.

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- (2) Any complaint resolution, directive or interim measure issued prior to the commencement of these Regulations shall remain in force until varied, revoked or replaced under these Regulations.

109. Relationship with Enforcement Regulations

- (1) A failure by a public utility, service provider or consumer to comply with any lawful order, directive or requirement issued by the Authority under these Regulations shall constitute a contravention for the purposes of the Public Utilities Regulatory Authority (Enforcement) Regulations, 2026.
- (2) Enforcement measures, sanctions and penalties arising from non-compliance with these Regulations shall be applied in accordance with the Enforcement Regulations and any subsequent amendments thereto.

110. Power to Resolve Transitional Difficulties

Where any difficulty arises in the application or implementation of these Regulations during the transitional period, the Authority may issue such directions as are necessary to—

- (a) remove the difficulty;
- (b) ensure consistency of application; and
- (c) give full effect to the objectives of these Regulations.

111. Repeal and Savings

- (1) The following instruments are hereby repealed to the extent that they relate to complaints handling, investigations or consumer protection:
- (a) Procedure for Resolution of Complaints and Disputes before the Public Utilities Regulatory Authority;
 - (b) any customer dispute or complaint procedure issued administratively by the Authority; and
 - (c) any sector-specific regulation, guideline or instrument dealing with complaints, investigations or consumer protection that is inconsistent with these Regulations.
- (2) Notwithstanding sub-regulation (1), anything done under the repealed instruments shall be deemed to have been done under these Regulations.

MADE THIS DAY OF 2026.

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HON. SEEDY KEITA
MINISTER OF FINANCE AND ECONOMIC AFFAIRS

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