

THE ENERGY ACT

(No. 1 of 2019)

IN EXERCISE of the powers conferred by sections 10 (a) (iii), 93 and 208 of the Energy Act, 2019, the Cabinet Secretary for Energy makes the following Regulations: —

THE DRAFT ENERGY (SOLAR WATER HEATING) REGULATIONS, 2024

Part 1 – Preliminaries

Short Title	1. These regulations may be cited as the Energy (Solar Water Heating) Regulations, 2024.
Interpretation	2. In these regulations, unless the context otherwise requires: -
No 1 of 2019	“Act” means the Energy Act;
	"Authority" means the Energy and Petroleum Regulatory Authority established under section 9 of the Act;
No 43 of 2011	“Engineer” means a person registered under the Engineers Act as a Professional or Consulting Engineer and holds a valid license
Cap 496	“Kenya Standard” means a specification or code of practice declared by the National Standards Council under section 9 of the Standards Act;
	“Licensee” means the holder of a valid licence issued under these Regulations;
	“Person” means any natural or juridical person;
	“Premises” means existing, new or alterations and extensions to existing residential or commercial buildings or structures, including- <ul style="list-style-type: none"> (a) small domestic houses as defined in the Building Code; (b) all domestic dwellings or residential houses; (c) commercial buildings including hotels, lodges, clubs, restaurants, cafeterias, laundries, eating places and similar premises; (d) health institutions including hospitals, health centres and clinics and similar medical facilities; (e) educational institutions including universities, colleges, boarding schools and similar institutions;
	“Solar water heating system” means a device or system that uses sunlight to heat water and comprises of solar collector(s), storage tank(s), control(s), installation hardware and fitting(s);
	“Solar water heating system worker” or “worker” means a natural person licensed under these regulations to undertake solar water heating installation work;
	“Solar water heating system contractor” or “contractor” means an entity licensed under these regulations to undertake solar water heating installation work; and
	"Tribunal" means the Energy and Petroleum Tribunal established under section 25 of the Act.

	<p>“Warranty” means an assurance or guarantee given to the purchaser by a manufacturer or his agent stating that a product will perform as stated, is reliable and free from known defects and that the manufacturer shall, without charge, repair or replace defective parts within a given time limit and under certain conditions.</p>
Purpose of the Regulations.	<p>3. The purpose of the Regulations is to promote the use of solar water heating systems by enforcing standards in the solar water heating value chain.</p>
Application.	<p>4. These regulations shall apply to --</p> <p>(a) solar water heating system manufacturers, importers, vendors, contractors and workers; and,</p> <p>(b) developers, promoters, owners, Architects, Engineers and contractors engaged in the design or construction of premises.</p>
<p>PART II – LICENSING OF SOLAR WATER HEATING SYSTEM WORKERS</p>	
Licensing of Solar Water Heating System Workers.	<p>5. (1) A person shall not install, test, commission, maintain or repair a solar water heating system unless he is licensed as a worker by the Authority.</p> <p>(2) A person who intends to install, test, commission, maintain or repair a solar water heating system shall make an application to the Authority in accordance with regulation 11.</p> <p>(3) The Authority shall issue a licence under these Regulations where the applicant satisfies the qualifications, training and experience set out in the First Schedule.</p>
Classes of Solar Water Heating System Workers.	<p>6. The Authority may, on receipt of an application, grant the applicant one of the following classes of licences: -</p> <p>a.) Class SHW1 - which shall entitle the holder to install, test, commission, maintain and repair standalone/single unit solar water heating systems.</p> <p>b.) Class SHW2 - which shall entitle the holder to install, test, commission, maintain and repair single unit and centralized solar water heating systems.</p>

Authority to examine applicants.	<p>7. The Authority shall examine an applicant who has applied for a licence under regulation 5 in such a manner as it may determine and upon any matter or thing in connection with the application for the purpose of ascertaining the applicant’s qualification and suitability for grant of a particular class of licence.</p>
<p>Part III – LICENSING OF MANUFACTURERS, IMPORTERS, VENDORS, AND CONTRACTORS</p>	
Requirement of licensing of manufacturers, importers, vendors, and contractors.	<p>8. (1) A person shall not engage in the importation, manufacture, sale, installation, repair or maintenance of solar water heating systems or components unless licensed by the Authority. (2) A person who intends to import, manufacture, sell, install, repair or maintain a solar water heating system or solar water heating components shall make an application to the Authority in accordance with regulation 11.</p>
Classes of manufacturers, importers, vendors, and contractors’ licences	<p>9. (1) The Authority may, on receipt of an application under regulation 8, grant the applicant one of the following classes of licences —</p>
	<p>a) Class SHC1 which shall entitle the holder to —</p> <ul style="list-style-type: none"> i) import and sell solar water heating components. ii) install, test, commission, maintain and repair standalone/single unit solar water heating systems.
	<p>b) Class SHC2 which shall entitle the holder to —</p> <ul style="list-style-type: none"> i) import and sell solar water heating components. ii) install, test, commission, maintain and repair single unit or centralized solar water heating systems.
	<p>c) Class SHM which shall entitle the holder to manufacture and sell or import parts necessary for assembly and sale of solar water heating components and systems.</p> <p>(2) The holder of a —</p> <ul style="list-style-type: none"> (a) Class SHC1 licence shall be required to be, or to have in his employment, a holder of a Class SHW1 licence; (b) Class SHC2 licence shall be required to be, or to have in his employment, a holder of a Class SHW2 licence;
Insurance Cover	<p>10. A Licensee under these Regulations shall maintain an insurance cover for works undertaken</p>
<p>PART IV - GENERAL PROVISIONS REGARDING LICENCES</p>	
Application for licences.	<p>11. (1) An application for grant of a licence under these Regulations shall be made electronically or in any other manner that the Authority may, from time to time, determine and shall be accompanied by the</p>

	<p>documentation set out in the Second Schedule and proof of payment of the application fees set out in the Third Schedule.</p> <p>(2) A person who wishes to be licensed as a solar water heating worker or a contractor or manufacturer shall make an application using Form EPRA 001 or Form EPRA 002 (as applicable) set out in the Fourth Schedule.</p> <p>(3) The Authority shall process the application and communicate the outcome to the applicant in writing not later than —</p> <ul style="list-style-type: none"> (a) sixty (60) days from the date of receipt of a worker’s licence application or upgrade of a worker’s licence; and (b) thirty (30) days from the date of receipt of a licence application for a manufacturer, importer, vendor or contractor licence; and (c) thirty (30) days from the date of receipt of an application for the renewal of a licence under these Regulations. <p>(4) Where the applicant satisfies the requirements under these Regulations, the Authority shall issue the applicant with a licence as set out the Fifth Schedule.</p>
Validity of licence.	<p>12. A licence issued under these Regulations shall be valid for a maximum period of three years.</p>
Licence renewal.	<p>13. (1) An application for the renewal of a licence shall be made —</p> <ul style="list-style-type: none"> (a) at least thirty (30) days before the expiry of the licence; and (b) electronically or in any other manner that the Authority may, from time to time determine, using Form EPRA 001 or Form EPRA 002 set out in the Fourth Schedule. <p>(2) The application shall be accompanied with the documentation set out in the Second Schedule and proof of payment of the annual fees specified in the Third Schedule.</p> <p>(3) A holder of a worker’s licence who wishes to renew his or her licence shall be required to have obtained at least thirty credit points through continuing professional development as set in the Sixth Schedule.</p>

	<p>(4) A licensee who makes a licence renewal application after the expiry date shall pay the annual fees for the period for which the licence was not renewed</p> <p>(5) Sub regulation (4) shall not apply where the licensee has, before expiry of the licence, applied to the Authority in writing for deferment of the licence.</p> <p>(6)The Authority shall consider the application and accept or reject with reasons in writing within thirty days of receipt of the deferment application.</p>
Upgrade of licences.	<p>14. (1) A licensee who wishes to upgrade to a different class shall make an application to the Authority using Form EPRA 001 or Form EPRA 002 set out in the Fourth Schedule.</p> <p>(2) The Authority shall approve the upgrade of a worker’s licence if the worker has met the required academic, professional qualifications and job experience as set out in the First Schedule. The upgrade shall be done at least one year after the issuance of the current licence.</p> <p>(3) The Authority shall approve the upgrade of a contractor’s licence where the contractor demonstrates that he has in his employment, a licensed solar water heating worker relevant to the class of licence for which the upgrade is required.</p> <p>(4) The upgrade of a licence shall be subject to the licensee paying the licence fees for the class of licence applied for.</p>
Replacement of a licence.	<p>15. (1) Where a licensee demonstrates to the Authority that a licence issued under these Regulations has been defaced, destroyed or lost, the Authority may, on payment of the fees prescribed in the Third Schedule, issue a duplicate licence.</p> <p>(2) An application for replacement of a licence under sub regulation (1) shall be done using Form EPRA 001 or Form EPRA 002 set out in the Fourth Schedule, and shall be accompanied by the documentation specified in the Second Schedule.</p>
Replacement of a licence.	<p>16. (1) The Authority may suspend or revoke any licence issued under these Regulations where it is satisfied that a licensee has breached these Regulations or any conditions attached to the licence</p>

	<p>(2) The Authority shall give a notice of not less than thirty (30) days to the licensee requiring him or her to show cause as to why the licence should not be suspended or revoked.</p> <p>(3) A notice to show cause issued under sub regulation (2) shall set out the specific areas of non-compliance.</p>
<p>Part V - DESIGN, INSTALLATION, TESTING, COMMISSIONING, REPAIR AND MAINTENANCE OF SOLAR WATER HEATING SYSTEMS</p>	
Provision for solar water heating systems.	<p>17. (1) All new premises shall have in their design a provision for solar water heating system.</p> <p>(2) The County Government shall, in approving architectural and engineering designs, enforce compliance to sub regulation (1)</p>
Demand calculation and minimum hot water demand.	<p>18. (1) The Authority shall, within two (2) years of coming into force of these Regulations and in consultation with each County Government, define the minimum annual contribution of solar water heating systems to premises' hot water demand for the respective counties.</p> <p>(2) County Governments may enact legislation to enforce sub regulation (1)</p> <p>(3) The daily hot water demand shall be calculated using the specific hot water demand values specified in Part A of the Seventh Schedule.</p>
Responsibility for compliance.	<p>19. (1) A developer of a housing estate, a promoter of the construction, an owner of the premises or an Architect or an Engineer engaged in the design or construction of premises shall be responsible for compliance to Regulation 17 and Regulation 18.</p> <p>(2) A person who contravenes the provisions of this regulation commits an offence.</p>
Compliance with standards, technical, legal and regulatory requirements.	<p>20. (1) A manufacturer or importer of solar water heating systems and components, shall ensure that the products conform to the relevant Kenya Standards set out in the Seventh Schedule.</p> <p>(2) Selection of components for plumbing works in a solar water heating system shall be in accordance with the relevant Kenya Standards and the Building Code.</p> <p>(3) The design, installation, testing, commissioning, repair and maintenance of a solar water heating system shall be in accordance with the relevant Kenya Standards, the Building Code and all applicable health, safety, and environmental laws.</p>

	<p>(4) Solar water heating systems shall be installed in accordance with the solar water heating system installation guidelines set out in Part C of the Seventh Schedule.</p>
<p>System Design Declaration</p>	<p>21. (1) Prior to installation, a licensee shall be required to provide to the client a system design declaration together with the system drawing and calculations.</p> <p>(2) The system design declaration shall indicate —</p> <ul style="list-style-type: none"> a) An analysis of the user’s hot water requirements; b) The specifications of the proposed solar water heating system solution including the capacity, number and type of solar collectors to be installed; c) A priced bill of quantities for the installation including potential costs likely to be incurred during the installation; d) Layout of the area where the proposed installation is to be done; e) the time to be taken to undertake the proposed installation; and f) Any work that is required to be done by the system owner to prepare the site for the installation. <p>(3) Where a system owner purchases any individual solar water heating system or component, the licensee shall state it in the system design declaration.</p> <p>(4) A system design declaration must be signed by both the licensee and the system owner prior to the commencement of the installation work and a copy thereof retained by the system owner.</p>
<p>Warranty, Certificates and Documentation</p>	<p>22. A manufacturer, worker, or contractor shall provide a warranty to the customer for the components in the solar water heating system for the periods set out in Eighth Schedule.</p> <p>23. (1) A solar water heating system licensee shall upon completion of installation work issue the system owner with the following documentation:</p> <p>-</p> <ul style="list-style-type: none"> a) A Completion certificate b) A one-year warranty for the installation workmanship; c) Component warranties as set out in Regulation 22 d) The “as built” system design and drawings;

	<p>e) The manufacturer documentation and warranties for the solar water heating system or components thereon;</p> <p>f) User manuals with respect to the solar water heating system; and</p> <p>g) Instructions for the safe disposal of the solar water heating system and system components in accordance with the Environment Management and Co-ordination Act, 1999, a revised version of this law, and any regulations, rules or guidelines issued thereunder with respect to the disposal of electronic waste.</p> <p>(2) The completion certificate in sub regulation (1) shall indicate the date of installation, capacity of the solar water heating system, details of the installer and a declaration that the system owner has been trained on the safe use and maintenance of the solar water heating system.</p>
Part VI - Register of licensees and Provision of Data	
Authority to Maintain Register of Licensees	24. The Authority shall maintain and publish on its website a register of all licensees under these Regulations.
Provision of Data	25. (1) All Licensees under these Regulations shall continuously provide the Authority with information on the solar water heating systems installed during the licence period, specifying the location, capacity and type of system
	(2) The Authority shall, from time to time, prescribe the format and time durations in which the data required under this part shall be provided.
	(3) All Licensees under these Regulations shall maintain the records required under this part for a period of five years.
Part VII – Powers of Inspection and Penalties for Contravention	
Powers of Inspection	26. The Authority or its agent may carry out inspections, in relation to compliance with these Regulations, in accordance with Section 11 of the Act.
Compliance Orders	27. (1) An owner of a premise may apply to the Authority for a compliance certificate, where a solar water heating system has been installed in compliance with these Regulations.

	<p>(2) The Authority shall process the application in sub regulation (1) and communicate the outcome to the applicant in writing not later than sixty (60) days from the date of receipt. In the case where the application is rejected, the reason of rejection shall be communicated.</p> <p>(3) Where the Authority finds that any provisions of these Regulations have been contravened or that a condition has arisen which may lead to the contravention of these Regulations, the Authority may issue a compliance order compelling the person to comply with the Regulations.</p> <p>(4) An order issued under sub regulation (2) shall state: -</p> <ul style="list-style-type: none"> a) the specific provision(s) which has/have been or are likely to be contravened; b) the measures which should be taken to rectify the contravention; and c) the period within which the order shall be complied with. <p>(5) A person who does not comply with a notice issued under sub regulation (3) within the specified period commits an offence.</p>						
<p>Part VIII – Local Content Requirements</p>							
<p>Local Content Requirements</p>	<p>28. A licensee under these Regulations shall comply with the local content requirements in accordance with the provisions of section 206 of the Act.</p>						
<p>Part IX – Offences, Fines and Penalties</p>							
<p>Practising without a licence.</p>	<p>29. A person who, without a licence issued by the Authority undertakes the importation, manufacture, sale, testing, installation, commissioning, maintenance or repair of a solar water heating system; commits an offence and shall, upon conviction be liable to a fine not exceeding one hundred thousand shillings or to term of imprisonment not exceeding six months or both.</p>						
<p>Other Offenses and Fines</p>	<p>30. (1) A person who commits the offences set out in the First Column of this regulation, shall be liable to the penalties set out in the Second Column herein.</p> <table border="1" data-bbox="529 1482 1360 1726" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th data-bbox="529 1482 959 1551">First Column</th> <th data-bbox="959 1482 1360 1551">Second Column</th> </tr> <tr> <th data-bbox="529 1551 959 1621">Offence</th> <th data-bbox="959 1551 1360 1621">Penalty</th> </tr> </thead> <tbody> <tr> <td data-bbox="529 1621 959 1726">(a) Practicing without a license</td> <td data-bbox="959 1621 1360 1726">Kshs. 1,000 for every day the violation occurs.</td> </tr> </tbody> </table>	First Column	Second Column	Offence	Penalty	(a) Practicing without a license	Kshs. 1,000 for every day the violation occurs.
First Column	Second Column						
Offence	Penalty						
(a) Practicing without a license	Kshs. 1,000 for every day the violation occurs.						

		(b) Providing false data to the Authority	Penalty provided in section 210 of the Act.
		(c) Providing inaccurate or incomplete data to the Authority	Kshs. 5,000.00 per incident
		(d) Failing to submit data to the Authority in the manner required	Kshs. 5,000.00
		(e) Failing to provide the system owner with warranty	10% of the value of the solar water heating system or component.
		(f) Offering for sale solar water heating components that do not meet the relevant Kenya Standard	50% of the value of every component that does not meet the Kenya Standard.
		(g) Failing to provide a system owner with a system design declaration prior to commencing installation works.	Kshs. 20,000 per incident.
		(h) Failure to include provisions for solar water heating system	Kshs. 20,000 per incident
		(i) Failure to comply with Compliance Notices issued by the Authority	Kshs. 20,000 per incident
		(j) Preventing an officer or duly notified agent of the Authority during working hours, from entering into and inspecting any premises where a licensed activity taking place or suspected to be taking place.	Kshs. 50,000 for every day that the incident persists.

	(2) The fines or penalties in these Regulations are without prejudice to the Authority's right to suspend or revoke a licence.
	(3) Where a licensee has previously been penalised for an offence and commits another such offence, the fine payable shall be two times the amount provided for such an offence.
	(4) Where installation has taken place in violation of these regulations, the responsible licensee shall decommission the installation at their own cost and where the licensee fails to do so, the Authority may cause the system to be decommissioned at the cost of such licensee.
	(5) Payment of penalties or fines hereunder shall not absolve or indemnify a licensee from any obligations to compensate a system owner.
	(6) Any penalty which is not paid shall be a civil debt recoverable summarily.
Part X - Complaints, Disputes and Appeals	
Complaints and Disputes to be Referred to the Authority	31. Any complaints and/or disputes between a system owner and a licensee or between two or more licensees shall be referred to the Authority for resolution in accordance with the Energy (Complaints and Disputes Resolution) Regulations 2012.
Appeals	32. Any person aggrieved by a decision or order of the Authority may appeal to the Tribunal in accordance with section 24 of the Act.

FIRST SCHEDULE (r. 5(3), 14(2))

QUALIFICATIONS AND EXPERIENCE FOR LICENSING AS A SOLAR WATER HEATING WORKER

To be licensed as a solar water heating system worker, an applicant must have a minimum of any one of the following combinations of academic and professional qualifications, and job experience.

License Class	Education (Academic)	Professional (Job) Experience
SHW1	KCPE, Mechanical/Electrical Govt. trade test 2 and Basic SWH Training or	(1) Completion Certificates of at least two (2) solar water heating systems that the applicant has been involved in directly (2) Design documentation of at least two (2) solar water heating systems that the applicant has been involved in directly
	KCSE, Certificate in Mechanical/Electrical engineering and Basic SWH Training;	
SHW2	KCSE, Diploma in Electrical or Mechanical Engineering from a recognized institution and Advanced SWH Training; or	(1) Completion Certificates of at least three (3) solar water heating systems each with a capacity of not less than 500 liters that the applicant has been involved in directly (2) Design documentation of at least three (3) solar water heating systems each with a capacity of not less than 500 liters that the applicant has been involved in directly
	KCSE, Higher National diploma in Mechanical, Mechatronic or Electrical Engineering from a recognized institution. or	
	KCSE, Bachelor Degree in Mechanical, Mechatronic or Electrical Engineering or relevant degree from a recognized institution	

The Authority shall only recognize academic certificates approved by the relevant regulatory bodies in Kenya

SECOND SCHEDULE (r. 11(1), 13(2), 15(2))

DOCUMENTATION TO ACCOMPANY APPLICATIONS FOR LICENCES

A. NEW APPLICATIONS/UPGRADE

Worker Licence

1. Solar Water Heating Training certificate from an accredited institution.
2. Duly filled application form documenting all requirements.
3. Completion certificates of work done detailing the following:
 - a) Solar water heating system location
 - b) Date solar water heating system was completed
 - c) Solar water heating system information
 - d) Name, phone number and licence number of licenced solar water heating workers the Applicant worked under
 - e) Description of work performed by the applicant
4. Design documentation signed and stamped by the company they worked for (where applicable).

Contractor Licence

1. Duly filled application form documenting all requirements Certified copy of the certificate of incorporation or business registration certificate;
2. Certified copy of form CR 12 from registrar of companies or CR 13 from the Business Registration Service, that is not older than one (1) year from the date of issue;
3. Certified copies of identification documents (National IDs or Passports) for all the company's directors;
4. Certified copy of a valid Work Permit Class "G" for foreign directors working in Kenya or notarized declaration of non-residence for foreign directors not residing in Kenya;
5. Certified copy of a valid single business permit from the county government;
6. Copy of PIN Certificate;
7. Copy of a valid tax compliance certificate;
8. Proof of occupancy of the company's office; and,
9. Signed consent letter between the contractor and solar water heating worker attested by Commissioner for Oaths clearly indicating the engagement period, which period shall not be less than one (1) year.

B. RENEWAL

1. Certified copy of form CR 12 from registrar of companies or CR 13 from the Business Registration Service, that is not older than 12 calendar months from the date of issue;
2. Certified copies of identification documents (National IDs or Passports) for all the company's directors;

3. Certified copy of a valid work permit class "G" for foreign directors working in Kenya or notarized declaration of non-residence for foreign directors not residing in Kenya;
4. Certified copy of a valid single business permit from the county government;
5. Copy of PIN certificate;
6. Copy of a valid tax compliance certificate;
7. Proof of occupancy of the company's office;
8. Signed consent letter between the contractor and solar water heating worker attested by Commissioner for Oaths clearly indicating the engagement period, which period shall not be less than one (1) year;
9. Proof of accumulation of at least thirty credit points through Continuous Professional Development

C. Replacement of Licences

1. Duly filled application form documenting all requirements;
2. Police Abstract issued by the National Police Service indicating when and where the licence was lost or original copy of the defaced licence.

THIRD SCHEDULE (r. 11(1), 13(2), 15(1))

LICENSING FEES

1. The applicable fees for solar water heating system workers —

Class of licence	Application Fees (Kshs)	Annual Licence Fees (Kshs)	Replacement Fees (Kshs)
SHW1	500	1,000	500
SHW2	750	1,500	500

2. The applicable fees for solar water heating system contractors —

Class of licence	Application Fees (Kshs)	Annual Licence Fees (Kshs)	Replacement Fees (Kshs)
SHC1	2,000	1,500	1,000
SHC2	3,000	2,000	1,000
SHM	3,000	2,000	1,000

FOURTH SCHEDULE (r. 11(2), 13 (1), 14 (1), 15 (2))

APPLICATION FORMS

Form EPRA 001

APPLICATION FOR A SOLAR WATER HEATING WORKER LICENCE

The Director General
Energy and Petroleum Regulatory Authority
P.O. Box 42681- 00100, GPO
NAIROBI

I, hereby apply to be licensed as a Solar Water Heating worker in accordance with the Energy (Solar Water Heating) Regulations, 2023 for the following class* of licence-

- (a) **Class SHW1** which shall entitle the licence holder to install, test, commission, maintain and repair standalone/single unit solar water heating system
- (b) **Class SHW2** which shall entitle the licence holder to install, test, commission, maintain and repair centralized solar water heating system

**(Delete class that does not apply)*

I commit to carry out all solar water heating works in accordance with the Energy (Solar Water Heating) Regulations, 2023 and any Regulations and by-laws for the time being in force thereunder.

Purpose of Application: New Application Renewal Upgrade Replacement (Please tick (✓) as appropriate)

1. Name of applicant

.....

(Block capitals, surname first)

2. Income Tax Personal Identification Number:

3. Postal Address.....

4. Email Address:

5. Telephone number(s):

6. Date of Birth:

7. Nationality:

8. Name and address of present employer, if any

.....
.....
.....

9. Current job title.....

10. Academic qualifications:

a)

b)

11. Relevant professional qualification:

- a)
- b)
- c)

(Insert additional lines as appropriate)

12. Work experience (including apprenticeship (if any):

- a)
- b)
- c)

(Insert additional lines as appropriate)

13. Do you have any knowledge of Occupational Safety and Health Regulations: Yes No

14. Have you applied for a licence in the past? Yes No

a.) If yes and approved provide details of last licence;

- i. Licence No
- ii. Issued on
- iii. Issued by

b.) If yes and application rejected, give details

.....

.....

.....

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15. Has any previous licence been revoked under these regulations? Yes No

(If Yes, give details)

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.....

.....

.....

I declare that the particulars given by me are true and accurate. I understand that it is an offence to give false information in an application for a licence.

Date: Signature of Applicant:

REFEREES

(The following details to be completed by two independent referees who must have known the applicant's ability very well, preferably in the trade)

1st Referee

I declare that the particulars given by the applicant in this form are true and correct to the best of my knowledge.

Full Name:

(Block letters, surname first)

Occupation:

Postal address:

.....

Email address:

Telephone number(s):

Solar Water Heating Licence No. (If any).....

I have known the above person for years.

Position held at present.....

Date.....Signature of 1st referee.....

2nd referee

I declare that the particulars given by the applicant in this form are true and correct to the best of my knowledge.

Full Name:

(Block letters, surname first)

Occupation:

Postal address:

.....

Email Address:

Telephone number(s):

Solar Water Heating Licence No. (If any)

I have known the above person for years.

Position held at present.....

Date.....Signature of 2nd referee

Form EPRA 002

APPLICATION FOR A SOLAR WATER HEATING CONTRACTOR LICENCE

(A separate application form must be completed in respect of each separate business establishment)

The Director General
Energy and Petroleum Regulatory Authority
P.O. Box 42681, 00100 GPO
NAIROBI

I/We hereby apply to be licensed as a solar water heating contractor (delete as appropriate) in accordance with the Energy (Solar Water Heating) Regulations, 2023 for the following class* of licence-

- a) **SHC1** which shall entitle the licence holder to import, distribute, install, test, commission, maintain and repair standalone/single unit solar water heating system. The licensee shall be required to be, or to have in his employ a solar water heating worker.
- b) **SHC2** which shall entitle the licence holder to import, distribute, install, test, commission, maintain and repair centralized solar water heating system. The licensee shall be required to be, or to have in his employ a solar water heating worker.
- c) **SHM** which shall entitle the licensee to import parts necessary for the manufacture of solar water heating components, and to manufacture and sell solar water heating components and systems.

**(Delete classes that do not apply)*

I/ We commit to carry out all manufacture, importation, distribution, promotion, sale and installation work for solar water heating system undertaken by me/ ourselves in accordance with the Energy (Solar Water Heating) Regulations, 2023 and any rules and by-laws for the time being in force thereunder.

Purpose of Application: New Application Renewal Upgrade Replacement (Please tick (✓) as appropriate)

1. Name of applicant

.....
.....
.....

2. Details of applicant:

a) Income Tax Personal Identification Number:

b) Postal Address:

c) Email Address:

d) Telephone number(s):

e) LR/ Plot No.....Building Name.....

f) Street/:

g) Town/County:

3. Location of business premise(s)

- a)
- b)
- c).....

(Insert additional lines as appropriate)

4. Give full details of proprietors or partners owning business or directors/shareholders of the company, as applicable.

Name	Nationality
.....
.....
.....

(Insert additional lines as appropriate)

5. State if you are or any of your partners/directors is adjudged and/or declared bankrupt. (If so, indicate the names).

- a)
- b)
- c).....

(Insert additional lines as appropriate)

6. For new applications, certified copies of the following documents should be submitted with the application for a licence:

- a) If Kenyan, a copy of ID card, or if non-Kenyan, a copy of current work permit together with copies of pages 1 and 5 of the passport;
- b) Relevant entry permits(s) for non-citizens;
- c) Copy of Business name Registration Certificate or Certificate of Incorporation and Memorandum and Articles of Association in case of a company (whichever is applicable).
- d) Lease agreement or letter from landlord confirming tenancy.
- e) PIN and VAT certificates.
- f) Valid Tax compliance certificate
- g) Any other document that may be required by the Authority from time to time

7. Name and address of bank(s) or financial institution(s) where the business account(s) is/are maintained

- a)
- b)
- c).....

(Insert additional lines as appropriate)

8. List of licensed Solar water heating worker(s)

Full name

Licence No.

.....

.....

.....

(Insert additional lines as appropriate)

9. Previous solar water heating work experience

.....

.....

.....

(Insert additional lines as appropriate)

10. Have you applied for a licence in the past? Yes No

a.) If yes and approved provide details of last licence;

- i. Licence No
- ii. Issued on
- iii. Issued by

b.) If yes and application rejected, give details

.....

.....

.....

11. Has any previous licence been revoked under these regulations? Yes No

(If Yes, give details)

.....

.....

.....

DECLARATION

I/We hereby, declare that the information I/we have provided in the application is true and accurate. I/We understand that it is an offence to give false information in an application for a licence.

Signature of Applicant Date

Signature of Applicant Date

Signature of Applicant Date

REFEREES

(The following details to be completed by two different and independent referees, who would vouch your competence to operate as a contractor / vendor (delete as appropriate) if licensed, your technical ability having already been established. Persons who may not understand what is involved in running a business cannot be accepted as referees).

1st Referee

I certify that the information given in this form is true and correct to the best of my knowledge

Full name.....

(Block letters, surname first)

Occupation.....

Postal address.....

Email Address:

Telephone number(s):

Date..... Signature of 1st referee.....

2nd Referee

I certify that the information given in this form is true and correct to the best of my knowledge

Full name:

(Block letters, surname first)

Occupation.....

Postal address.....

Email Address:

Telephone number(s):

Date: Signature of 2nd referee

FIFTH SCHEDULE (r. 11(4))
FORM OF LICENCE

LICENCE

(SOLAR WATER HEATING CLASS (.....)
MANUFACTURER/CONTRACTOR):

License Number:

This is to Certify that
(NAME OF COMPANY)

of
Tel/Mobile:

P.O.Box Code Town

*Having duly complied with all the requirements of the above Regulations
is hereby registered as*

(Solar Water Heating Systems This (Day, date)
Manufacturer/Importer/Vendor
/Contractor)

**For the purpose of this licence, the Licensed Solar Water Heating System worker(s)
and the License No(s) is/ are (for contractor only)**

Solar Water Heating Worker Name	Licence Number

This License Expires on

Date

Signature

**Director General
Energy and Petroleum Regulatory Authority**

Terms & Conditions

GENERAL CONDITIONS

The license is valid for calendar years as provided on the licence issued.

1. Application for licence renewal shall be made at least thirty (30) days before the license expiry date.
2. The licensee shall not transfer or otherwise divest any rights, powers or obligations conferred or imposed on him by the license without permission from the Energy and Petroleum Regulatory Authority.
3. The licensee shall ensure replacement of the license if lost, defaced or destroyed. For a lost license, the licensee shall provide a police abstract.
4. The licensee shall provide the Authority with information on the solar water heating systems or components manufactured, imported, sold or installed in litres and/or square meters upon commissioning.
5. Upon withdrawal of the licensed solar water heating system worker from the licensed firm, the license shall remain valid for thirty (30) days a period within which the Authority will require the firm to provide an alternative solar water heating system worker.
6. The licensee shall notify the Energy and Petroleum Regulatory Authority in writing of any incident or accident in the course of their work immediately and in any case not more than 48 hours after the occurrence of such an accident or incident
7. The licensee shall not carry out any work unless the license is valid.

SPECIFIC CONDITIONS

1. The design, installation, repair and maintenance of a solar water heating systems shall be in accordance with the relevant Kenyan Standard.
2. Any solar water heating system design done by the licensee shall take into account the hot water needs and safety of the user, and ensure that these aspects are appropriately matched.
3. A system design declaration indicating the user's hot water needs and proposed design shall be prepared by the licensee for systems sold or installed and signed by both the licensee and the system owner.
4. The licensee shall issue an installation completion certificate as per the Regulations
5. A licensee shall issue a warranty to the customer for the components of the solar water heating system as provided for in the Regulations.
6. Contravention of the general and specific terms and conditions herein shall lead to license revocation and legal action

SIXTH SCHEDULE (r. 13(3))

CONTINUOUS PROFESSIONAL DEVELOPMENT

A. Licence renewal

The licensee shall accumulate a minimum of 10 credit points per year and thus, 30 points at the expiry of the licence as follows:

1. Attending relevant trainings or seminars or workshops; 0.2 credit points per contact hour
2. Giving relevant seminar or training or workshop as a resource person; 0.5 credit points per contact hour
3. Presenting a paper on a relevant topic at a conference or publishing a paper in a journal; each paper 2 credit points
4. Project credit points earned through experience gained from design, installation, testing and commissioning, operation and maintenance of solar water heating projects according to the class of licence as follows:

<i>Licence Class</i>	<i>Project credit points</i>	<i>Project</i>
SHW1	4	For each system installed
SHW2	4	For each system installed with at least one above 500 litres

The project credit points shall account for a minimum of 24 points.

SEVENTH SCHEDULE (r. 18(2), r.20(1), r.20(4))

PART A

HOT WATER DEMAND CALCULATIONS

<i>Type of Building Premises</i>	<i>Specific Daily Hot Water Demand(DHWD) in litres per day at 60 °C</i>
Domestic residential houses	30 per person
Educational institutions such as colleges and boarding schools	5 per student
Health institutions such as Hospitals, Health Centres, clinics and similar medical facilities	50 per bed
Hotels, Hostels, Lodges and similar premises providing boarding services	40 per bed
Restaurants, Cafeterias and similar eating places	5 per meal
Laundries	5 per kilo of clothes

i. Hot Water Demand calculations at other temperatures shall be adjusted for the 60 °C reference temperature. For the purposes of making the adjustment, the following equation shall be used:

$$D(T) = \frac{D(T60) * 45}{T - 15}$$

Where

D(T) is hot water demand in liters

D(T60) is the Specific Daily Hot Water Demand(DHWD) in litres per day at 60 °C for the various applications derived from the table above

T is the temperature at which hot water is required for the specific application

The equation assumes that the cold water temperature (inlet water temperature) is 15°C and a linear relationship of 45 ° C is the difference between 60 ° C and 15 ° C.

ii. For buildings with seasonal variations in hot water demand such as Hotels, Game Lodges and similar premises, the demand may be adjusted by an annual occupancy rate of factor of not less than 70%.

iii. In calculating the demand, it shall be assumed that the daily hot water demand is constant, throughout the year.

iv. In calculating demand for domestic residential houses, the number of persons shall be taken to be equal to the number of bedrooms X 1.5

v. In calculating the heat load of SWH system, heat losses in the hot water distribution system shall be taken into account.

PART B

INSTALLATION STANDARDS FOR SOLAR WATER HEATING SYSTEM

KS 1860:2009: Code of Practice – Solar Water Heating for Domestic Hot Water

KS ISO 21003-1:2008: Multilayer piping systems for hot and cold-water installations inside buildings Part 1: General

KS ISO 15874-2:2003: Plastics piping systems for hot and cold-water installations - Polypropylene (PP) - Part 2: Pipes

PART C

INSTALLATION GUIDELINES FOR SOLAR WATER HEATING SYSTEM

1. Stationary solar collectors shall be installed at an angle between 10° and 20 ° from horizontal plane and/or facing the equator:

Provided that the stationary solar collector area shall be increased by 10% for tilt angles of up to 30 ° and 20% for tilt angles of up to 40 ° for technical or aesthetic reasons and/or increased by 10% if the deviation from the direction of the equator is above 25 °.

2. A Solar collector shall be of the unglazed flat plate, glazed flat plate or evacuated tube collector technologies or any other type that meets the relevant Kenya Standards.
3. A glazed, evacuated tube collector or any other type that meets the Kenya Standards for collectors shall be used in all installations except in installations for heating swimming pools where unglazed collectors may be used.
4. The storage capacity of a solar water heating system shall not be less than one and a half times the daily hot water demand of the installation.
5. The hot water storage tanks shall be insulated.
6. All components selected for use in the installation of a solar water heating system shall be corrosion resistant.
7. Conventional back-up water heater systems that utilize traditional fuels, including electricity, gas, or similar fuels, may be separately installed in buildings or be integrated into the solar water heating system to ensure that there is an adequate supply of hot water at all times.
8. The back-up system shall be designed to supplement a solar water heating system by operating when absolutely necessary to supply the energy deficit from solar collectors due to reasons such as adverse weather conditions or a solar water heating system defect.

EIGHTH SCHEDULE (r.22)

**MINIMUM WARRANTY ON SOLAR WATER HEATING SYSTEM COMPONENTS
AND WORKMANSHIP**

Component	Warranty period
Controller/regulator	2 years
Collector	5 years
Storage tank	5 years
Workmanship	1 year