

The National Energy Efficiency and Conservation Bill, 2024



Federal Government of Nigeria

The National Energy Efficiency and Conservation Bill, 2024

EXPLANATORY MEMORANDUM

This National Energy Efficiency and Conservation Bill provides a framework for mainstreaming of Energy Efficiency and conservation actions, and to foster the uptake of energy efficiency and create an enabling environment for uptake of investments in energy efficiency. The Bill outlines a common framework for future policies and regulations related to energy efficiency in different sectors to be developed and approved in the future.

The Energy Efficiency and Conservation Bill, 2024

Arrangement of Sections

Part 1: OBJECTIVES AND APPLICATION

1. Objectives of the Bill
2. Applicability of the Bill
3. Participating Ministries, Departments and Agencies (MDAs) of Nigeria

PART 2: DESIGNATING ENERGY COMMISSION OF NIGERIA AS THE NODAL AGENCY FOR ENERGY EFFICIENCY AND CONSERVATION

4. Nodal Agency for the National Energy Efficiency and Conservation Bill
5. Responsibilities of the Nodal Agency
6. Administrative Instruments for the Nodal Agency to establish governance structures

PART 3: ROLE AND RESPONSIBILITIES OF THE NODAL AGENCY

7. Roles and responsibility to set national targets and reporting framework for energy efficiency
8. Coordination and Collaboration with relevant MDAs
9. Roles and responsibility to promote awareness and knowledge dissemination for energy efficiency
10. Roles and responsibility for Measurement, Reporting and Evaluation

PART 4: MECHANISM FOR LEADERSHIP, COORDINATION, AND IMPLEMENTATION

11. Establish National Energy Efficiency Committee (NEEC)
12. Role of National Energy Efficiency Committee
13. Engagement strategy of NEEC
14. Role of State Governments of Nigeria for Energy Efficiency
15. Roles of Energy Efficiency Focal Office at state level
16. Roles of state level departments of Energy Commission of Nigeria
17. Role of the Federal Ministry of Finance
18. Role of Standards organization of Nigeria
19. Role of Federal Ministry of Industry Trade and Investment
20. Role of Federal Ministry of Housing and Urban Development
21. Role of Federal Ministry of Works
22. Role of Federal Ministry of Environment
23. Role of National Council on Climate Change Secretariat
24. Role of Federal Ministry of Power
25. Role of Federal Ministry of Transportation
26. Role of Ministry of Petroleum Resources
27. Role of Federal Ministry of Agriculture and Food Security
28. Role of Federal Ministry of Water Resources & Sanitation

PART 5: FINANCIAL PROVISIONS

29. Budget for energy efficiency fund
30. Access to energy efficiency fund
31. Instruments to raise fund for energy efficiency
32. Application of energy efficiency fund
33. Role of Federal Ministry of Finance

PART 6: PENALTIES AND JURISDICTION

34. Applicability of Penalties
35. Penalties for the entities
36. Role of Courts in penalizing
37. Appellate Tribunal for Energy Efficiency and Conservation in Nigeria
38. Role of Court of Appeals

PART 7: DEFINITIONS

PART 8: ACRONYMS

The National Energy Efficiency and Conservation Bill, 2024

A Bill

to provide for the mainstreaming of energy efficiency and conservation, assign Energy Commission of Nigeria as the Nodal Agency, assign roles and responsibilities in the context of Energy Efficiency and Conservation; and for related matters

[] **Commencement**

ENACTED by the National Assembly of the Federal Republic of Nigeria –

PART 1: OBJECTIVES AND APPLICATION

1. This Bill provides a framework for achieving energy efficiency and conservation in the key demand sectors of the country by:
 - a) Providing a legal and institutional framework to increase energy efficiency and conservation measures in Nigeria.
 - b) Stimulating and promoting policy and regulatory measures for sector-specific interventions and programs on energy efficiency and conservation with a view to achieve the national targets and energy security.
 - c) Ensuring that energy efficiency and conservation policies and actions are integrated with other related policies for promoting socio-economic development and environmental integrity.
 - d) Ensuring development of comprehensive programs to achieve long-term energy efficiency and conservation goals in Nigeria.
 - e) Laying out measures, instruments, and mechanisms to remove barriers to adoption of energy efficiency and conservation in Nigeria.
 - f) Facilitating coordination among responsible authorities and agencies to achieve long-term energy efficiency and conservation goals in Nigeria.
 - g) Mainstreaming energy efficiency and conservation measures in line with national development priorities
 - h) Facilitating the mobilization of finance, and other resources necessary to ensure effective implementation of energy efficiency and conservation measures.
 - i) Facilitating implementation of measures that promote low carbon economy and sustainable livelihood.
 - j) Ensuring that private and public entities comply with energy efficiency and conservation strategies and targets.
 - k) Establishing a common framework of Monitoring and Evaluation metrics on energy efficiency and conservation to track progress in implementation.
 - l) Disseminating knowledge on energy efficiency and conservation and develop the necessary human capital capacities to enable individuals and institutions to identify, develop, and implement energy efficiency and conservation projects.
 - m) Ensuring energy access, with relevant MDAs, for all at appropriate costs and in a sustainable and environmentally friendly manner.
 - n) Ensuring the prudent exploitation of the nation's renewable and non-renewable energy sources.
 - o) Maximizing the benefits of energy efficiency to reduce the need for expanding generation capacity and meeting the country's energy demands sustainably.

2. This Bill applies to the relevant Ministries, Departments and Agencies (MDAs) of The Federal Government of Nigeria, and to public and private entities within the territorial boundaries of Nigeria for the development and implementation of mechanisms geared towards transforming energy consumption in Nigeria by adopting energy efficiency, thereby contributing to a strong, vibrant and competitive economy while fostering sustainable development. This bill shall abide by the constitution of Nigeria, and if inconsistent with the constitution, the constitution shall prevail.
3. The relevant MDAs for the National Energy Efficiency and Conservation Bill include the Federal ministries and agencies/ departments of Nigeria. The relevant MDAs as this Bill include, Federal Ministry of Finance, Federal Ministry of Industry, Trade and Investment, Federal Ministry of Housing and Urban Development, Federal Ministry of Environment, Federal Ministry of Power, Federal Ministry of Transportation, Federal Ministry of Works, Ministry of Petroleum Resources, The Federal Ministry of Innovation, Science and Technology, Federal Ministry of Water Resources and Sanitation and Federal Ministry of Agriculture and Food security, Standards Organization of Nigeria and National Council for Climate Change, Nigeria)

PART 2: DESIGNATING ENERGY COMMISSION OF NIGERIA AS THE NODAL AGENCY FOR ENERGY EFFICIENCY AND CONSERVATION

4. The Energy Commission of Nigeria is designated as the Nodal Agency, which shall be vested with powers to coordinate and facilitate decisions on all matters concerning energy efficiency and conservation in Nigeria.
5. The Nodal Agency shall – coordinate and collaborate with MDAs to facilitate issuance the following legislations, as appropriate, in the exercise of its responsibilities under the National Energy Efficiency and Conservation Bill:
 - a) Rules
 - b) Regulations and Sub-regulations
 - c) Policies
 - d) Guidelines
 - e) Circulars
6. The Nodal Agency shall coordinate and facilitate the establishment of governance structures required to implement the energy efficiency and conservation actions through an executive order or legislations, by the partner MDAs. The Nodal Agency shall facilitate the same through the following:
 - a) Establishment of Expert Committees for Energy Efficiency and Conservation Matters: The Nodal Agency shall delegate its authority to expert committees for matters of significant importance relating to energy efficiency and conservation. Subordinate legislation shall outline the composition, tenure, qualifications of members and chairperson, procedural guidelines, and frequency of meetings for such committees. These committees shall advise the Nodal Agency on issues concerning energy efficiency and conservation, ensuring expertise and transparency in decision-making processes.
 - b) Implementation of Reward/Penalty Mechanisms: Through official regulations and notification, the Nodal Agency shall collaborate and facilitate setting up of mechanisms to incentivize or penalize individuals or entities in various sectors for non-compliance with regulations outlined in the Bill. Detailed provisions regarding the administration of penalties, the quantum of such penalties, and the appeal process against penalties shall be detailed in the respective regulations and notifications.
 - c) Regulatory Sandbox for Energy Efficiency Innovations: The Nodal Agency may establish regulatory sandbox frameworks to facilitate the testing of innovative energy efficiency products, services, and business models. These innovations shall be selected for trials to be conducted for a specified duration at a small scale with explicit learning objectives to test the viability of the models or solutions proposed.
 - d) Promotion of Green Public Procurement: The Nodal Agency may collaborate with respective MDAs to issue executive orders to mandate green public procurement practices across various sectors.

These mandates shall consider the impact on competition, government transaction costs, and innovation. Sector-specific guidelines for green procurement shall be developed to promote sustainable practices and reduce environmental impact in government procurement processes.

- e) **Mandatory Independent Verification for Energy Service Performance Contracts (ESPCs):** The Nodal Agency shall liaise with the sectoral regulator on independent verification for Energy Service Performance contracts. A roster of accredited verification agencies shall be maintained by the Nodal Agency, from which parties may select for verification purposes. While the costs of verification shall be borne by the contracting parties, the Nodal Agency may provide partial financial assistance on a case-by-case basis, ensuring the integrity and credibility of ESPC arrangements.
- f) **Monitoring and Evaluation (M&E) of Policies and Programs:** The Nodal Agency shall carry out the M&E of the policies and programs in energy efficiency as an Independent Agency. The MDAs shall facilitate M&E of policies and programs in their respective sectors, as applicable in line with the provisions of the bill by collecting data on EE&C indicators. They shall provide annual reports to Nodal Agency on the performance of programs and activities relevant to the NEE&C bill implementation as outlined in Part 4. The Nodal Agency shall coordinate and collaborate with the MDAs for collecting the specific EE&C data needed for M&E purposes.
- g) **Certification Program for Energy Auditors and Managers:** Ensuring the certification and accreditation of energy auditors and energy efficiency practitioners to create a self-sustaining ecosystem of energy efficiency in Nigeria. Creating curriculum for energy managers and auditors for practicing effective energy efficiency and conservation practices in Nigeria.

PART 3: ROLE AND RESPONSIBILITIES OF THE NODAL AGENCY

- 7. The Nodal Agency shall collaborate with relevant MDAs and facilitate setting up the national targets, action plans, reporting framework and other relevant interventions for energy efficiency and conservation covering the following:
 - a) Set the national energy efficiency and conservation targets and sector specific targets for energy efficiency and conservation.
 - b) Prepare a detailed action plan to achieve the national targets for energy efficiency and conservation through sector specific policies, regulations and framework with timelines. This shall also include roles and responsibilities of implementing and partner MDAs¹.
 - c) Prepare M&E plan to track the energy efficiency and conservation progress in collaboration with MDAs.
 - d) Collaborate and coordinate to oversee the implementation of the policies, regulations and framework related to energy efficiency and conservation.
 - e) Conduct comprehensive energy end-use analysis in various sectors of the economy.
 - f) Promote education, information, and public awareness campaigns on energy efficiency and conservation best practices.
 - g) Advice and recommend on technical, scientific, and legal matters relating to energy efficiency and conservation.
 - h) Coordinate the implementation of energy efficiency and conservation measures to meet the sectoral targets.
 - i) Prepare annual reports detailing the progress, budget and impact of these policies, regulations, and framework.

¹ Partner MDA's are outlined under PART 1 Section 2

8. The Nodal Agency can collaborate and coordinate with relevant MDAs in ensuring activities, in the area of energy efficiency and conservation, are taken up as per roles of MDAs assigned in PART 4 of the NEE&C Bill.
9. The Nodal Agency shall coordinate and collaborate with relevant MDAs for, knowledge dissemination and spreading awareness for energy efficiency and conservation through:
 - a) Undertake all measures necessary to create awareness and disseminate information on energy conservation.
 - b) Prepare and promote certification and training program to support implementation of energy efficiency and conservation measures governed under this Bill.
 - c) Arrange and organize training of personnel and specialists for efficient use of energy and its conservation.
 - d) Promote research and development in the field of energy efficiency and conservation.
 - e) Prepare educational curriculum on efficient use of energy and its conservation for educational institutions, boards, universities or autonomous bodies and coordinate with them for inclusion of such curriculum in their syllabus.
10. To monitor the implementation of EE&C Policies, Activities, and Programs as outlined in the EE&C bill, the Nodal Agency as an independent agency shall:
 - h) Establish processes for monitoring compliance against the regulations and policies governed under this Bill.
 - i) Prepare a monitoring handbook to specify target indicators and stakeholders involved in monitoring activities.
 - j) Prepare a Monitoring and Evaluation (M&E) plan and budget to specify the policy's actions, responsible Partner MDAs, capacity-building requirements, and the financial resources needed for the monitoring activities.

PART 4: MECHANISM FOR LEADERSHIP, COORDINATION, AND ENFORCEMENT

11. The Federal Government of Nigeria shall establish a national committee under the leadership of the Nodal Agency which is called the 'National Energy Efficiency Committee (NEEC)', with representation from 'Partner MDAs of Federal Ministry of Finance, Federal Ministry of Industry, Trade and Investment, Federal Ministry of Housing and Urban Development, Federal Ministry of Environment, Federal Ministry of Power, Federal Ministry of Transportation, Federal Ministry of Works, Federal Ministry of Petroleum Resources, The Federal Ministry of Innovation, Science and Technology, Federal Ministry of Water Resources and Sanitation and Federal Ministry of Agriculture and Food security, Standards Organization of Nigeria and National Council for Climate Change, Nigeria
12. The NEEC shall act as a governing body to coordinate the implementation of energy efficiency and conservation activities in all sectors and has a secretariat.
 - a) The Nodal Agency shall coordinate with the NEEC to facilitate enforcement of sectoral energy efficiency and conservation legislations as well as relevant EE&C activities and programs through the responsible ministries and agencies in Nigeria.
 - b) Sectoral sub-committees shall be established by the partner MDAs in charge of the respective sectors (Federal Ministry of Finance, Federal Ministry of Industry, Trade and Investment, Federal Ministry of Housing and Urban Development, Federal Ministry of Environment, Federal Ministry of Power, Federal Ministry of Transportation, Federal Ministry of Works, Ministry of Petroleum Resources, The Federal Ministry of Innovation, Science and Technology, Federal Ministry of Water Resources and Sanitation and Federal Ministry of agriculture and food security, Standards Organization of Nigeria and National Council for Climate Change, Nigeria) to support NEEC to fulfill its mandate.
 - c) The governance framework provides a full mandate to the Energy Commission of Nigeria to function and fulfil its responsibilities as a 'Nodal Agency' of the Bill.
13. The Nodal Agency shall, not later than six months to the end of every year, publish its NEEC's engagement strategy for the following year. The engagement strategy shall set out the modalities to be adopted towards achieving the objectives under this Bill, such as
 - a) informing and updating the NEEC about the Action Plans and Tasks of the NEEC
 - b) identifying actions and encouraging the MDAs in NEEC to contribute to the achievement of the objectives of the Action Plan and this Bill.
14. The State Governments of Nigeria shall –
 - a) Nominate at least one Focal Office to coordinate energy efficiency and conservation activities at the state level.
 - b) Originate and develop energy efficiency and conservation projects.
15. At the state level, Energy Efficiency Focal Office shall -
 - a) Build the capacities of the sub-national departments of partner MDAs in areas related to energy efficiency and conservation, including residential and commercial buildings, industries, public services, and transport.
 - b) Liaise on behalf of the State Government with other government institutions and private sector organizations on matters related to the origination, development, and implementation of energy efficiency and conservation projects.
16. State level departments of Energy Commission of Nigeria shall -
 - a) Conduct due diligence on energy efficiency and conservation projects taking place in the respective state.

- b) Collaborate with state departments of partner MDAs to track sub-sector energy consumption data in the respective states.
- c) Collaborate with partner MDAs at the state level to identify designated energy consumers.
- d) Annually monitor energy consumption of designated energy consumers to ensure compliance with established energy performance standards.
- e) In collaboration with provincial departments, collect relevant data for national energy statistics to be reported to the Nodal Agency.
- f) Support state departments of partner MDAs in delivering trainings on energy efficiency.
- g) Encourage energy users to save energy by organizing campaigns and awareness workshops at the state level.

17. As a partner ministry, the Federal Ministry of Finance shall -

- a) Establish a fund for energy efficiency and conservation in Nigeria, for promotion and uptake of activities related to energy efficiency and conservation
- b) Advise MDAs on aspects related to usage and management of the energy efficiency and conservation fund
- c) In consultation with the Nodal Agency and Partner MDAs, design financial and fiscal instruments to encourage the uptake of energy efficiency.
- d) Advise and work with the Central Bank of Nigeria to determine appropriate mechanisms for implementation in the banking sector and promote green credit schemes to support energy efficiency projects and activities.
- e) Take a leading role in the formulation of guidelines and procedures for 'greening' the public procurement system with the inclusion of provisions for more energy-efficient equipment.
- f) Collaborate to provide statistical data on the import of electrical equipment to the Nodal Agency to monitor and evaluate energy efficiency. The format and data of import statistics should be set out in separate regulations.

18. As a partner agency, the Standard Organization of Nigeria shall -

- a) Establish norms for processes and energy consumption standards.
- b) Issue and promote policies and standards to ensure energy efficiency and conservation across all sectors.
- c) Promote the utilization of energy efficient technologies across various sectors.
- d) Promote, in collaboration with other relevant agencies, the development of appropriate local capacity for the manufacture, installation and use of energy efficient technologies and equipment.
- e) Enforce and Develop Standards & Labelling (S&L) program with the introduction of regulation for 'Minimum Energy Performance Standards (MEPS) for energy consuming industrial, household and commercial appliances and equipment.
- f) Establish regulations for the repair and maintenance of vehicles to ensure energy efficiency and compliance with environmental standards.
- g) Develop and promote policies to reduce or replace vehicles using fossil fuels with vehicles using clean energy alternatives such as electricity and alternative fuels.
- h) Establish and enforce national standards to improve the fuel efficiency of vehicles.

- i) Develop and enforce Standards & Labelling (S&L) program with the introduction of regulation for 'Minimum Energy Performance Standards (MEPS) for electrical vehicles and EV charging equipment.
- j) Collect data on energy efficiency for indicators specific to their areas of responsibility, and report them to the Nodal Agency for M&E purposes.

19. As a partner ministry, the Federal Ministry of Industry Trade and Investment shall -

- a) Develop and enforce an energy management program through subordinate legislation, which shall form the basis to identify opportunities for energy efficiency upgrades through retrofits, the adoption of new technologies and other approaches.
- b) Identify and categorize energy consumers based on the level of their energy consumption, into two categories: 'Designated Energy consumers (DECs) and Non-Designated energy consumers' based on thresholds for energy consumption in industrial sectors.
- c) Develop and enforce regulations for compliance of DECs with mandatory provisions of the energy management program.
- d) Establish and enforce a mechanism, in coordination with the NEEC, to conduct regular energy audits for the designated energy consumers in the industrial sector.
- e) Develop and enforce policies that facilitate the transfer of energy-efficient technologies in the industrial sector.
- f) Develop regulations to specify the qualifications and certification procedures through which a person may be accredited as an energy auditor/energy manager and the procedure for such accreditation.
- g) Foster public-private finance of energy efficiency upgrades in industry through risk-sharing or loan guarantees with private financial institutions and enabling the market for energy performance contracting
- h) Raise awareness and building capacity for promotion of energy efficiency in industries
- i) Develop and enforce the Sectoral Energy Efficiency and Conservation Action Plan for the industrial sector in line with the provisions of the Bill.
- j) Collect data on energy efficiency for indicators specific to their areas of responsibility, and report them to the Nodal Agency for M&E purposes.

20. As a partner ministry, the Federal Ministry of Housing and Urban Development shall -

- a) Develop and enforce regulation to introduce Buildings Energy Codes to regulate the design and operational aspects of buildings with the aim of enhancing building energy performance through prescriptive and/or mandatory requirements applicable to new and existing buildings.
- b) Develop and enforce guidelines for green buildings, including a certification and rating mechanism.
- c) Develop and enforce framework mandating energy management practices and energy audits for high energy-consuming buildings including guidelines and protocols for conducting energy audits.
- d) Raise awareness and building capacity for promotion of energy efficiency in residential and building sector
- e) Identify and categorize energy consumers based on the level of their energy consumption, into two categories: 'Designated Energy consumers (DECs) and Non-Designated energy consumers' based on thresholds for energy consumption in household and building sectors.
- f) Establish and enforce a mechanism, in coordination with the NEEC, to conduct regular energy audits for the designated energy consumers in the buildings sector.
- g) Develop and enforce policy framework for green public procurement guidelines for public sector.

- h) Develop and enforce a National Lighting Code for Nigeria
- i) Develop and enforce guidelines to retrofit conventional lamps with high-efficiency LED lamps, expansion of coverage of street lighting to new areas, and modernization of control systems for public lighting using smart controls.
- j) Develop and enforce guidelines for the O&M of smart and energy-efficient public lighting.
- k) Train local government staff and operation and maintenance companies to manage smart lighting systems.
- l) Develop and enforce the Sectoral Energy Efficiency and Conservation Action Plan for the building and residential sector in line with the provisions of the Bill.
- m) Collect data on energy efficiency for indicators specific to their areas of responsibility, and report them to the Nodal Agency for M&E purposes.

21. As a partner ministry, the Federal Ministry of Works shall –

- a) Develop and enforce guidelines to retrofit conventional water supply facilities and municipal wastewater pumping stations with energy-efficient technologies, such as low-energy consumption pumps and motors.
- b) Develop and enforce guidelines for the operation and maintenance focusing on energy-efficient practices and technologies.
- c) Develop and enforce the Sectoral Energy Efficiency and Conservation Action Plan for the Public Works sector in line with the provisions of the Bill.
- d) Collect data on energy efficiency for indicators specific to their areas of responsibility, and report them to the Nodal Agency for M&E purposes.

22. As a partner ministry, the Federal Ministry of Environment shall -

- a) Work with the Nodal Agency and the Partner MDAs to ensure alignment between State Energy Efficiency Plans and Strategies and their corresponding climate change action plans.
- b) Raise awareness on energy efficiency as part of environmental education programs in Nigeria.

23. As a partner ministry, the National Council on Climate Change Secretariat shall –

- a) Work with the Nodal Agency and other Partner MDAs to duly reflect the accounting of emission savings from energy efficiency projects in the National Greenhouse Gas Inventory.
- b) Report progress made on energy efficiency in Nigeria to the UNFCCC as part of commitments made in the NDC.
- c) Support access to funding from international climate funds and environmental funds for energy efficiency and conservation projects.

24. As a partner ministry, the Federal Ministry of Power shall -

- a) Explore and facilitate opportunities for new business models centered on the potential of energy efficiency through demand-side management.
- b) Support the Nodal Agency and Partner MDAs in identifying designated energy consumers (DECs) by tracking and reporting electricity consumption data of consumers on a sector and sub-sector basis.
- c) Explore the introduction of mechanisms and approaches to encourage electricity users to switch to more energy-efficient appliances.
- d) Work with Rural Electrification Agency (REA) to develop mechanisms and approaches to encourage unserved and underserved communities to switch from inefficient to energy efficient appliances.

- e) Collect data on energy efficiency for indicators specific to their areas of responsibility, and report them to the Nodal Agency for M&E purposes.

25. As a partner ministry, the Federal Ministry of Transportation shall -

- a) Develop and enforce regulations for the repair and maintenance of vehicles to ensure energy efficiency and compliance with environmental standards.
- b) Develop and enforce policies to reduce or replace vehicles using fossil fuels with vehicles using clean energy alternatives such as electricity and alternative fuels.
- c) Develop and enforce the Sectoral Energy Efficiency and Conservation Action Plan for the Transportation sector in line with the provisions of the Bill.
- d) Collect data on energy efficiency for indicators specific to their areas of responsibility, and report them to the Nodal Agency for M&E purposes.

26. As a partner ministry, the Federal Ministry of Petroleum Resources shall –

- a) In coordination with the Nodal Agency and other MDAs promote energy conservation through promotion of clean fuels.
- b) In coordination with the Nodal Agency and other MDAs promote energy efficiency and conservation in the petroleum and natural resource industry of Nigeria
- c) Develop and enforce the Sectoral Energy Efficiency and Conservation Action Plan for the Oil and Gas sector in line with the provisions of the Bill.
- d) Collect data on energy efficiency for indicators specific to their areas of responsibility, and report them to the Nodal Agency for M&E purposes.

27. As a partner ministry, the Federal Ministry of Agriculture and Food Security shall -

- a) Identify and develop energy efficiency and conservation projects in the agriculture sector.
- b) Develop and enforce the Sectoral Energy Efficiency and Conservation Action Plan for the Agriculture sector in line with the provisions of the Bill.
- c) Collect data on energy efficiency for indicators specific to their areas of responsibility, and report them to the Nodal Agency for M&E purposes.

28. As a partner ministry, the Federal Ministry of Water Resources & Sanitation shall -

- a) Identify and develop energy efficiency and conservation projects in the aquaculture and sanitation sector
- b) Support the Nodal Agency and SON for development of energy efficiency standards for aquaculture and sanitation sectors
- c) Collect data on energy efficiency for indicators specific to their areas of responsibility, and report them to the Nodal Agency for M&E purposes.

PART 5: FINANCIAL PROVISIONS

29. As per the proposed Action Plan(s), indicated in Section 6 (b) of this Bill, for energy efficiency and conservation in Nigeria, the NEEC shall approve a budget proposed by the Nodal Agency for uptake of energy efficiency activities in Nigeria. The NEEC shall present the budget to the Federal Ministry of Finance for them to approve and then establish the fund for energy efficiency and conservation activities in Nigeria.

30. The partner MDAs have their sub-sectoral action plans and programs for energy efficiency and conservation in Nigeria, as per PART – 4 of this Bill. This action plan will have budgetary requirements, which will be presented to the Ministry of Finance for their approval, allowing the respective partner MDAs access to the energy efficiency and conservation fund for carrying out activities for energy efficiency and conservation in Nigeria.

31. The Federal Ministry of Finance shall raise capital for energy efficiency and conservation fund created, through the following:
- a) Sums appropriated by the National Assembly for operationalizing the Bill
 - b) Subventions, grants, donations, climate finance, concessional loans, etc. (from international organization, concessional loans and development agencies)
 - c) Fines and charges received from private and public entities, flouting their energy efficiency obligations
32. The Energy Efficiency and Conservation Fund shall be applied towards –
- a) Activities to be carried out in the area of energy efficiency and conservation by the MDAs
 - b) Energy Efficiency and Conservation advocacy and information dissemination
 - c) Funding innovative energy efficiency and conservation projects, subject to the approval of the relevant stakeholders
 - d) Incentivizing private and public entities for their efforts towards transiting to energy efficiency and conservation activities
 - e) Other expenditure in connection with any energy efficiency and conservation activities of the NEEC and MDAs in line with the provisions of this Act.
33. The Ministry of Finance shall –
- a) Keep proper accounts and records of the NEEC's and partner MDAs expenditure
 - b) Prepare a statement of account in respect of each financial year

PART 6: PENALTIES AND JURISDICTION

34. A person, or private or public entity that acts in a manner that negatively affects efforts towards energy efficiency and conservation measures made under this Bill commits an offence and is liable to a penalty to be determined by the NEEC.
35. The Ministry of Finance shall penalize the offenders as per the provisions of the National Energy Efficiency and Conservation Bill
36. A Court, before which a suit regarding energy efficiency and conservation matters is instituted, may make an order -
- a) to prevent, stop or discontinue the performance of any act that is harmful to the environment;
 - b) compelling any public official to act in order to prevent or stop
37. Any person or entity aggrieved, by an order made by any officer or the Federal Government or the State Government or any other authority under this Bill, may appeal to the Appellate Tribunal for Energy Efficiency and Conservation in Nigeria.
38. The Court of Appeals established by Section 237 of the 1999 Constitution of the Federal Republic of Nigeria shall, be the Appellate Tribunal for the purposes of this Bill, hear appeals against the orders of the adjudicating officer or the Federal Government or the State Government or any other authority under this Bill. The Court of Appeals Nigeria, has the powers and provisions as given to it by the Constitution of Nigeria to act as the Appellate Tribunal for the purposes of this Bill.

PART 7: DEFINITIONS

- a) **Buildings Energy Code:** A set of regulations specifying energy performance standards, design requirements, and operational guidelines for new and existing buildings, aimed at improving energy efficiency and reducing environmental impact.
- b) **Designated Energy Consumers (DECs):** Entities whose energy usage is above the energy consumption threshold set for different end-use sectors. DECs are identified for targeted energy efficiency interventions and compliance monitoring.
- c) **Energy Audit:** A systematic assessment of energy consumption patterns, equipment efficiency, and energy management practices within an organization or facility, conducted to identify opportunities for energy savings and optimization.
- d) **Energy Conservation:** The practice of reducing energy consumption through behavioral changes, technological advancements, and efficient use of energy resources, leading to decreased energy waste and environmental impact.
- e) **Energy Efficiency:** The term refers to the practice of reducing energy consumption while maintaining or improving the level of service provided.
- f) **Energy Label:** A label affixed to appliances, equipment, or buildings to provide consumers with information about their energy performance. Energy labels typically include energy consumption ratings, efficiency metrics, and comparative information to facilitate informed choices and promote energy-efficient purchasing behavior.
- g) **Energy Service Company (ESCO):** An ESCO is an energy service company that offers energy services, usually design, retrofitting and implementation of energy efficiency projects after identifying energy saving opportunities through energy audit of existing facilities. It also includes energy infrastructure outsourcing, power generation and energy supply, financing or assists in arranging finances for energy efficiency projects.
- h) **Greenhouse Gas (GHG):** Gases such as carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases that trap heat in the Earth's atmosphere, contributing to the greenhouse effect and global warming.
- i) **Green Procurement:** The practice of incorporating environmental criteria, including energy efficiency considerations, into procurement processes to promote the purchase of goods and services that have a reduced environmental impact throughout their life cycle.
- j) **Minimum Energy Performance Standards (MEPS):** The minimum level of energy efficiency that an appliance or equipment must meet.
- k) **Monitoring and Evaluation (M&E):** Monitoring and Evaluation activities are conducted to ensure adherence and successful implementation of energy efficiency regulations.
- l) **Standards and Labelling:** A regulatory framework that establishes minimum energy performance standards (MEPS) and labeling requirements for various appliances and equipment. The standards ensure that appliances meet specified levels of energy efficiency, while labeling provides consumers with information about the energy performance of products, enabling informed purchasing decisions.

PART 8: ACRONYMS

ECN - Energy Commission of Nigeria

EE Bill - Energy Efficiency Bill

EMD - Energy Management Department

ESCO - Energy Service Company

FMT - Federal Ministry of Transport

GHG - Greenhouse Gases

MEPS - Minimum Energy Performance Standards

MDAs – Ministries, Departments and Agencies

NCCCS - National Council on Climate Change Secretariat

NDC - Nationally Determined Contributions

NEEAP - National Energy Efficiency Action Plan

NEEC - National Energy Efficiency Committee

NEMP - National Energy Master Plan

NEPA - National Energy Policy Act

NEP - National Energy Policy

NETP - Nigeria Energy Transition Plan

NERC - Nigerian Electricity Regulatory Commission

NREAP - National Renewable Energy Action Plan

NREEEP - National Renewable Energy and Energy Efficiency Policy

REMP - Renewable Energy Master Plan

REA - Rural Electrification Agency

RESIP - Rural Electrification Strategy and Implementation Plan

SEforALL - Sustainable Energy for All

S&L - Standards and Labelling

SON - Standard Organization of Nigeria

UNFCCC - United Nations Framework Convention on Climate Change

