

LEGAL AND REGULATORY UPDATES

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Commentary on the Ocean Thermal Energy Conversion (OTEC) Enactment 2024, Sabah

The Ocean Thermal Energy Conversion (OTEC) Enactment 2024 is a commendable initiative by the Sabah state legislative body to harness the vast potential of ocean renewable energy by regulating and facilitating OTEC activities in Sabah. This act positions the state to generate free electricity and reap the numerous benefits of OTEC by-products, such as desalinated water, air conditioning, aquaculture, agricultural development, and green hydrogen production, reflecting the success of the Kumejima Model in Japan. These advancements are expected to contribute significantly to economic and social progress in the region. Sabah stands to gain from job creation, enhanced energy security, technological innovation, reduced carbon emissions, and strengthened territorial security of its maritime areas.

Comparison with International OTEC Frameworks

Globally, OTEC legislation, such as the U.S. Ocean Thermal Energy Conversion Act of 1980, emphasises environmental sustainability, safety standards, and federal-state coordination. Similarly, Japan’s regulatory approaches underscore harmonisation with maritime laws to ensure resource conservation and regional cooperation. The OTEC Enactment aligns with these frameworks by establishing regulation for the exploration, construction, and operation of OTEC facilities through licensing requirements, thus further ensuring the needed environmental protection and monitoring mechanisms through the Energy Commission of Sabah (ECoS). This focus on localised governance demonstrates a tailored approach to managing and maximising the state’s unique ocean resources.

Legal Position and Recommendations

The enactment empowers Sabah to lead in adopting OTEC technology, reflecting fearless efforts to embrace innovative renewable energy solutions. It should align with Malaysia’s obligations under the United Nations Convention on the Law of the Sea (UNCLOS), which governs maritime resource use. Continued collaboration and shared learning with other global OTEC frameworks can further strengthen the implementation of the enactment and ensure the effective development of Sabah’s ocean energy potential.

Conclusion

The OTEC Enactment provides a robust framework for renewable energy development in Sabah. It can potentially drive significant economic, technological, and environmental benefits while establishing Sabah as a leader in ocean energy innovation. Its success will depend on fostering cooperation and embracing best practices to achieve sustainable energy goals.

