

REVISED: See Act, 1955



ANALYSIS

- | | |
|---|---|
| <p>Title.
Preamble.
1. Short Title.
2. Interpretation.
3. Electricity and Gas Co-ordination Committee.
4. Deputies of members.
5. Extraordinary vacancies.
6. Meetings of Committee.
7. Executive subcommittee.</p> | <p>8. Advisory and Technical sub-committees.
9. Fees and travelling allowances.
10. Committee to be Commission of Inquiry.
11. Functions of Committee.
12. Essential gasworks.
13. Declaration of essential gasworks.
14. Recommendations of Committee to be transmitted to Minister.</p> |
|---|---|

1955, No. 111

AN ACT to establish an Electricity and Gas Co-ordination Committee and to prescribe its powers and functions. Title.
 [28 October 1955]

WHEREAS in order to conserve the available sources of fuel and power in New Zealand and to ensure that the demand for electricity from persons previously supplied with gas does not become so great as to render insufficient the available supplies of electricity it is essential that certain gasworks be continued in operation: And whereas there is a possibility of certain gasworks closing down owing to losses incurred in their operations: And whereas the Government intends to proceed with expedition in taking such steps as may be necessary to continue in operation essential gasworks but further consultation with interested bodies is necessary before legislation can Preamble.

be enacted conferring the appropriate powers and authorities: And whereas it is expedient that a committee be established for the purpose of advising the Government as to matters relating to the acquisition of gasworks by Supply Authorities and on other matters relating to the co-ordination of the gas industry and the electricity industry:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

Short Title.

1. This Act may be cited as the Electricity and Gas Co-ordination Committee Act 1955.

Interpretation.

2. In this Act, unless the context otherwise requires,—

“Committee” means the Electricity and Gas Co-ordination Committee established under this Act:

“Gasworks” means the whole undertaking of a gasworks including every valuable thing, whether real or personal, that is an asset of the undertaking; and includes any part of a gasworks:

“Minister” means the Minister in Charge of the State Hydro-electric Department:

“Owner”, in relation to any gasworks, means any municipal corporation, company, person, or body of persons, whether incorporated or not, authorized to manufacture or supply gas from the gasworks:

“Supply Authority” means any person or body licensed under Part XIII of the Public Works Act 1928 or otherwise authorized to supply electrical energy.

See Reprint
of Statutes,
Vol. VII,
p. 767

Electricity and
Gas
Co-ordination
Committee.

3. (1) There is hereby established for the purposes of this Act a Committee to be called the Electricity and Gas Co-ordination Committee.

(2) The Committee shall consist of five members appointed by the Governor-General on the recommendation of the Minister.

(3) One of the members shall be appointed by the Governor-General to be Chairman of the Committee.

(4) The members of the Committee shall hold office during the pleasure of the Governor-General.

4. (1) In any case in which the Minister is satisfied that the Chairman or any other member of the Committee is incapacitated by illness, absence, or other sufficient cause from performing the duties of his office, the Minister may appoint a deputy to act for the Chairman or for that other member during his incapacity. In the case of the incapacity of the Chairman his deputy may or may not be one of the other members; and if the deputy of the Chairman is one of the other members some other person may be appointed to act as the deputy of that member.

Deputies of members.

(2) Any deputy appointed under this section shall, while he acts as such, be deemed to be a member of the Committee, and the deputy of the Chairman shall have all the powers of the Chairman.

(3) No appointment of a deputy and no acts done by him as such, and no acts done by the Committee while any deputy is acting as such, shall be questioned in any proceedings on the ground that the occasion for his appointment had not arisen or had ceased.

5. (1) If any member dies, or resigns his office by written notice to the Minister, or is removed from office, the vacancy shall be deemed to be an extraordinary vacancy.

Extraordinary vacancies.

(2) In the case of any extraordinary vacancy, the Governor-General may appoint some person to fill the vacancy.

(3) The powers of the Committee shall not be affected by any vacancy in the membership thereof.

6. (1) The first meeting of the Committee shall be held on a day appointed by the Chairman.

Meetings of Committee.

(2) Subsequent meetings of the Committee shall be held at such times and places as the Committee from time to time determines.

(3) The Chairman, or any two members, may at any time call a special meeting of the Committee.

(4) At all meetings of the Committee the quorum necessary for the transaction of business shall be three members.

(5) Any meeting of the Committee or any part of any such meeting may, if the Committee so decides, be held in public.

(6) The Chairman shall preside at all meetings of the Committee at which he is present. In the absence of

the Chairman from any meeting, the members present shall appoint one of their number to be Chairman of that meeting.

(7) At any meeting the Chairman shall have a deliberative vote, and in the case of an equality of votes shall also have a casting vote.

(8) All questions arising at any meeting shall be decided by a majority of the valid votes of members recorded thereon.

(9) Subject to the provisions of this Act, the Committee may regulate its procedure in such manner as it thinks fit.

Executive
subcommittee.

7. (1) The Committee may from time to time delegate any of its powers to a subcommittee consisting of such member or members of the Committee as it thinks fit.

(2) Any subcommittee appointed under this section shall, in the exercise of the powers so delegated, conform to any directions or requirements that may be given or imposed by the Committee.

Advisory and
Technical
subcommittees.

8. (1) The Committee may from time to time appoint such Advisory or Technical Subcommittees as it thinks fit to advise the Committee on such matters relating to the gas industry as are referred to them by the Committee.

(2) Each Advisory or Technical Subcommittee may, in addition, furnish to the Committee reports on any matter relating to the gas industry in respect of which the members of the Subcommittee have special knowledge or experience.

(3) Any person may be appointed to be a member of a subcommittee appointed under this section, notwithstanding that he is not a member of the Committee.

Fees and
travelling
allowances.
1951, No. 79

9. (1) The Committee is hereby declared to be a statutory Board within the meaning of the Fees and Travelling Allowances Act 1951.

(2) There shall be paid out of money appropriated by Parliament for the purpose to the members of the Committee or of any subcommittee appointed by the Committee remuneration by way of fees, salary, or allowances and travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly.

10. The Committee shall be deemed to be a Commission of Inquiry under the Commission of Inquiries Act 1908, and, subject to the provisions of this Act, the provisions of that Act shall apply accordingly.

Committee to be Commission of Inquiry.

See Reprint of Statutes, Vol. I, p. 1063

11. (1) The principal functions of the Committee shall be to advise the Minister in respect of all matters relating to the continuation in operation of essential gasworks and in respect of the acquisition of essential gasworks by Supply Authorities.

Functions of Committee.

(2) Without limiting the general functions of the Committee, the Committee shall make inquiries into and advise the Minister in respect of the following matters:

- (a) The gasworks which, in its opinion, are essential:
- (b) The method of financing the acquisition of essential gasworks by Supply Authorities:
- (c) The method of valuing the undertakings of essential gasworks:
- (d) The methods to be adopted to enable the equation of the price of gas supplied from essential gasworks with the price of electricity supplied by Supply Authorities:
- (e) Such matters as may be referred to it by the Minister.

12. (1) The Committee, as soon as practicable after the commencement of this Act, shall consider in respect of each gasworks operating in New Zealand, whether or not, in its opinion, it is essential in the public interest that the gasworks should continue in operation.

Essential gasworks.

(2) For the purposes of making a decision under this section the Committee may receive as evidence any statement, document, information, or matter which may in its opinion assist it to deal effectually with the matters before it and the owner of any gasworks shall supply such information and produce such books or documents for inspection as the Committee may require.

(3) Before making a decision under this section the Committee shall take into consideration, in respect of each gasworks, the following matters, that is to say:

- (a) The quantity and quality of gas which the gasworks are producing or are capable of producing:
- (b) The cost of producing and supplying gas from the gasworks:

- (c) The quantity of gas which the gasworks, without additional plant, are estimated to be capable of producing in the future:
- (d) The estimated cost of producing and supplying gas from the gasworks in the future:
- (e) The available supplies of electricity within the area served by the gasworks:
- (f) The supplies of electricity estimated to be available within that area in the future:
- (g) The demand for electricity within that area:
- (h) The estimated future demand for electricity within that area:
- (i) Such other matters as the Committee deems relevant.

Declaration of essential gasworks.

13. (1) Where, pursuant to section twelve of this Act, the Committee makes a decision in respect of any gasworks, it shall transmit to the Minister a notification of its decision.

(2) If any such decision is to the effect that it is essential in the public interest that the gasworks should continue in operation, the Minister shall serve on the owner of the gasworks and on the Supply Authority for the district in which the gasworks are situated a notice declaring the gasworks to be essential.

(3) Where the gasworks are situated partly in one district and partly in another or others, the Supply Authority to which notice under this section shall be given shall be the Supply Authority in the district in which is situated that part of the gasworks where gas is manufactured.

14. Where any gasworks are declared essential under this Act, the Committee shall transmit to the Minister its recommendations as to the steps to be taken for the purpose of ensuring that the gasworks continue in operation, and the Minister, having regard to the recommendations, shall take such steps as may be necessary to ensure that the gasworks are continued in operation.

Recommendations of Committee to be transmitted to Minister.