



ANALYSIS

<p>Title</p> <p>1. Short Title</p> <p>2. Altering Short Title of principal Act</p> <p>3. Membership and subscriptions</p> <p>4. Delegates</p> <p>5. Remuneration</p>	<p>6. Duties and powers of Association</p> <p>7. Financial operations</p> <p>8. Appointment of officers</p> <p>9. Dissolution of Association</p> <p>10. Expiry Schedule</p>
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1987, No. 137

**An Act to amend the Act heretofore known as the
Electrical Supply Authorities Association Act 1930**

[10 July 1987]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Electricity Supply Association Amendment Act 1987, and shall be read together with and deemed part of the Act heretofore known as the Electrical Supply Authorities Association Act 1930 (hereinafter referred to as the principal Act).

2. Altering Short Title of principal Act—(1) The principal Act may hereafter be cited as the Electricity Supply Association Act 1930.

(2) The Short Title of each of the following Acts is hereby amended by omitting the words “Electrical Supply Authorities”, and substituting the words “Electricity Supply”:

- (a) The principal Act:
- (b) The Electrical Supply Authorities Association Amendment Act 1955:
- (c) The Electrical Supply Authorities Association Amendment Act 1958:
- (d) The Electrical Supply Authorities Association Amendment Act 1959:
- (e) The Electrical Supply Authorities Association Amendment Act 1960:

(f) The Electrical Supply Authorities Association Amendment Act 1968:

(g) The Electrical Supply Authorities Association Amendment Act 1975:

(h) The Electrical Supply Authorities Association Amendment Act 1978.

(3) The principal Act is hereby further amended by omitting from the Title, and from section 3, the words “Electrical Supply Authorities”, and substituting in each case the words “Electricity Supply”.

(4) Every reference in any enactment or document to the Electrical Supply Authorities Association of New Zealand shall hereafter be read as a reference to the Electricity Supply Association of New Zealand.

(5) The Statutes Amendment Act 1951 is hereby consequentially amended by repealing section 10.

3. Membership and subscriptions—Section 5 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) The annual subscriptions shall be paid in the second month following the month in which the annual meeting of the Association is held, and no right to vote shall be exercisable on behalf of any member at any meeting of the Association unless the subscription then due shall have been paid before such meeting.”

4. Delegates—(1) Section 8 of the principal Act is hereby amended by repealing subsection (3) (as substituted by section 2 of the Electricity Supply Association Amendment Act 1975), and substituting the following subsections:

“(3) The delegates of any member present at any meeting shall be entitled to exercise on any matter brought before the meeting such number of votes between them as follows:

“(a) Members having fewer than 15 000 consumers and an annual income of less than \$10,000,000 shall be entitled to 1 vote:

“(b) Members having 15 000 or more consumers but fewer than 40 000 consumers and an annual income of \$10,000,000 or more but less than \$27,500,000 shall be entitled to 2 votes:

“(c) Members having 40 000 or more consumers and an annual income of \$27,500,000 or more shall be entitled to 3 votes:

“Provided that—

“(d) Where a member satisfies only one of the criteria referred to in paragraph (b) of this subsection, its voting entitlement shall be 1 vote; and

“(e) Where a member satisfies only one of the criteria referred to in paragraph (c) of this subsection, its voting entitlement shall be 2 votes.

“(3A) Notwithstanding subsection (3) of this section, the Governor-General may, by Order in Council, amend the method of determining the number of votes which delegates may be entitled to exercise to give effect to any resolution passed at an annual meeting of the Association.”

(2) The Electricity Supply Association Amendment Act 1975 is hereby consequentially amended by repealing section 2.

5. Remuneration—(1) The principal Act is hereby amended by repealing section 9A (as inserted by section 2 of the Electricity Supply Association Amendment Act 1978), and substituting the following section:

“9A. (1) The President may be paid, out of the funds of the Association, such annual allowance as shall from time to time be fixed by the Association.

“(2) The Vice-President of the Association and the Chairman of any standing or special committee of the Executive Committee may be paid, out of the funds of the Association, such allowances as shall from time to time be fixed by the Association.

“(3) The receipt of an allowance under subsection (1) or subsection (2) of this section shall not constitute a disqualification from election or a cause of forfeiture of office as a member of any Board or Supply Authority.”

(2) The Electricity Supply Association Amendment Act 1978 is hereby consequentially repealed.

6. Duties and powers of Association—Section 11 of the principal Act is hereby amended by adding the following paragraphs:

“(g) To borrow money, whether by way of mortgage or otherwise:

“(h) To advance money or give credit to, or give guarantees or indemnities or securities in respect of the payment of money or the performance of contracts or obligations by, any person.”

7. Financial operations—(1) Section 13 (2) of the principal Act (as amended by section 3 of the Electricity Supply Association Amendment Act 1960) is hereby amended by omitting the words “respectively by the Secretary and any member of the Executive Committee or by any 2 members of the Executive Committee”, and substituting the words “by 2 persons, each being either a member of the Executive Committee, or an officer of the Association authorised for that purpose by the Executive Committee”.

(2) Section 13 of the principal Act is hereby amended by repealing subsection (4) (as substituted by section 3 of the Electricity Supply Association Amendment Act 1975), and substituting the following subsection:

“(4) Any money belonging to the Association and not immediately required for its purposes may be invested by being placed on deposit at interest with any Board or Supply Authority or by being invested in any authorised investment as defined for the purposes of the Trustee Act 1956 on such terms as the Executive Committee thinks fit.”

(3) The Electricity Supply Association Amendment Act 1975 is hereby consequentially repealed.

8. Appointment of officers—(1) The principal Act is hereby amended by repealing section 14, and substituting the following section:

“14. The Executive Committee may from time to time appoint—

“(a) A General Manager, who shall be responsible for the administration of the ordinary business of the Association; and

“(b) Such other officers as it considers necessary for the efficient carrying out of its functions,—
and shall pay such officers such remuneration as it thinks fit.”

(2) The principal Act is hereby consequentially amended by omitting from sections 10 (5), 10 (6), 10 (7), 13 (3), and 16 (3) the word “Secretary”, and substituting in each case the words “General Manager”.

9. Dissolution of Association—(1) The Association may register an incorporated society under the Incorporated Societies Act 1908 to take over the functions of the Association (such incorporated society being hereinafter referred to as the society).

(2) On the repeal of this Act or such earlier date as the Governor-General may by Order in Council appoint,—

- (a) The Association shall be dissolved:
- (b) All real and personal property belonging to the Association shall vest in the society:
- (c) All money payable to or by the Association shall become payable to or by the society:
- (d) All liabilities, contracts, and engagements and all rights and authorities of any nature whatever of the Association shall become the liabilities, contracts, and engagements and rights and authorities of the society:
- (e) All proceedings pending by or against the Association may be continued, completed, or enforced by or against the society.

10. Expiry—Sections 1 to 9 of this Act, this section, and the enactments set out in the Schedule to this Act shall expire with the close of the 1st day of April 1989.

Section 10

SCHEDULE

ENACTMENTS TO EXPIRE

- 1930, No. 22—The Electricity Supply Association Act 1930. (Reprinted 1976, Vol. 5, p. 3569.)
- 1947, No. 6—The Finance Act 1947: Section 37 (Reprinted 1976, Vol. 5, p. 3579.)
- 1951, No. 81—The Statutes Amendment Act 1951: Section 11 (Reprinted 1976, Vol. 5, p. 3579.)
- 1955, No. 21—The Electricity Supply Association Amendment Act 1955 (Reprinted 1976, Vol. 5, p. 3580.)
- 1958, No. 65—The Electricity Supply Association Amendment Act 1958 (Reprinted 1976, Vol. 5, p. 3581.)
- 1959, No. 61—The Electricity Supply Association Amendment Act 1959 (Reprinted 1976, Vol. 5, p. 3581.)
- 1960, No. 59—The Electricity Supply Association Amendment Act 1960 (Reprinted 1976, Vol. 5, p. 3582.)
- 1968, No. 79—The Electricity Supply Association Amendment Act 1968 (Reprinted 1976, Vol. 5, p. 3582.)
- 1977, No. 33—The Ministry of Energy Act 1977: So much of the First and Second Schedules as relate to the Electricity Supply Association Act 1930.
- 1979, No. 59—The Local Government Amendment Act 1979: So much of the Third Schedule as relates to the Electricity Supply Association Act 1930.

This Act is administered in the Ministry of Energy.