

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Wednesday, the 11th Day of September, 1901.

COUNTIES BILL.

Mr. McNAB, in Committee, to move the following new clauses:—

ELECTRIC LIGHTING AND SUPPLY OF ELECTRICAL ENERGY.

1. The Council may do all things necessary to light the roads and public places of the county with electricity, and to supply electricity to the inhabitants thereof; and therein especially may do the following things:—

Council may establish electric works.
1900, No. 50, s. 319.

- (1.) May acquire land and erect buildings within or without the county:
- (2.) May procure and construct all machinery and plant necessary for electric works:
- (3.) May place mains, service-lines, distributing-mains and wires, either above or below ground and over or under the roads and public places:
- (4.) May alter any drains or water-pipes thereunder in such manner as may be necessary, but so as not to injuriously affect the same, or to foul any water conveyed thereby:
- (5.) May lay down and place pipes, conduits, and service-pipes, and erect pillars, arches, and poles in and upon roads, bridges, and public places:
- (6.) May make, construct, and do all other works and things necessary to supply electrical energy within such county, or any part thereof, and to keep the electric works, and everything appertaining to the supply of electricity, in good repair.

In case the supply of electricity is at any time insufficient, the Council may use kerosene or any other material or method for lighting the roads or public places which it thinks proper.

2. All the powers granted by this Act in respect of the construction of electric works shall be deemed to include the power of extending or enlarging any such electric works, and the said powers of constructing or extending or enlarging any such works as aforesaid shall be deemed also to apply in respect of any electric works acquired under any Act at any time previous to the passing of this Act.

Extended powers as to electric works.
Ib., s. 320.

3. All electric works constructed or acquired by the Council shall, by virtue of this Act, be vested in the Corporation of the county.

Electric works vested in Corporation.
Ib., s. 321.

4. (1.) Upon the written application of the owner or occupier of any building within six hundred yards of any main electric line, the Council shall lay on such lines, fittings, and meter as are requisite to supply such building with electricity, and to measure the quantity consumed.

Private persons may be supplied with electricity.
Ib., s. 322.

(2.) Such lines, meter, and fittings shall be paid for by the applicant; and the Council may, before commencing such work, require any applicant to deposit a sum equal to the estimated cost thereof.

Private consumer to supply fittings. 1900, No. 50, s. 323.

5. Every private consumer of electricity shall provide such electric fittings and appliances for the proper lighting and for preventing the escape of electricity as the Council approves of, and shall keep the same in good repair; and, if any person neglects to provide or to repair such fittings and appliances when required to do so by the Council, the Council may cut off the supply of electricity from the premises of such person.

Private buildings may be entered to inspect electric fittings. Ib., s. 324.

6. Any person acting under the authority of the Council may, between the hours of eight in the forenoon and six in the afternoon, on any day except Sunday, enter upon any land or into any building supplied with electricity under this Act in order to examine the electric lines, meters, accumulators, fittings, works, and apparatus thereon or therein; and if such person is refused admittance, or obstructed in such examination, the Council may, without prejudice to any other remedy, cut off the supply of electricity from such building or premises.

Penalty for altering index of electric meter. Ib., s. 325.

7. Any person who alters the index of or in any other manner tampers with an electric meter, with intent to defraud the Corporation, is liable to a penalty of not more than *fifty* pounds for every such offence.

Penalty for altering position of electric meter. Ib., s. 326.

8. No private consumer of electricity shall alter the position of any electric meter without giving the Council three days' notice in writing of such his intention; and any such person making such alteration without such notice shall be liable to a penalty of not more than *ten* pounds for every such offence.

Electricity may be supplied outside county. Ib., s. 327.

9. The Council may supply any person outside the county with electricity, upon such terms and conditions and at such rates as may be agreed on with such person, and for such purpose shall have the same powers outside of the county as it has under the provisions of this Part of this Act within the same.

Private property not to be interfered with. Ib., s. 328.

10. Nothing in this Act contained shall be deemed to authorise the Council to lay any part of the electric works or anything connected therewith on or under any private property without the consent of the owner and occupier thereof; but the Council may enter upon any such property where electric lines or fittings have been lawfully laid under this Act, and may alter, repair, or replace the same as it thinks fit.

Council may fix price of electricity. Ib., s. 329.

11. The Council may fix a uniform price at which electricity shall be supplied to all private consumers, and the times when the same shall be payable, and may from time to time alter the same as it thinks fit.

Electricity may be cut off from defaulter. Ib., s. 330.

12. If any person fails to pay any moneys due on account of electricity, the Council may, without prejudice to any other remedy in that behalf, cut off the supply of electricity from the premises of such person.

All receipts for electricity to be separate rates. Ib., s. 331.

13. All moneys receivable as the price of electricity supplied shall be deemed to be a separate rate, and may be recovered accordingly.

Council may purchase existing works. Ib., s. 332.

14. (1.) The Council may, out of any moneys which may be applied to the construction of electric works under this Act, purchase any such works theretofore constructed in the county; and such works shall, when so purchased, be deemed to be constructed under this Act.

Electric companies may sell electric works to a borough. Ib., s. 333.

15. The directors of any electric company, in pursuance, in the case of a company registered under "The Companies Act,

1882," of a special resolution of the members passed in manner provided by that Act, and, in the case of any other company, of a resolution passed by a majority of three-fourths in number and value of the members present, either personally or by proxy, at a meeting specially convened, with notice of the business to be transacted, may sell and transfer to the Corporation of the county, on such terms as may be agreed on, all the rights, powers, and privileges, and all or any of the lands, premises, works, and other property of the company, but subject to all the liabilities attached to the same at the time of such purchase.

16. The Council may contract for lighting the roads, public places, and public buildings in the county, in such mode and upon such terms and conditions as it thinks fit, and may contract for a supply of electricity upon such terms and conditions as it thinks fit, and may supply such electricity to the inhabitants of the county; and, so far as applicable, all the provisions hereinbefore contained respecting the construction, establishment, and maintenance of electric works shall, with the necessary consequential alterations, extend and apply to the powers conferred by this section.

Council may contract for lighting the roads.
1900, No. 50, s. 334 and 345.

17. (1.) The Council shall conform to the provisions of Part IV. of "The Electric Lines Act, 1884," and may construct and maintain electric lines (as defined in that Act) in the manner and with the like powers, authorities, and liabilities as may by law be exercised in respect of or as are attached to the construction of public works.

To conform to "The Electric Lines Act, 1884."
Ib., s. 335.

It shall not be necessary for the Council to obtain the authority of any special Act for any of the purposes aforesaid.

(2.) All the provisions of Part I. of "The Electric Lines Act, 1884," in relation to the construction and maintenance of electric lines of communication by telegraph shall, so far as applicable, extend to and be applicable to the construction and maintenance by the Council of electric lines for lighting purposes, and for the supply of electricity as aforesaid; and all the provisions of the last-mentioned Act, so far as applicable, shall apply to such last-mentioned lines when constructed or being constructed.

(3.) Any electric lighting effected under the foregoing provisions may be either by arc or incandescent lamps, produced by dynamos, secondary generators in conjunction with dynamos, or by means of storage batteries also in conjunction with dynamos, or in any other method now or hereafter applicable to such purposes.

Nothing contained in this section shall be deemed to repeal any of the provisions of Part IV. of "The Electric Lines Act, 1884"; and nothing in this Part of this Act shall prejudicially affect any agreement existing between any Council and any person or corporation in respect of electric works.

18. Subject to "The Electric Lines Act, 1884," and this Act, the Council may contract with any person or company for the construction, maintenance, and working of an electric installation for supplying electrical energy for public and private purposes within the county; and may, for such purpose, grant to such person or company as aforesaid power to break up or cross over roads, rivers, and bridges, and place mains, service-lines, distributing-mains, and wires either above or below ground, and over or under roads, and lay down and place pipes, conduits, and service-pipes, and erect pillars, arches, and poles in and upon roads, bridges, and other places, and make, contract, and do other works and things for supplying energy within the county or any part thereof, upon such terms and conditions, for such period not exceeding twenty-one years, and subject to such regulations and provisions as may be agreed upon between the contracting parties.

Council may empower company to supply electricity.
Gore Electric Lighting Act, 1893, No. 3 (Private), s. 4.

Agreement to be referred to votes.
Gore Electric Lighting Act, 1893, No. 3 (Private), s. 5.

19. A copy of every agreement made between the Council and the person or company as aforesaid shall be deposited at the office of the county; and notice that such agreement has been previously made, and that a copy thereof is open for inspection, shall be advertised in some newspaper published in the county at least once in each of four successive weeks after such deposit.

The Chairman of the Council shall call a meeting of the voters of the said county, for a day not less than ten days after the last publication of such advertisement, to consider such agreement, and, if present, shall preside at such meeting. If the Chairman of the Council be not present, then a chairman of the meeting may be appointed at the meeting.

A copy of such agreement shall be produced at such meeting, and the terms thereof may then be discussed and considered. Any amendments or alterations in such agreement suggested at such meeting may, if the Council and the person or company with whom the agreement is made agree thereto, be made, and the agreement so amended or altered shall be deemed to be the same agreement as that originally deposited and advertised.

After such meeting, and on such day as the Chairman shall appoint, a poll of the voters shall be held, at which the question shall be submitted whether such agreement shall be confirmed.

Such poll shall be taken and held in the manner provided by section If a majority of the votes polled shall be in favour of confirming such agreement, then such agreement shall be valid and effectual as from the day of the declaration of such poll; and if a majority of the votes polled shall be against the confirmation of such agreement, then such agreement shall be null and void.

Council to have power to purchase installation and works.
Ib., s. 7.

20. In any contract made by the Council under the foregoing provisions of this Act there shall be an express provision entitling it, at the expiration of the term mentioned therein, or earlier if the parties to the said contract shall think fit, to purchase the installation and works erected in pursuance thereof, at a price, in case the Council and other contracting party shall not agree, to be ascertained by arbitration in such manner and upon such conditions as shall be set forth in the contract (in which provisions for that purpose shall be inserted). But in no case shall the Council contract to pay or pay, nor shall there be included in the price to be ascertained as aforesaid, any sum for goodwill, and any contract or undertaking on the part of the Council contrary to the last-mentioned provision shall be null and void to all intents and purposes whatsoever.

Provision where contracting party engaged in other occupation.

21. Should the person or company contracting with the Council be engaged in any occupation other than the supplying of electricity, and be using a portion only of its works for the supply of electricity, "the installation and works erected in pursuance thereof" mentioned in the foregoing section shall not be deemed to include any installation or works used in connection with such other occupation, but shall only include such electric lines, meters, accumulators, and fittings, used solely for the transmission of electricity from the works of the contracting party, and erected in pursuance of the contract.

Interpretation.
"The Gas and Electric Lighting Act, 1891" (South Australian interpretation clause).

22. "Electricity" includes electric current, electrical energy, or any like agency. "Line" and "electric line" means a wire or wires, conductor, or other means used for the purpose of conveying, transmitting, or distributing electricity, with any casing, covering-tube, pipe or insulator, enclosing, surrounding, or supporting the same or any part thereof, or any apparatus connected therewith for the purpose of conveying, transmitting, or distributing electricity or electric currents.