

New Zealand.



ANALYSIS.

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| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Interpretation.<br/>3. Gas company to supply gas upon request, subject to certain conditions. (1.) Cost of laying on pipes after a certain distance.</p> | <p>(2.) Person requiring gas to give notice, and enter into security if required.<br/>4. Where premises connected, gas to be supplied upon giving security.<br/>5. What security may be.<br/>6. No remedy against incoming tenant for arrears of gas-rent.<br/>7. Partial repeal of other Acts.</p> |
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1882, No. 21.

AN ACT to regulate the Liability of Gas Companies and Consumers of Gas in New Zealand. Title.  
[13th September, 1882.]

WHEREAS it is expedient that the liability of gas companies and gas consumers in New Zealand should be regulated: Preamble.

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

1. The Short Title of this Act is “The Gas Companies’ and Consumers’ Liability Act, 1882.” Short Title.

2. In the interpretation of this Act, the words “the company” mean and include any company, body of persons, or municipal corporation, whether incorporated or not, which now is or which at any time hereafter may be authorized by any Act of the General Assembly of New Zealand, or otherwise, to manufacture and supply gas in New Zealand. Interpretation.

3. The company, upon being requested so to do by the owner or occupier of any premises situate within one hundred yards from any main of the company, shall give, and continue to give, a supply of gas for such premises, under such pressure as may be sufficient, and at the usual price for the time being charged by the company, and shall furnish and lay down any pipe that may be necessary for such purpose, subject to the conditions following:—

(1.) The cost of so much of any service-pipe for the supply of gas to any owner or occupier as may be laid down upon the property of such owner or in the possession of such occupier, and of so much of such pipe as may be laid down for a greater distance than fifty feet from any main of the company although not on such property, shall be defrayed by such owner or occupier: Provided that the gas company shall in no case be required to lay down pipes beyond the boundary of the street, except at the cost of the consumer. Cost of laying on pipes after a certain distance.

Person requiring gas to give notice and enter into security if required.

(2.) Every owner or occupier of premises requiring a supply of gas shall—

(a.) Serve a notice upon the company at their office, specifying the premises in respect of which such supply is required, and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence;

(b.) Enter into a written contract with the company (if required so to do) to continue to receive and pay for a supply of gas, for a period of at least twelve months;

(c.) Give to the company (if required so to do) security for the payment to the company of all moneys which may become due to them by such owner or occupier in respect of any pipe to be furnished by the company and the gas to be supplied by the company.

Provided always that the company may, after they have given a supply of gas for any premises, by notice in writing, require the owner or occupier of such premises within seven days after the date of the service of such notice, to give to them security for the payment of all moneys which may from time to time become due to them in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid or is insufficient; and in case any such owner or occupier fails to comply with the terms of such notice, the company may, if they please, discontinue to supply gas for such premises so long as such failure continues.

Where premises connected, gas to be supplied upon giving security.

4. In all cases where the premises are connected with the main of the company, the company shall, upon being requested so to do by the owner or occupier of such premises, give and continue to give a supply of gas for such premises as aforesaid, subject to the conditions as to giving security (if required by the company) mentioned in this Act.

What security may be.

5. Where any owner or occupier is required to give security to the company, such security may be by way of deposit or otherwise, and of such amount as he and the company agree upon, or as, in default of agreement, may be determined on the application of either party by a Resident Magistrate or two Justices of the Peace, who may also order by which of the parties the costs of the proceedings before him or them shall be paid, and the decision of the Resident Magistrate or two Justices shall be final and binding on all parties.

No remedy against incoming tenant for arrears of gas-rent.

6. In case any consumer of gas supplied by the company leaves the premises where such gas has been supplied to him without paying the gas-rent or meter-rent due from him, the company shall not be entitled to require from the next tenant of such premises the arrears left unpaid by the former tenant, if such incoming tenant before he consumes any gas shall have given to the company twenty-four hours' notice of his intention to consume gas, or unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Partial repeal of other Acts.

7. The provisions of this Act shall be held to repeal and supersede such of the provisions of any special Act as are inconsistent with this Act.