

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE ON THE
STATUTES AMENDMENT BILL]

House of Representatives, 24 October 1956

Hon. Mr Goosman

ELECTRICITY AMENDMENT

ANALYSIS

Title
1. Short Title

2. Execution of contracts by the Minister or by persons authorised by the Minister
3. Meaning of "electricity agreement" extended

A BILL INTITULED

An Act to amend the Electricity Act 1945

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

1. Short Title—This Act may be cited as the Electricity Amendment Act 1956, and shall be read together with and deemed part of the Electricity Act 1945 (hereinafter referred to as the principal Act).

2. Execution of contracts by the Minister or by persons authorised by the Minister—The principal Act is hereby amended by inserting, after section six, the following section:

"6A. Every contract, agreement, deed, or other instrument relating to or arising out of—

“(a) Any scheme carried on by the Minister under the State Supply of Electrical Energy Act 1917; or

“(b) Any works acquired, erected, constructed, or provided by the Minister or under his control by virtue of this Act; or

“(c) Any matter coming under the jurisdiction or control of the Minister by virtue of this Act,—

shall, unless otherwise expressly provided in any other enactment, be entered into in the name of Her Majesty, and may, notwithstanding anything to the contrary in any other Act, be executed on behalf of Her Majesty by the Minister, or by any person authorised in writing by the Minister in that behalf either personally by name or as the holder of a specified office, and either generally or in respect of any specified contract or instrument or of any specified class or classes of contracts or instruments.”

3. Meaning of “electricity agreement” extended—

(1) Section two of the Electricity Amendment Act 1948 is hereby amended by repealing the definition of the terms “electricity agreement” and “agreement”, and substituting the following definition:

“‘Electricity agreement’ or ‘agreement’ means an agreement in writing made either before or after the passing of this Act between an Electrical Supply Authority and the owner or lessee of any land outside a borough or town district to which regulation 21-43 of the Electrical Supply Regulations 1935 applied before the agreement was made; being an agreement by which that owner or lessee undertakes to make minimum payments to the Electrical Supply Authority in respect of the electrical energy supplied for any building or installation on that land, irrespective of the quantity of electrical energy so supplied; and includes any agreement which varies or is in substitution for an electricity agreement:”.

(2) Section two of the Electricity Amendment Act 1948 is hereby further amended by adding to the definition of the term “lease” the words “and includes a mining privilege, and also includes a coal mining lease or coal mining right under the Coal Mines Act 1925; and ‘lessee’ includes the registered owner of a mining privilege or coal mining lease or coal mining right”.

(3) Section two of the Electricity Amendment Act 1948 is hereby further amended by adding the following definitions:

“ ‘Mining privilege’ has the same meaning as in the Mining Act 1926:

“ ‘Registrar’, in relation to any land (including the land comprised in a mining privilege that is registered under the Land Transfer Act 1952), means the District Land Registrar or the Registrar of Deeds, as the case may require, for the land registration district within which the land is situated; and, in relation to any land comprised in a mining privilege that is not registered under the Land Transfer Act 1952, or in relation to a coal mining lease or coal mining right under the Coal Mines Act 1925 that is registered in the office of a Mining Registrar, means the Mining Registrar in whose office the mining privilege or lease or right is registered.”

(4) The Electricity Amendment Act 1948 is hereby further amended as follows:

- (a) By omitting from subsection two of section three the words “the District Land Registrar or Registrar of Deeds, as the case may require, in the land registration district in which the land is situated”, and substituting the words “the Registrar”:
- (b) By omitting from subsection two of section three the words “the District Land Registrar” where they last occur, and substituting the words “the Registrar”:
- (c) By omitting from subsection four of section three the words “the District Land Registrar or Registrar of Deeds, as the case may require”, and substituting the words “the Registrar”:
- (d) By omitting from subsection five of section three the words “the District Land Registrar or the Registrar of Deeds, as the case may require”, and substituting the words “the Registrar”:
- (e) By omitting from subsection one of section five the words “the District Land Registrar or Registrar of Deeds, as the case may require, of the land registration district in which the land is situated”, and substituting the words “the Registrar”:
- (f) By omitting from subsection six of section five the words “the District Land Registrar or Registrar of Deeds, as the case may require”, and substituting the words “the Registrar”.