

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]

House of Representatives, 20 October 1976.

Words struck out by the Committee are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line.

Hon. Mr Holland

ELECTRICITY AMENDMENT

ANALYSIS

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A BILL INTITULED

An Act to amend the Electricity Act 1968

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

1. Short Title—This Act may be cited as the Electricity Amendment Act 1976, and shall be read together with and deemed part of the Electricity Act 1968* (hereinafter referred to as the principal Act).

10 **2. Principal functions of Department**—Section 6 (a) of the principal Act is hereby amended by omitting the word “promote”, and substituting the word “initiate”.

*1968, No. 125; 1969, No. 45; 1972, No. 55; 1973, No. 60; 1975, No. 72

No. 11—2

Price 10c

3. Duties of Department—(1) Section 7 (2) of the principal Act is hereby amended by repealing paragraphs (c) and (d), and substituting the following paragraphs:

“(c) Arrange or execute—

“(i) A continuous programme of works providing 5
adequate supplies of electricity:

“(ii) The supply of electricity at the lowest
practicable cost:

“(d) Promote—

“(i) The use of economical methods of genera- 10
ting, transmitting, and distributing electricity:

“(ii) The standardisation of systems of supply
and types of fittings:

“(iii) Research into matters affecting electricity:

“(iv) Safety and training in connection with all 15
branches of the electrical industry:

“(v) The simplification of methods of charge
for supplies of electricity:

“(vi) The avoidance of wide variations in charge 20
for comparable types of supply of electricity.”

(2) Section 7 (2) of the principal Act is hereby further amended by adding, after paragraph (e), the following paragraph:

“(f) Undertake or promote measures to achieve greater 25
economy and efficiency in the use of electricity as
a means of reducing the future rate of growth of
(power) electricity requirements.”

(3) Section 7 of the principal Act is hereby further amended by adding, after subsection (2), the following 30
subsection:

“(3) For the purposes of paragraph (e) of subsection (2) 30
of this section the General Manager may exercise all rights
and powers necessary to carry out the duties of the Depart-
ment under that paragraph, including in particular the
(right) power to enter on any premises, the power to deter- 35
mine in what manner restrictions in power supply are to be
applied, and the power to disconnect any premises or any
electric line or any equipment from any system of supply.”

4. Exercise of powers of entry—The principal Act is hereby further amended by inserting, after section 7, the following 40
section:

Struck Out

“7A. (1) In exercising his right to enter on any premises 45
under section 7 (3) of this Act, the General Manager, or any
person authorised by him or by any Electrical Supply”

Struck Out

Authority acting under delegated authority pursuant to section 9 of this Act, may, together with any other person he may think competent to assist him, at all reasonable times
 5 having regard to the circumstances, enter any premises and—

“(a) Examine and inspect any electrical or electric-powered equipment; and

“(b) Make such inquiries as he considers necessary or desirable,—

10 for the purpose of ascertaining whether the provisions of this Act or of any regulation, requirement, or direction thereunder relating to the use of electricity are being or have been complied with.

“(2) Before entry, the General Manager, or person authorised as aforesaid, shall, where practicable, give reasonable
 15 notice to the owner or occupier of the premises of the intention to enter thereon, and shall, if required by the owner or occupier, produce and show written evidence of his identity and of the authority under which he claims to enter, or has
 20 entered, on the premises.”

New

“7A. (1) The power to enter on any premises under section 7 (3) of this Act shall not apply to dwelling houses and shall only be exercised subject to this section and to any regulations
 25 made under section 55 (1) (k) of this Act and to any Electricity Control Order made under those regulations.

“(2) For the purposes of this section—

“‘Authorised officer’ means—

30 “(a) The General Manager:

“(b) Any responsible officer or employee of the Department to whom the General Manager has delegated the power to enter on premises under section 9 (1) of this Act:

35 “(c) The chief executive officer of any Electrical Supply Authority to whom the General Manager has delegated the power to enter on premises under section 9 (1A) of this Act:

40 “(d) Any responsible officer or employee of an Electrical Supply Authority to whom the chief executive officer of the Authority has delegated the power to enter on premises under section 9 (1A) of this Act:

“‘Dwellinghouse’ means any building or part of a building occupied as a separate dwelling.

New

“(3) Any authorised officer may, together with any other person he thinks competent to assist him, at all reasonable times having regard to the circumstances, enter any premises, not being a dwellinghouse, and examine and inspect any electrical or electric-powered equipment for the purpose of ascertaining whether the provisions of this Act or of any regulation, order, requirement, or direction thereunder relating to the regulating, controlling, allocating, restricting, or preventing the use of electricity are being or have been complied with.”

“(4) Before entering any premises under this section, the authorised officer shall give reasonable notice to the owner or occupier of the premises of the intention to do so, and shall produce and show the authority or delegated authority, as the case may be, under which he claims to enter or has entered the premises.”

5. Delegation of powers by General Manager—(1) Section 9 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

Struck Out

“(1A) The General Manager may from time to time, either generally or particularly, delegate to such Electrical Supply Authority or Authorities as he thinks fit all or any of the rights or powers exercisable by him pursuant to section 7 (2) (e) of this Act and the power to delegate, either generally or particularly, all or any of those rights or powers.”

New

“(1A) The General Manager may from time to time, either generally or particularly, delegate to the chief executive officer of any Electrical Supply Authority all or any of the rights or powers exercisable by the General Manager pursuant to section 7 (2) (e) of this Act and the power to enter on any premises, and the power to delegate either generally or particularly all or any of those rights and powers, other than this present power of delegation, to any responsible officer or employee of the Authority.”

(2) Section 9 (2) of the principal Act is hereby consequentially amended—

- (a) By inserting, after the words “officer or employee”, the words “or Authority”:
- (b) By inserting, after the words “on him”, the words “or it”.

6. **Right of entry**—Section 15 of the principal Act is hereby amended by omitting the words “road, street, railway or other”.

7. **Aerial ropeways**—(1) The principal Act is hereby further amended by inserting, after section 19, the following section:

“19A. Sections 11, 15, 16, 17 and 19 of this Act shall apply to any aerial ropeway erected or proposed to be erected by or for the Minister in the same way as if the aerial ropeway were an overhead electric line, and the Minister shall have and may exercise in connection with any such aerial ropeway, without any other authority than this section, all or any of the powers relating to electric lines which are or may be conferred on him under any of those sections.”

(2) The Public Works Amendment Act 1956 is hereby consequentially amended by repealing section 5.

8. **Registration of electricity agreements**—(1) Section 50 (1) of the principal Act is hereby amended by omitting the words “outside a borough or town district”.

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New

“(2) Section 2 of the principal Act is hereby consequentially amended by omitting from the definition of the expression “electricity agreement” the words “outside a borough or town district”.

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Struck Out

9. **Protection of persons acting under authority of Act**—Section 53 (1) of the principal Act (as substituted by section 5 of the Electricity Amendment Act 1969) is hereby amended by inserting, after the word “functions”, the words “or duties”.

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New

9. **Protection of persons acting under authority of Act**—(1) Section 53 (1) of the principal Act (as substituted by section 5 of the Electricity Amendment Act 1969) is hereby amended by inserting, after the word “functions”, the words “, powers, or duties”.

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(2) Section 53 (2A) of the principal Act (as so inserted) is hereby amended by omitting the words “in accordance with powers granted by this Act or delegated to him”, and substituting the words “or any Electrical Supply Authority or any officer or employee thereof in accordance with powers granted by or delegated under this Act”.

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10. Offences—(1) Section 54 (1) of the principal Act is hereby amended by omitting the expression “\$500”, and substituting the expression “\$1,000”.

(2) Section 54 of the principal Act is hereby further amended by adding, after subsection (2), the following subsection: 5

“(3) Every person who fails to comply with or acts in contravention of any direction given pursuant to section 7 (2) (e) of this Act commits an offence, and is liable on summary conviction to a fine not exceeding \$1,000 and, where the offence is a continuing one, to a further fine not exceeding \$20 for every day or part of a day during which the offence has continued.” 10

11. Regulations—(1) Section 55 (1) of the principal Act is hereby amended by repealing paragraph (k), and substituting the following paragraph: 15

“(k) Regulating, controlling, allocating, restricting, or preventing the use of electricity:”.

(2) Section 55 (1) (l) of the principal Act is hereby amended— 20

(a) By omitting the expression “\$200”, and substituting the expression “\$1,000”:

(b) By omitting the expression “\$10”, and substituting the expression “\$20”.