

ELECTRIC POWER BOARDS AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Electric Power Boards Act 1925.

Clause 1 relates to the Short Title.

Clause 2 provides that where an Electric Power Board or a proposed amalgamation of Boards is supplying or is about to supply gas or substantial forms of other energy, in addition to electricity, over all or a large part of a region constituted under Part II of the Local Government Act 1974, the Minister may authorise the Board or proposed body to adopt the title of an Energy Board.

Clause 3 provides that the Deputy Chairman of an Electric Power Board may be paid an annual allowance, not exceeding 10 percent of the amount that may be paid to the Chairman of the Board.

Clause 4 provides that any resolution affecting or likely to affect the continued existence of a Board shall be treated as extraordinary business at any meeting of the Board (and require the appropriate notice).

Clause 5: At present Electric Power Boards may enter upon private land and erect poles thereon and carry wires over the land. This clause extends the power to include laying cables under such land and the consequential maintenance thereof.

Where the land involved is appurtenant to any dwellinghouse or to any improvement ancillary thereto, the power may not be exercised unless—

- (a) The written permission of the owner is obtained; or
- (b) The necessary land or an easement over it is acquired.

Hon. Mr Birch

ELECTRIC POWER BOARDS AMENDMENT

ANALYSIS

Title	
1. Short Title	3. Annual allowance to Chairman and Deputy Chairman
2. Electric Power Boards and Energy Boards	4. Notice to be given of extraordinary business
	5. Powers of Board with respect to private lands

A BILL INTITULED

An Act to amend the Electric Power Boards Act 1925

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 Electric Power Boards Amendment Act 1980, and shall be read together with and deemed part of the Electric Power Boards Act 1925* (hereinafter referred to as the principal Act).

10 2. **Electric Power Boards and Energy Boards**—(1) Section 9 of the principal Act is hereby amended by adding the following subsections.

15 “(3) Where an Electric Power Board or a proposed amalgamation of Boards, with or without other supply authorities, is supplying or is about to supply gas or substantial forms of other energy, as well as electricity, over all or a large part of any region constituted under Part II of

*1925, No. 38 (Reprinted 1976, Vol. 4, p. 3465)
Amendments: 1978, No. 93; 1979, No. 60

the Local Government Act 1974, the Minister may consent to the Electric Power Board or the proposed new body taking the name of "The Energy Board".

"(4) Where the Minister has issued a consent under subsection (3) of this section to any Electric Power Board to change its name to an Energy Board, unless the context otherwise requires, every reference in any enactment or in any regulation, rule, order, agreement, deed, instrument, application, notice, licence, or document whatsoever to that Electric Power Board shall be read as a reference to that Energy Board, and every reference to the electric power district of that Electric Power Board shall be read as a reference to the energy district of that Energy Board.

"(5) Notwithstanding that the name of an Electric Power Board has been changed to an Energy Board and the name of the electric power district of that Board changed to an energy district, that Board shall continue to be an Electric Power Board within the meaning of this Act, and that district shall continue to be an electric power district within the meaning of this Act."

3. Annual allowance to Chairman and Deputy Chairman—Section 27 of the principal Act (as substituted by section 2 (1) of the Electric Power Boards Amendment Act 1978) is hereby amended by adding the following subsection:

"(2) The Deputy Chairman may be paid, in addition to any amount payable to him under section 43 of this Act, such annual allowance, not exceeding 10 percent of the amount that may be paid to the Chairman, out of the funds of the Board as the Board from time to time fixes."

4. Notice to be given of extraordinary business—Section 38 of the principal Act is hereby amended by adding the following subsection:

"(3) Extraordinary business shall be deemed to include any resolution affecting or likely to affect the continued existence of the Board."

5. Powers of Board with respect to private lands—(1) Section 84 of the principal Act is hereby amended by inserting, after the words "any such land", the words "or lay cables under it".

(2) Section 84 of the principal Act is hereby further amended by repealing the proviso, and substituting the following proviso:

“Provided that nothing in this section—

5 “(a) Shall abrogate the right of the owner or occupier to have all the rights to compensation given by section 94 of this Act:

10 “(b) Shall authorise the laying of cables under land appurtenant to any dwellinghouse or to any improvement ancillary thereto for the purpose of supplying electric power without—

“ (i) The written permission of the owner thereof;

or

15 “ (ii) The Board acquiring such part of the land as is necessary for its requirements or an easement over such part.”