

Supplementary Order Paper.

HOUSE OF REPRESENTATIVES.

Thursday, the 16th Day of October, 1913.

COUNTIES AMENDMENT BILL.

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

Lighting and Supply of Gas and Electricity.

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

- (a.) May acquire land and erect buildings within or without the county.
- (b.) May procure and construct all machinery and plant necessary for gasworks.
- (c.) May lay pipes under the streets and public places.
- (d.) 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.
- (e.) May erect lamp-posts with all requisite fittings thereto in the streets and public places.
- (f.) May do all things necessary to keep the gasworks and everything appertaining to the supply of gas in good repair.

(2.) In case the supply of gas is at any time insufficient, the Council may use kerosene or any other material or method of lighting the streets or public places which it thinks proper.

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

C. All gasworks constructed or acquired by the Council shall, by virtue of this Act, be vested in the Chairman, Councillors, and inhabitants of the county.

D. (1.) Upon the written application of the owner or occupier of any building within one hundred yards of any main gaspipe, the Council shall lay on such service-pipes, fittings, and gas-meter as are requisite to supply such building with gas and to measure the quantity consumed.

(2.) Such service-pipes, gas-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.

E. Every private consumer of gas shall provide such gas fittings and appliances for the proper combustion and for preventing the escape of gas 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 gas from the premises of such person.

F. 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 gas under this Act in order to examine the gas pipes and fittings and the gas-meter 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 gas from such building.

G. Every person who alters the index of or in any other manner tampers with a gas-meter with intent to defraud the Chairman, Councillors, and inhabitants of the county is liable to a fine not exceeding *fifty* pounds for every such offence.

H. No private consumer of gas shall alter the position of any gas-meter without giving the Council three days' notice in writing of such his intention; and any such person making such alteration without such notice is liable to a fine not exceeding *ten* pounds for every such offence.

I. Nothing in this Act shall be deemed to authorize the Council to lay any part of the gasworks 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 gas pipes or fittings have been lawfully laid under this Act, and may alter, repair, or replace the same as it thinks fit.

J. The Council may fix a uniform price at which gas 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.

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

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

M. The Council may, out of any moneys which may be applied to the construction of gasworks or electric-light 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.

N. Where gasworks are at any time established in any county under the authority of any Act it shall not be lawful for the Council to establish any similar works to supply the same locality or any part thereof, except under the authority of a special Act in that behalf.

O. The directors of any gas- or electric-lighting company in pursuance, in the case of a company registered under the Companies Act, 1908, 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 Chairman, Councillors, and inhabitants 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.

P. The Council may contract for lighting the streets, public places, and public buildings of the county in such mode and upon such terms and conditions as it thinks fit; and, so far as applicable, all the provisions hereinbefore contained respecting the construction, establishment, and maintenance of gasworks shall, *mutatis mutandis*, extend and apply to the powers conferred by this section.

Q. The Council may do all things necessary to light the streets and public places of the county with electricity and to supply electricity to the inhabitants thereof; 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 or contract with any other corporation or person so to do, and therein especially may do the following things:—

(a.) The Council may exercise or authorize any corporation or person acting under any contract to exercise all the powers conferred upon it by sections two hundred and sixty-one to two hundred and seventy-six of the Municipal Corporations Act, 1908, so far as such sections are applicable to the construction and maintenance of the works necessary for effecting such lighting and to the supply of electricity as aforesaid; and all the provisions of the said section shall, so far as applicable, extend and apply to such lighting by and supply of electricity in like manner as if such sections had provided for such lighting by and supply of electricity in addition to lighting by and supply of gas:

Provided that nothing in this paragraph shall be construed to limit the powers possessed by the Council for the establishment of electric-light works.

- (b.) The Council shall conform to the provisions of Part XII of the Post and Telegraph Act, 1908, 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.
- (c.) It shall not be necessary for the Council to obtain the authority of any special Act for the purposes aforesaid.
- (d.) All the provisions of Part VII of the Post and Telegraph Act, 1908, relating 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.
- (e.) 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 for such purposes.

(2.) Subject as aforesaid, nothing in this section shall be deemed to repeal any of the provisions of Part XII of the Post and Telegraph Act, 1908, and nothing in this Act shall prejudicially affect any agreement existing between any Council and any person or corporation in respect of electric-light works.
