

41. *Testing Consumers' Installation.*

If the licensee is reasonably satisfied, after making all proper examination on the completion of the installation by testing or otherwise, that the wirings and fittings are not suitable for the voltage being employed, or that a leakage exists at some part of the circuit of such extent as to be a source of danger, and that such leakage does not exist at any part of the circuit belonging to the licensee, or that any other requirements of the license are not being complied with, then and in such case any officer of the licensee duly authorized in writing may, for the purpose of discovering whether the leakage exists at any part of a circuit within or upon any consumer's premises, or whether the wiring is suitable and the general requirements of the license are complied with, by notice require the consumer, at some reasonable time after the service of the notice, to permit an inspection of the wires and fittings belonging to the consumer and forming part of the circuit.

If on such inspection and testing the officer discovers that the requirements of the license are not properly conformed to, or if the consumer does not give all due facilities for inspecting and testing, the licensee shall either not commence a supply or shall forthwith discontinue the supply of energy to the premises in question, giving immediate notice to the consumer of the reasons for not commencing or for discontinuing the supply; and in either case supply shall not be given until the licensee is reasonably satisfied that the installation is in conformity with the requirements of the license.

If any consumer is dissatisfied with the action of the licensee in refusing to give, or in discontinuing, or in not recommencing the supply of energy to his premises, the wires and fittings of that consumer may, on his application to the Minister and on payment of the cost, be inspected and tested by the Inspecting Engineer. This provision shall be endorsed on every notice given under the provisions of either of the two preceding paragraphs hereof.

42. *Inspection of Works.*

The Minister may at any time order an inspection to be made of the works, lines, and wires of the licensee used for electric lighting and power purposes. If any defect is found to exist it must be remedied forthwith; and if, in the opinion of the officer or person inspecting, such defect is serious the Minister may, on receipt of the report, direct the licensee to at once cease transmitting energy either over the whole of the licensee's line and wires or over any specified part thereof until such defect is repaired or remedied. In default of the licensee remedying the defect or ceasing to transmit energy, the licensee shall be liable to a penalty of £20 for each day during which the defect remains if energy is transmitted, such penalty to be recoverable by or on behalf of the Minister as a debt due to the Crown. The cost of such inspection shall be borne by the licensee.

43. *Compliance with Conditions.*

For the purpose of ascertaining whether the conditions of the license are being faithfully complied with by the licensee, the Minister, or any person appointed by him in that behalf, may at all reasonable times enter on the lands and works and inspect the said works.

44. *Notice before Commencement.*

Before commencing any part of the work authorized, the licensee shall give fourteen days' notice in writing to the Public Works Engineer and to the district Engineer of the Post and Telegraph Department of the intention so to do. Such notice shall be accompanied with a plan showing the location of the proposed electric lines.

45. *Time of Construction.*

The licensee shall, within twelve months from the date of the license, make a substantial commencement of the work to which the license refers, and shall proceed continuously and energetically with the construction of all such works until they are completed.

46. *Notice of Completion.*

The licensee shall, prior to the completion of the said works or any separate portion thereof, give to the Under-Secretary of Public Works at least one month's notice in writing of the estimated date of each completion.

47. *Commencement of Supply.*

The licensee shall not use the electric lines, or any portion thereof, or permit the same to be used, until the Minister has given notice in writing that he has received from the Inspecting Engineer a certificate that the works authorized, or the portion as aforesaid, have been satisfactorily carried out.

48. *Continuity of Supply.*

From and after the time when the licensee commences to supply energy in pursuance of the license, the licensee shall maintain continuously, during the period of the day for which

the licensee has agreed with any consumer to supply energy, sufficient power for the use of all such consumers for the time being entitled to be supplied; provided also that for any purposes connected with the efficient working of the undertaking the Minister may give permission to the licensee to discontinue the supply at such intervals of time and for such periods as he may think expedient. When the supply is so discontinued public notice shall be given, when practicable, of such discontinuance and of the probable duration thereof.

49. *Notice regarding Extensions.*

Before commencing the extension or alteration of any line already erected, the licensee shall give at least seven days' notice in writing to the Public Works Engineer, and also to the district Telegraph Engineer of the Post and Telegraph Department, or his deputy, of the intention to carry out the work, and in the case of an extension such notices shall be accompanied by a plan showing the location of the line.

50. *Assignment.*

A license and the benefits and obligations thereunder shall not be assigned by the licensee without the express consent in writing of the Governor in Council first had and obtained, upon such terms and conditions as he shall approve, but such consent shall not be withheld if it is proved to the satisfaction of the Minister that the transferee is financially and otherwise able to carry out the obligations specified under the license.

51. *Revocation, &c.*

The powers of revocation or infliction of fines by a license invested in the Governor shall not be exercised unless and until the Governor has caused to be given to the licensee, or placed upon some principal or conspicuous part of the works, a notice in writing of the intention to exercise the same, and of the specified breach or breaches in respect of which the aforesaid powers are intended to be exercised, and default has been made by the licensee (after the giving or leaving of such notice) in repairing or remedying the breach complained of for the following spaces of time:—

- (a.) For any breach of the conditions of the license which in the opinion of the Governor can be met by a fine, thirty days after the giving or leaving of such notice.
- (b.) For any breach of the conditions of the license which in the opinion of the Governor is of such a nature as to require the revocation of the license, ninety days after the giving or leaving of such notice.

52. *Default and Penalty.*

(a.) If the licensee fails or neglects to use and maintain the works after completion thereof so as to secure to the area of supply the full benefit of the undertaking; or

(b.) If the licensee fails to observe, perform, fulfil, or keep any of the requirements, conditions, and provisions of the Public Works Amendment Act, 1911, or its amendments, to the full intent of the same or of any part thereof; or

(c.) If the licensee shall fail to observe any of the conditions or obligations herein imposed upon the licensee,—then in any such case it shall be lawful for the Governor, by Order in Council, either to revoke the license or to impose upon the licensee a fine not exceeding £20 for the breach of any such condition or obligation, such fine to be recovered in any Court of competent jurisdiction by any person appointed by the Governor to recover same.

53. *Public Works Compensation, &c.*

Nothing herein contained shall be deemed in any way to interfere with, affect, or abridge any rights or powers vested in His Majesty the King, or in the Governor on his behalf, or the Minister, or any other person under any Act of the General Assembly authorizing the construction, management, or working of any public works. Nor shall His Majesty, or the Governor, or the Minister, or any other person be liable to pay to the licensee any compensation for injury done to works authorized by the construction, management, or working of any such public work as aforesaid, or for the loss occasioned thereby, or for the exercise of any such right or power as aforesaid.

54. *Monopoly.*

Nothing in the license, or otherwise, shall be deemed to give to the licensee a monopoly or the exclusive right to supply electricity within the area of supply.

55. *Governor's Decision Final.*

The Governor shall be the sole judge of the fact whether the requirements of a license have been complied with; and he may from time to time cause inquiry to be made into any matter connected therewith or arising hereunder, in such manner as he thinks fit, and his decision shall be final. Provided always that this clause shall not affect the right of any person, corporate body, or local authority in cases of damage or injury for which an action by such person, corporate body, or local authority may lie against the licensee.

J. F. ANDREWS,
Clerk of the Executive Council.