

## Other Licenses.

(2) Upon the issue of any license under section 318 of the said Act, or any other license enuring under these regulations, there shall be payable a fee of two guineas.

## Amending Licenses.

(3) Upon the issue of any license under the said section 318 taking effect as an amendment of a license in respect of the same subject-matter previously issued to the licensee or a predecessor in title of the licensee there shall be payable a fee of one guinea.

## Prepayment.

(4) Every such fee shall be payable by the applicant before the license is issued.

## 5. OFFENCES AND PENALTIES.

## Unlawful taking of Water.

(1) Any person who without colour of right takes, uses, or applies water for the purpose of generating or storing electricity or mechanical power contrary to the provisions of these regulations commits a breach of these regulations.

## Interference.

(2) No person shall take, use, or apply water for the purpose of generating or storing electricity or other power or interfere with any river, stream, or lake save under the authority and in accordance with the conditions of a license or other legal authorization in that behalf.

## Penalty.

(3) Every person who commits a breach of these regulations shall be liable to a fine not exceeding £50 for every day on which such breach is committed.

## 6. CONDITIONS OF LICENSES.

In every license to use water for the purpose of generating or storing electricity the following conditions shall be deemed to be implied except so far as the same may be expressly negated or modified or inconsistent with the terms of the license :—

(1) *Annual Rental.*—(A) In this clause and in clause (2) of this regulation, unless the context otherwise requires,—

“K.v.a.” means a kilovolt-ampere of maximum demand generated by the works authorized by the license and measured at the main switchboard at the substation.

“Substation” means the main substation for distributing electrical energy generally within the licensee’s area of supply, and if there is no such substation means the licensee’s generating-station.

(B) For the rights conferred by the license the licensee shall pay to the Crown a rental or annual sum assessed in accordance with the following provisions :—

(a) Except as provided in paragraph (b) of this subclause and in clause (2) of this regulation, such rental shall be the sum of £1 per kv.a. per annum.

(b) If, after excluding the rental but including all other charges necessary in the production of electricity at the main switchboard in the substation, the cost of each kv.a. exceeds the sum of £5, then, subject to clause (2) of this regulation, the rental provided for in paragraph (a) hereof shall be reduced by the amount by which such cost exceeds the sum of £5.

(C) If the licensee applies to have the rental for any year assessed otherwise than at the rate of £1 per kv.a. per annum he shall supply with his application a duly audited balance-sheet showing—

(a) The capital cost of such of the works as are used for producing electricity at the main switchboard in the substation ;

(b) The charges on such capital cost ;

(c) The working costs ; and

(d) The estimated value or amount of benefit and the nature thereof and the actual revenue derived from the undertaking, and shall also supply any other relevant details necessary to enable the Minister to decide what rental is properly payable.

(2) *Minimum Rental.*—(a) Notwithstanding anything in the last preceding clause the rental shall be not less than 2s. 6d. per kv.a. in any case ; in the case of an installation of any class described in paragraph (b) hereof the annual rental shall be not less than 5s. ; and in any other case the annual rental shall be not less than £10.

(b) The classes referred to in paragraph (a) hereof are :—

(i) Private installations for which a permit could be issued under section 327 of the Public Works Act, 1928, whether in fact authorized under that section or not.

(ii) Installations used solely for the purpose of supplying electrical energy for use in any institution which in the opinion of the Minister is not operated for profit.

(iii) Other installations of maximum rated capacity not exceeding 20 kilowatts which in the opinion of the Minister are not operated for profit.

(3) *Rental Period.*—Every rental or annual sum payable under the license shall be payable for the financial year ending on the 31st day of March in every calendar year subject in the case of the first payment to apportionment from the date of the grant of the license to the next following 31st day of March, and in the case of the last payment to apportionment from the last preceding 31st day of March to the termination of the license : Provided that the foregoing provisions for apportionment shall not apply to a minimum rental.

(4) *Payment of Rental.*—Every annual sum or rental payable under the license shall fall due and be paid on the 14th day of April in every year following the period for which the same is payable and shall be recoverable as a debt due to the Crown and may be paid by lodging the same to the credit of the Public Account at any branch of the bank where for the time being the Public Account is kept, or by paying the same, unless the Minister by notice in writing to the licensee otherwise directs, to the Public Works Engineer at the place stated in the license, or otherwise as the Minister may by notice in writing to the licensee direct.

(5) *Use and Return of Water.*—The water the right to use which is granted by the license shall be used solely for the purpose specified in the license and thereafter be returned to the river at a point which in the opinion of the Chief Electrical Engineer is as close as is reasonably possible to the works in which the water is utilized.

(6) *Limitations on Use of Water and Electricity.*—Except so far as may be expressly set out in the license, the license shall not be deemed to authorize the use of water to generate electrical energy for consumption by any person other than the licensee or consumption on any premises other than premises occupied by the licensee.

(7) *Submission of Plans.*—Before commencing any of the works authorized by the license the licensee shall submit for the Minister’s approval—

(a) Full detailed drawings and specifications of any proposed diverting weir ;

(b) Drawings showing into what courses and in what manner the water is to be diverted ;

(c) Contour-plans showing water-levels prior to the inception of the works and water-levels expected to exist upon any land affected after completion of the works ;

(d) Drawings giving full particulars of any tunnels, aqueducts, and pipe-lines proposed to be used in conveying water from the headworks to the power-station ;

(e) Drawings showing the proposed arrangement of the generating, switching, and transforming plant in the power-station.

(8) *Amendment of Plans.*—Before approving the plans the Minister may require such further plans, drawings, specifications, or details as in his discretion he thinks necessary, or may require such alteration as he thinks necessary to be made in any plan, drawing, or specification of proposed works.

(9) *Approval of Plans.*—On the approval by the Minister of the plans, drawings, and specifications aforesaid, whether as first submitted or as altered in compliance with the Minister’s requirements, such plans, drawings, and specifications shall be forwarded to the licensee with a signification of the Minister’s approval thereof.

(10) *Plans of Alterations.*—If after approval of plans, drawings, and specifications as aforesaid, and either before or after the construction of the works therein described, the licensee desires to construct works that are in addition to or in modification of or in any respect not in accordance with the approved plans, drawings, and specifications aforesaid the licensee may submit fresh or amended plans, drawings, or specifications to the Minister, and the provisions of the clauses numbered 8 and 9 hereof shall apply.

(11) *Construction of Plans.*—The licensee shall not construct any works for the use of the water referred to in the license or any works for the generation or storage of electricity by the use of such water otherwise than in accordance with plans, drawings, and specifications approved by the Minister as aforesaid.

(12) *Completion of Works.*—The licensee shall substantially complete the several works referred to in the license within the time or times specified in that behalf in the license, or, if no time be so specified, then within one year from the date of the grant of the license : Provided that the Minister