

clause (3) of this regulation, and every such owner or occupier shall be entitled in respect of such premises to a supply of electrical energy accordingly.

(3) The terms and conditions referred to in clause (2) of this regulation are the following :—

- (a) Where the length of an electric service-line inside the boundary of a consumer's premises does not exceed 60 ft. in the case of an overhead line or 20 ft. in the case of an underground line (the distance in each case being measured along the shortest practicable route of the service-line), such service-line (not including any terminal insulator on the building on the consumer's premises) shall be provided free by the licensee.
- (b) Except where special arrangements in that respect are made between a licensee and a consumer, the licensee shall erect an overhead or underground service-line according to whether his distribution-lines passing the consumer's premises are overhead or underground.
- (c) If the electric service-line is required for a greater distance than 60 ft. or 20 ft. as aforesaid (as the case may be) inside the boundary of a consumer's premises, the consumer may, at the discretion of the licensee, be required to bear the cost of such additional length. Subject to any express contract to the contrary, every service-line paid for by the consumer shall remain his property.
- (d) If any additional pole is required owing to the point of attachment to the consumer's installation being too low to give the overhead clearances prescribed in these regulations over a street without the use of such a pole, the cost of such pole shall be borne by the licensee.
- (e) Where any extension-piece on a building or any additional pole is required on a consumer's premises to give the necessary overhead clearance on the consumer's premises, the cost of such extension piece or additional pole shall, if the licensee so demands, be paid by the consumer. Subject to any express contract to the contrary, every such extension piece and pole paid for by the consumer shall remain his property.
- (f) Where any pole is required on a consumer's premises for the purpose of giving horizontal clearance from some obstruction on his premises, the cost of such pole shall, if the licensee so demands, be paid by the consumer. Subject to any express contract to the contrary, every such pole paid for by the consumer shall remain his property.

21-43. (1) This regulation applies in respect of all premises which are :—

- (a) Within the area of supply described in the license ; but
- (b) Not sufficiently near in the opinion of the Chief Electrical Engineer to an electric distribution-line for the time being erected and maintained by the licensee (other than a line erected pursuant to a demand made under this regulation) to enable a supply of electrical energy to be furnished to such premises without the erection of an additional electric distribution-line or without employing a line erected pursuant to a demand made under this regulation.

(2) If any question arises as to whether any extension or any part thereof was reasonably necessary in order to enable a licensee to afford a supply of electrical energy to a consumer, the question shall be referred to the arbitration of the Chief Electrical Engineer, or an Engineer of the Public Works Department, or other person nominated for that purpose by the Chief Electrical Engineer, and the decision so arrived at shall be final and binding on all parties.

(3) For the purposes of this regulation an extension shall be deemed to include any alteration of or addition to existing lines, substations, or apparatus, and shall include the provision and erection of all poles, crossarms, conductors, insulators, and any apparatus or substation connected therewith necessary to give a satisfactory supply to the consumers affected by such extension.

(4) The capital cost of an extension shall include a reasonable allowance for supervision, inspection, and other charges connected with the extension, and the certificate of the Controller and Auditor-General as to the amount thereof (given after such inquiry and examination of records and accounts as he may think fit to make, and without hearing parties or assuming the position of an arbitrator) shall be final and binding on all parties.

(5) Every licensee, if a vendor of electrical energy, shall, within twelve months after demand in writing made by the owner or occupier of any such premises as are described in clause (1) of this regulation, afford a supply of electrical energy to such premises under the terms and conditions set out in clause (6) of this regulation, or in the option of such owner or occupier under the alternative terms

and conditions set out in clause (7) of this regulation, and every such owner or occupier shall, on the expiration of the said period of twelve months, be entitled in respect of such premises to a supply of electrical energy accordingly :

Provided that the alternative terms and conditions set out in clause (7) of this regulation shall not be available in respect of premises used as a mine, or in respect of a temporary service, or in respect of a demand which, in the opinion of the licensee, is not sufficiently permanent.

(6) The terms and conditions referred to in clause (5) of this regulation are the following :—

- (a) The consumer shall undertake to pay to the licensee the capital cost of such extension as may be reasonably necessary to enable the licensee to afford such consumer the supply of electrical energy for which he has made a demand as aforesaid ; and
- (b) The consumer shall also undertake to pay to the licensee annually, for such period as the consumer receives a supply of electrical energy from such extension, a sum equal to 12½ per cent. (or such lower percentage as the licensee may fix) of the capital cost of the extension :

Provided that the licensee shall credit to the consumer in reduction of the annual sum so payable in respect of any year all moneys paid by the consumer for electrical energy used in that year charged according to the scale of charges in force at that time in that locality for the same type of service.

(7) The alternative terms and conditions referred to in clause (5) of this regulation are the following :—

- (a) The consumer shall, in respect of the capital cost of such extension as may be reasonably necessary to enable the licensee to afford such consumer the supply of electrical energy for which he has made a demand as aforesaid, undertake to pay to the licensee annually, for such period as the consumer may elect from the day next following the day on which the licensee gives notice to the consumer that a supply of electrical energy is available, an annual sum equal to the respective percentages set out in paragraph (b) hereof (or such lower percentage as the licensee may fix) of the capital cost of the extension :

Provided that the licensee shall credit to the consumer in reduction of the annual sum so payable in respect of any year all moneys paid by the consumer for electrical energy used in that year charged according to the scale of charges in force at that time in that locality for the same type of service.

(b)

If the Period in respect of which the Undertaking is given is—	The Percentage of the Capital Cost of the Extension shall be—
1 year or less	120 per cent.
2 years or less	60 per cent.
3 years or less	40 per cent.
4 years or less	30 per cent.
5 years or less	24 per cent.
More than 5 years	20 per cent.

(8) The liability imposed on any consumer under clause (6), or clause (7), or clause (11) of this regulation shall be abated according to the sums recovered, or recoverable, by the licensee from any other consumer from whom the licensee has obtained previously, or simultaneously, an undertaking either under clause (6), or under clause (7), or under clause (11) of this regulation in respect of a supply of electrical energy afforded, or to be afforded, by the use of the same extension or any part thereof, and if any question arises as to the amount of abatement, or reduction, proper in the premises it shall be referred to the arbitration of the Chief Electrical Engineer, or an Engineer of the Public Works Department, or other person nominated for that purpose by the Chief Electrical Engineer, and the decision so arrived at shall be final and binding on all parties.

(9) It shall not be obligatory upon a licensee to comply with any demand made under this regulation :—

- (a) If an undertaking given by any person is not supported by a sufficient security for payment of all moneys thereby agreed to be paid ; or
- (b) If the nature, or period, of the supply demanded is unsatisfactory ; or
- (c) If the funds of the licensee are insufficient (after taking into consideration any moneys payable under any such undertaking as aforesaid) to provide any necessary extension :

Provided that any question arising as to the sufficiency of any security, or as to whether the nature or period of a supply is unsatisfactory, or as to the sufficiency of the funds