

MUNICIPAL COUNCIL OF SYDNEY
ELECTRIC LIGHTING (AMEND-
MENT) ACT.

Act No. 22, 1920.

An Act to provide for the variation of certain agreements made by the Municipal Council of Sydney with regard to the supply of electricity; to authorise the Council in certain cases to make charges in excess of the charges specified in the said agreements; to amend the Municipal Council of Sydney Electric Lighting Act; and for purposes connected therewith. [Assented to, 23rd December, 1920.]

George V,
No. 22.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Municipal Council short title.
of Sydney Electric Lighting (Amendment) Act, 1920," and shall be construed with the Municipal Council of Sydney Electric Lighting Act.

2. Notwithstanding the terms of any agreement charge for electricity heretofore made by the council with the council of a supplied municipality or shire for the supply of electricity for under certain any purpose, the council shall be entitled to charge for agreements to be varied. electricity supplied under the said agreements an amount to be determined under the provisions of this Act.

3. If at any time after the first day of December, one thousand nine hundred and twenty, the cost to the council of the generation and supply of electricity has increased city increased to the extent of at least 1d. (one-tenth of a treasurer to certify to penny) Minister.

George V, penny) per unit (kilo-watt hour) above the average cost
No. 22. to the council of such generation and supply in the year
 one thousand nine hundred and fifteen, the city treasurer
 shall so certify in writing to Minister.

Inquiry to be held by judge. **4.** Upon receipt of such certificate the Minister
 shall cause an inquiry to be held by a Supreme Court
 judge at which the Minister, the council, and the
 councils of the municipalities and shires who are parties
 to the said agreements may be represented and may
 tender evidence.

Judge to determine and certify to Minister. **5.** The judge holding the inquiry shall determine
 and certify to the Minister whether the cost to the
 council of the generation and supply of electricity has
 so increased, and, if so, by what amount, and also such
 cost, per unit (kilo-watt hour), at the time of the said
 inquiry.

Matters to be considered by judge. **6.** In ascertaining the amount, if any, by which the
 cost to the council of the generation and supply of
 electricity has so increased, the judge holding the inquiry
 shall take into consideration all increases or decreases in
 wages, freight, coal, oil, rates, and other expenses properly
 chargeable to revenue, and such sum as, in his opinion,
 will ensure a reasonable return upon the value of the
 land used by the council in connection with its electric-
 lighting undertaking, and upon all moneys expended by
 the council upon buildings and apparatus for the genera-
 tion and supply of electricity.

Cost chargeable by council may be increased and increased cost to be proclaimed. **7.** The price chargeable by the council for electricity
 supplied under the said agreements shall be increased
 by 1d. (one-tenth of a penny) per unit (kilo-watt hour)
 for every 1d. (one-tenth of a penny) by which the judge
 shall certify that the cost per unit (kilo-watt hour) to
 the council of the generation and supply of electricity
 has so increased. Such increased price so chargeable
 by the council shall be stated in a proclamation by the
 Governor to be published in the Gazette, and upon such
 publication the price so stated shall be substituted for
 the price specified in the said agreements as mentioned
 in the said proclamation.

Further inquiry where cost reduced. **8.** Where the price chargeable by the council
 under the said agreements has been so increased
 the Minister may cause a further inquiry to be held,
 and

and if the judge holding such further inquiry certifies to the Minister that since the date of the said proclamation there has been a reduction in the cost to the council of the generation and supply of electricity of at least 1d. (one-tenth of a penny) per unit (kilo-watt hour) and that such reduction in cost has been continued during the period of one year preceding the holding of such further inquiry, the price chargeable by the council for electricity supplied under the said agreements shall be reduced by 1d. (one-tenth of a penny) per unit (kilo-watt hour) for every 1d. (one-tenth of a penny) by which the judge certifies that the cost per unit (kilo-watt hour) to the council at the date of such further inquiry of the generation and supply of electricity is less than such cost as determined at the previous inquiry.

9. The reduced price chargeable by the council shall be stated in a proclamation by the Governor published in the Gazette, and upon such publication the price so stated shall be the price chargeable under the said agreements and shall be substituted for the price as stated in the previous proclamation.

10. Where the price chargeable by the council has been so increased or reduced, the Minister may cause a further inquiry to be held, and a further increase or reduction, as the case may be, in the price chargeable by the council, may be made as the result of such further inquiry.

11. The provisions of this Act, with regard to the first-mentioned inquiry, certificates, determination, and proclamation, shall apply, mutatis mutandis, to any further inquiry and subsequent proclamation.

12. Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the supply of electricity, the council may make a minimum charge not exceeding ten shillings per quarter for electricity supplied under the said agreements.

13. Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the hire of electric motors the council may increase the rates for the hire of motors specified

George V, No. 22. specified in such agreements. Such increase shall not exceed one hundred and fifty per centum of the amount specified in such agreements.

Increase of
rent for hire
of meters.

14. Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the provision of meters the council may make a rental charge for such meters not exceeding tenpence (10d.) per month.

Charges for
meters, &c.,
not payable
until deter-
mined by
judge.

15. (1) No rental charge for meters or increased charge or rate for the supply of electricity or the hire of electric motors shall be payable to the council under the provisions of the last three preceding sections until such rental charge or increased charge or rate has been determined by the judge upon the holding of an inquiry in accordance with the provisions hereinbefore contained, and the judge holding any such inquiry is hereby authorised and required to determine such rental charge or increased charge or rate at a fair and reasonable amount if requested by the Minister so to do.

Determina-
tion of judge
to be
gazetted.

(2) Any rental charge or increased charge or rate so determined by the judge shall be stated in a proclamation by the Governor to be published in the Gazette and upon such publication the rental charge or increased charge or rate so stated shall be payable under the said agreements and the said agreements shall be deemed to be amended accordingly.