

GAS AND ELECTRICITY (AMENDMENT) ACT.

Act No. 30, 1962.

Elizabeth II, An Act to make provision for the settlement of differences between the Sydney County Council and the councils of areas that are constituencies of the Sydney County District; to vary the requirements of the Gas and Electricity Act, 1935, as amended by subsequent Acts, relating to the supply of gas by gas companies; for these and other purposes to amend the Gas and Electricity Act, 1935, as amended by subsequent Acts; to terminate certain contracts, agreements and undertakings between the Sydney County Council and the councils of such areas; and for purposes connected therewith. [Assented to, 3rd December, 1962.]

BE

BE it enacted by the Queen'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. (1) This Act may be cited as the "Gas and Electricity Act, 1962".

Short title,
citation and
commencement.

(2) The Gas and Electricity Act, 1935, as amended by subsequent Acts and by this Act, may be cited as the Gas and Electricity Act, 1935-1962.

(3) The provisions of—

(a) subsection two of section two of, and the Schedule to, this Act, and paragraphs (a), (c), (d) and (e) of section three of this Act, shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette; and

(b) paragraphs (f) and (g) of section three of this Act shall be deemed to have commenced upon the first day of July, one thousand nine hundred and fifty-eight.

(4) Different days may be appointed under paragraph (a) of subsection three of this section—

(a) in respect of the different provisions referred to in that subsection; and

(b) in the case of the provisions of subsection two of section two of, and the Schedule to, this Act, in respect of the different agreements referred to in the Schedule to this Act.

No. 30, 1962
 Amendment of Act No. 42, 1935.

New sec.
 55F.

Differences between Sydney County Council and councils of constituent areas.

2. (1) The Gas and Electricity Act, 1935, as amended by subsequent Acts, is amended by inserting next after section 55E the following new section :—

55F. (1) If any difference arises between the Sydney County Council and the council of any area or part of an area included in the Sydney County District with respect to the powers, authorities, duties and functions of the Sydney County Council or any such other council or with respect to the terms of any agreement entered into or proposed to be entered into between the Sydney County Council and any such other council, the Sydney County Council or such other council may submit the difference to the Minister and the provisions of section six hundred and fifty-four of the Local Government Act, 1919, as amended by subsequent Acts, shall apply, mutatis mutandis, to and in respect of any such difference.

(2) For the purposes of the application of the said section six hundred and fifty-four the Sydney County Council shall be deemed to be the council of an area.

(2) The contracts, agreements and undertakings which are referred to in the Schedule to this Act and which by the operation of the provisions of section nine of the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, as amended by subsequent Acts, and section six of the Electricity Commission (Transfer of Reticulation Works) Act, 1957, as amended by subsequent Acts, are deemed to be contracts, agreements or undertakings entered into with the Sydney County Council are hereby terminated.

Compensation or damages shall not be payable in respect of the termination of any such contract, agreement or undertaking notwithstanding anything in any such contract, agreement or undertaking or in any Act, but such termination shall not prejudice or affect the rights and remedies under any such contract, agreement or undertaking of any body that is or is deemed to be a party to such contract, agreement or undertaking arising out of anything done or neglected to be done before the date upon which such contract, agreement or undertaking is terminated.

3. The Gas and Electricity Act, 1935, as amended by No. 30, 1962
subsequent Acts, is further amended—

Further
amendment
of Act No.
42, 1935.

- (a) by omitting from the matter relating to Part IV in Sec. 1.
subsection three of section one the words “, *specific* (Division into Parts.)
gravity”;
- (b) by omitting subsection five of section twelve; Sec. 12.
(Standard prices.)
- (c) by omitting from the heading to Division 1 of Part IV—
Part IV—
Gas.
Div. 1—
Heading.
- (d) by omitting subsection (2A) of section twenty-three Sec. 23(2A).
and by inserting in lieu thereof the following sub- (Specific gravity.)
section :—

(2A) The gas supplied by a gas company shall be of such specific gravity that its Wobbe Index number is within such range of Wobbe Index numbers as may be prescribed.

Different ranges of Wobbe Index numbers may be prescribed in respect of different gas companies.

- (e) by omitting subsection (2A) of section twenty-four Sec. 24.
and by inserting in lieu thereof the following (Penalties.)
subsection :—

(2A) Where at any time the specific gravity of gas tested at any testing place is such that the Wobbe Index number of that gas does not fall within the range of Wobbe Index numbers prescribed for the gas company by which the gas was supplied, the gas company supplying the gas shall be liable upon summary conviction to a penalty not exceeding fifty pounds. One penalty only shall be incurred by a gas company in respect of any breach of this subsection on any one day.

(f)

No. 30, 1962

Sch. 3.

(f) by inserting in Schedule Three next before the words "Hunter's Hill" in the list of areas which constitute the Fourth constituency of the Sydney County District the word "Hornsby";

Sch. 6.

(g) by inserting in Schedule Six next after the word "Drummoyne" the word "Hornsby".

Secs.
1 (4) (b),
2 (2).

SCHEDULE.

Date of contract, agreement or undertaking	Parties to contract, agreement or undertaking
12th August, 1907 ..	Thomas Llewellyn Kenway and The Council of the Municipality of Balmain.
12th November, 1957 ..	Electricity Commission of New South Wales and The Council of the Municipality of Leichhardt.
26th October, 1943 ..	Electric Light and Power Supply Corporation Limited and The Council of the Municipality of Ashfield.
19th November, 1946 ..	Electric Light and Power Supply Corporation Limited and The Council of the Municipality of Petersham.
10th February, 1947 ..	Electric Light and Power Supply Corporation Limited and The Council of the Municipality of Leichhardt.
1st November, 1949 ..	Electric Light and Power Supply Corporation Limited and The Joint Committee constituted under section eighty of the Gas and Electricity Act, 1935-1948.
18th September, 1952 ..	Electric Light and Power Supply Corporation Limited and The Joint Committee constituted under section eighty of the Gas and Electricity Act, 1935-1948.