

GAS AND ELECTRICITY (AMENDMENT) ACT.

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 99, 1967.

An Act relating to the supply of gas; for this purpose to amend the Gas and Electricity Act, 1935, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 19th December, 1967.]

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:—

Short title and citation. 1. (1) This Act may be cited as the "Gas and Electricity (Amendment) Act, 1967".

(2)

Gas and Electricity (Amendment).

(2) The Gas and Electricity Act, 1935, as amended ^{No. 99, 1967} by subsequent Acts and by this Act, may be cited as the Gas and Electricity Act, 1935–1967.

2. The Gas and Electricity Act, 1935, as amended by ^{Amendment of Act No. 42, 1935.} subsequent Acts, is amended—

(a) by inserting next after section two the following ^{New sec. 2A.} new section :—

2A. This Act shall be read and construed subject ^{Construction of Act.} to the limits of the legislative powers of the State and so as not to exceed those powers, to the intent that, where any enactment thereof, but for this provision, would be construed as being in excess of those powers, it shall nevertheless be a valid enactment to the extent to which it is not in excess of those powers.

(b) by inserting in section three next after the definition ^{Sec. 3.} of “British thermal unit” the following new ^(Definitions.) definition :—

“Gas” includes natural gas, whether processed or not.

(c) by inserting next after section twenty the following ^{New sec. 20A.} new section :—

20A. (1) Notwithstanding anything contained in any other Act, a person not acting on behalf of the Crown shall not, after the expiration of a period of six months after the commencement of the Gas and Electricity (Amendment) Act, 1967, by means of a pipe or system of pipes, supply or distribute gas to any other person for lighting, heating or any other purpose or dispose of gas to any other person with a view to profit except with the approval in writing of the Minister and in accordance with any conditions to which any such approval is from time to time subject.

(b)

(2)

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(2) Any conditions to which an approval granted under subsection one of this section is from time to time subject may be varied, revoked or added to by an instrument in writing under the hand of the Minister served on the holder of the approval.

(3) A gas company specified in Schedule Seven shall, on an application in writing made to the Minister, be entitled to be granted an approval under subsection one of this section subject to such conditions as to the area in which it may supply, distribute or dispose of gas and to such other conditions as may be specified in the instrument of approval.

(4) Subsection one of this section does not apply to a licensee under the Pipelines Act, 1967, in respect of the supply of gas to a gas company that holds an approval under subsection one of this section.

(5) Any company, corporation, firm or person that or who contravenes the provisions of subsection one of this section shall be guilty of an offence and, subject to subsection seven of this section, liable to a penalty not exceeding five hundred dollars for each day on which the offence occurs.

(6) Proceedings for an offence arising under this section may be taken before a stipendiary magistrate sitting alone as a court of summary jurisdiction or before the Supreme Court in its summary jurisdiction.

(7) If proceedings for an offence arising under this section are brought before a stipendiary magistrate, the maximum penalty that may be imposed in respect of the offence is one thousand dollars.

(8) In this section "gas" includes liquefied petroleum gas as defined in section two of the Liquefied Petroleum Gas Act, 1961.

(d)

Gas and Electricity (Amendment).

(d) by inserting next after Schedule Six the following No. 99, 1967
 new Schedule :—

New Sch. 7.

SCHEDULE SEVEN.

Sec. 20A.

Aberdare County Council.
 The Albury Gas Company Limited.
 Armidale City Council.
 The Australian Gas Light Company.
 Bathurst City Council.
 Bega Municipal Council.
 Bowral Municipal Council.
 Broken Hill & Suburban Gas Coy. Limited.
 Camden Municipal Council.
 Colonial Gas Holdings Limited.
 Cootamundra Municipal Council.
 Cowra Municipal Council.
 Dubbo City Council.
 Glen Innes Municipal Council.
 City of Goulburn Gas and Coke Company (Limited).
 Grafton Lighting Coy. Limited.
 Grenfell Municipal Council.
 The Katoomba and Leura Gas Company Pty. Limited.
 Kiama Municipal Council.
 Lismore City Council.
 Lithgow City Council.
 Mittagong Shire Council.
 Molong Shire Council.
 Muswellbrook Municipal Council.
 The City of Newcastle Gas and Coke Company (Limited).
 The North Shore Gas Company Limited.
 Orange City Council.
 Parkes Municipal Council.
 Shoalhaven Shire Council.
 Singleton Gas Company Limited.
 Tamworth City Council.
 Wagga Wagga City Council.
 Wellington Shire Council.
 Wollongong Gas Light Coy. Limited.
 Yass Municipal Council.