

1996—No. 82

ELECTRICITY ACT 1945—ORDER

NEW SOUTH WALES



[Published in Gazette No. 30 of 8 March 1996]

I, PATRICK CARL SCULLY, Acting Minister for Energy, make the following Order under section 6B (5) of the Electricity Act 1945.

The Hon. P. C. SCULLY, M.P.,
Acting Minister for Energy.

Citation

1. This Order may be cited as the Electricity (Tenterfield Council) Order 1996.

Commencement

2. This Order commences with effect from 29 February 1996.

Definition

3. In this Order:

“**the Report**” means the report dated on or about 22 December 1995, entitled “Identification of Staff, Assets, Rights and Liabilities of Tenterfield Shire Council in its exercise of the functions of an Electricity Distributor under section 6B of the Electricity Act 1945, Immediately before the amalgamation with NorthPower Energy on 1st October, 1995”, addressed to the Honourable M. R. Egan, M.L.C., Minister for Energy and signed by B. D. Earl, General Manager of Tenterfield Council and T. Parkinson, Chief Executive Officer of NorthPower Energy.

Revocation of part of the Electricity (Amalgamation of Electricity Distributors) Order 1995

4. Clause 9 (3) of the Electricity (Amalgamation of Electricity Distributors) Order 1995 is revoked.

Transfer of staff, assets, rights and liabilities of Tenterfield Council

5. All staff, assets, fights and liabilities held by Tenterfield Council in so far as they relate to its exercise of the ~~functions~~ of an electricity distributor under section 6B of the Electricity Act 1945, including, without limitation:

- (a) the immoveable assets referred to in Clause 9 (3) of the Electricity (Amalgamation of Electricity Distributors) Order 1995, now revoked in accordance with Clause 3 of this Order;
- (b) the staff employed by Tenterfield Council as at 30 September 1995, referred to in Part 3 of the Report, on the basis and terms described in that Part 3;
- (c) the assets referred to in Clause 4.1 of the Report and the liabilities referred to in Clause 5.1 of the Report;
- (d) the Franchise agreements referred to in Sub-Clauses (a) and (b) of Part 6 of the Report;

are transferred to NorthPower Energy.

Payment of Compensation

6. In accordance with Clause 3 (6) of Schedule 3 of the Electricity Act 1945, compensation in connection with the transfer of any of the staff, assets, rights or liabilities referred to in Clause 5 of this Order, is to be payable to Tenterfield Council by the Minister for Energy or NorthPower Energy, to the extent, if any, determined by the Minister for Energy.

7. The transfer referred to in Clause 5 of this Order is not in any way conditional upon any determination by the Minister under Clause 6 of this Order and accordingly takes full effect upon the commencement of this Order.
