

**ELECTRICITY DEVELOPMENT (AMENDMENT)
ACT.**

Act No. 9, 1963.

Elizabeth II, No. 9, 1963 An Act to make further provision with respect to the control of the establishment, erection or extension of electricity transmission lines, and the regulation of the sale and hiring of electrical apparatus; for these and other purposes to amend the Electricity Development Act, 1945, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 29th March, 1963.]

BE

BE it enacted by the Queen's Most Excellent Majesty, by No. 9, 1963 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 "Electricity Development (Amendment) Act, 1963".

Short title, citation and commencement.

(2) The Electricity Development Act, 1945, as amended by subsequent Acts and by this Act, may be cited as the Electricity Development Act, 1945-1963.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. (1) The Electricity Development Act, 1945, as amended by subsequent Acts, is amended—

Amendment of Act No. 13, 1946.

(a) by omitting from the matter relating to Part VII in section three the figures "37" and by inserting in lieu thereof the figures "38";

Sec. 3. (Division into Parts.)

(b) (i) by omitting from section four the definition of "Main transmission line";

Sec. 4. (Interpretation.)

(ii) by inserting at the end of the same section the following new definition:—

"Transmission line" means any cable or overhead line operating at a voltage in excess of twenty-two thousand five hundred volts which connects or transmits electricity between, or is designed or intended to connect or transmit electricity at a voltage in excess of twenty-two thousand five hundred volts between, two or more power stations, or which is operated for or in connection with the supply of electricity directly or indirectly to the public at a voltage in excess of twenty-two thousand five hundred volts,

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volts, and all towers, poles and equipment and all step-up and step-down transformers and switchgear necessary to or used for the control and operation of any such cable or overhead line.

Sec. 9.
(Powers of Authority.)

- (c) by omitting from subparagraph (v) of paragraph (a) of subsection one of section nine the word "main";

Sec. 21.
(Power to prescribe classes, descriptions, or types of electrical appliances, &c., which shall not be sold unless approved under the regulations or in another State.)

- (d) (i) by omitting from subsection one of section twenty-one the words "has been approved of by the Authority and is stamped or labelled as prescribed" and by inserting in lieu thereof the following words—

"(a) is approved by the Authority and is stamped or labelled as prescribed; or

(b) is approved by the approving authority in another State and complies with the published specifications prescribed under the regulations for such type, description, or class of wire, cable, appliance, fitting, meter, insulator, apparatus or material";

- (ii) by omitting from subsection two of the same section the words "has been approved of by the Authority, and is stamped or labelled as prescribed, be guilty of an offence against this Act" and by inserting in lieu thereof the following words—

"(a) is approved by the Authority and is stamped or labelled as prescribed; or

(b) is approved by the approving authority in another State and complies with the published specifications prescribed under the regulations for such type, description or class of wire, cable, appliance, fitting, meter, insulator, apparatus or material,

be guilty of an offence against this Act";

(iii)

- (iii) by inserting next after the same subsection the following new subsection :—

(2A) In any proceedings for an offence against this Act a document purporting to be signed by or on behalf of the Authority or the approving authority in another State stating that at a particular time any type, description or class of wire, cable, appliance, fitting, meter, insulator, apparatus or material was or was not approved by such approving authority and that such approval (if granted) has or has not been withdrawn shall be prima facie evidence of the particulars contained therein.

- (iv) by inserting at the end of the same section the following new subsection :—

(4) For the purposes of this section, unless the context or subject matter otherwise indicates or requires—

“approved” means subject to an approval which has not been withdrawn;

“approving authority in another State” means—

in respect of the State of Queensland, The State Electricity Commission of Queensland;

in respect of the State of Victoria, The State Electricity Commission of Victoria;

in respect of the State of South Australia, The Electricity Trust of South Australia;

in respect of the State of Tasmania, The Hydro-Electric Commission;

in

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in respect of the State of Western
Australia, The State Electricity
Commission of Western Aus-
tralia.

Sec. 27.
(Restrictions in
relation
to certain
works.)

(e) (i) by omitting from subsection one of section
twenty-seven the word "main";

(ii) by omitting from subsection four of the same
section the following words :—

"(d) for the establishment, erection or
extension of any main transmission
line within any area by any electricity
supply authority lawfully supplying
electricity directly to the public in
any such area where such main
transmission line is intended to be used
solely for the purpose of supplying
electricity in any such area.

For the purposes of this paragraph, the
expression 'area' has the meaning ascribed
thereto in the Local Government Act, 1919,
as amended by subsequent Acts, and in-
cludes the county district of a county council
constituted under that Act, as so amended,
and a county district of a county council
constituted pursuant to section twelve of this
Act and the county district of the Sydney
County Council and the area or areas for
the time being supplied by the Electric Light
and Power Supply Corporation Limited."

and by inserting in lieu thereof the following
words :—

"(d) for the establishment, erection or
extension of any transmission line—

(i) by the Sydney County Council
within the Sydney County
District, the Shortland County
Council

Council within the City of Newcastle, the Prospect County Council within the City of Parramatta, the St. George County Council within its area and the Mackellar County Council within its area;

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- (ii) by any electricity supply authority which the Minister may from time to time specify by order published in the Gazette.

Any such order may relate to the whole or any part of an area.

For the purposes of this paragraph the expression 'area' has the meaning ascribed thereto in the Local Government Act, 1919, as amended by subsequent Acts, and includes the county district of a county council constituted under that Act, as so amended, and the county district of a county council constituted pursuant to section twelve of this Act.”;

- (iii) by omitting from paragraph (a) of subsection seven of the same section the word “main”;
 - (f) (i) by omitting from paragraph (b) of subsection one of section twenty-eight the word “main” wherever occurring; (Certain provisions not to apply.)
(ii) by omitting subsection two of the same section;
 - (g) (i) by omitting from section thirty-two the words “fifty pounds” and by inserting in lieu thereof the words “one hundred pounds”; (Penalty.)
(ii) by omitting from the same section the words “ten pounds” and by inserting in lieu thereof the words “twenty pounds”;
- (h)

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 Sec. 37.
 (Regulations.)

(h) (i) by inserting at the end of subsection two of section thirty-seven the following new paragraph :—

(n) the fees to be charged by an electricity supply authority for inspection and testing of a consumer's electrical installation.

(ii) (a) by omitting from subsection three of the same section the words "fifty pounds" and by inserting in lieu thereof the words "one hundred pounds";

(b) by omitting from the same subsection the words "ten pounds" and by inserting in lieu thereof the words "twenty pounds";

New sec. 38.

(i) by inserting next after section thirty-seven the following new section :—

Rescission,
&c., of
proclama-
tions and
notifica-
tions.

38. (1) Any proclamation or notification made, published or given under this Act and any proclamation deemed to have been made or published under this Act, may be rescinded, revoked, amended, varied or cancelled in the like manner as the proclamation or notification being rescinded, revoked, amended, varied or cancelled, was made.

(2) The provisions of this section shall not apply to proclamations or notifications made, published or given pursuant to section one, eleven, twelve or 15A of this Act.

(2) The approval of the Authority under section twenty-seven of the Electricity Development Act, 1945-1963, shall not be required for the establishment, erection or extension of any transmission line which but for the amendments made by paragraph (e) of subsection one of this section could have been established, erected or extended

pursuant

Government Railways and Transport (Amendment) Act.

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pursuant to paragraph (d) of subsection four of section **No. 9, 1963**
twenty-seven of the Electricity Development Act, 1945-1957,
without the approval of the Authority and—

- (a) the construction of such transmission line has been substantially commenced before the commencement of this Act; or
 - (b) a binding contract for the construction of such transmission line has been entered into before the commencement of this Act.
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