

11 GEO. VI. No. 8, 1946. *Electric Light and Power, Etc., Act.*

ELECTRICITY.

An Act to Amend "The Electric Light and Power Acts, 1896 to 1945," and "The Regional Electric Authorities Act of 1945," each in certain particulars.

11 GEO. VI.
No. 8.
THE
ELECTRIC
LIGHT AND
POWER ACTS
AND ANOTHER
ACT
AMENDMENT
ACT OF
1946.

[ASSENTED TO 20TH DECEMBER, 1946.]

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

PART I.—PRELIMINARY.

PART I.—
PRELIMINARY.

1. This Act may be cited as "*The Electric Light and Power Acts and Another Act Amendment Act of 1946.*"

Short title.

2. This Act is divided into Parts as follows:—

Parts of Act.

PART I.—PRELIMINARY ;

PART II.—AMENDMENTS OF *"THE ELECTRIC LIGHT AND POWER ACTS, 1896 TO 1945" ;

PART III.—AMENDMENTS OF †"THE REGIONAL ELECTRIC AUTHORITIES ACT OF 1945."

PART II.—AMENDMENTS OF *"THE ELECTRIC LIGHT AND POWER ACTS, 1896 TO 1945."

PART II.—
AMENDMENTS
OF "THE
ELECTRIC
LIGHT AND
POWER ACTS,
1896 TO 1945."

3. This Part of this Act shall be read as one with *"*The Electric Light and Power Acts, 1896 to 1945.*" *"*The Electric Light and Power Acts, 1896 to 1945,*" and this Part of this Act may be collectively cited as *"*The Electric Light and Power Acts, 1896 to 1946.*"

Construc-
tion of
Part II.
and
collective
title.

4. The following section, numbered 11D, is inserted after section 11C of *"*The Electric Light and Power Acts, 1896 to 1945,*" namely:—

New s. 11D
inserted.

"[11D.] (1.) Where a Local Authority of any State of the Commonwealth adjoining Queensland or any corporation or instrumentality representing the Crown in the right of any such State—

Supply of
electricity in
Queensland
inter-State.

(i.) Is authorised under and in accordance with the laws of that State to supply electricity in any area of that State ; and

* 60 V. No. 24 and amending Acts.

† 9 G. 6 No. 16.

- (ii.) Has power to enter upon and carry into execution the business of supplying electricity outside of that State ; and
- (iii.) The Commission is satisfied that such Local Authority, corporation, or instrumentality would, pursuant to the power referred to in paragraph (ii.) of this subsection, be capable in law of entering upon and carrying into execution, in this State and under and in accordance with the laws of this State the business of an electric authority or of a licensee under this Act,

an agreement may, under and in accordance with the provisions of section 11A of this Act, be negotiated and entered into between the Commission and such Local Authority, corporation, or instrumentality, and approved by the Governor in Council, as to the period for which and as to the terms, provisions, and conditions upon and subject to which such Local Authority, corporation, or instrumentality shall become and be an Electric Authority or a licensee under this Act authorised to supply electricity in an Area in Queensland.

(2.) When the Governor in Council has duly approved of any agreement referred to in subsection one of this section, the Governor in Council or (if such agreement provides for a license under this Act) the Minister shall, pursuant to the powers conferred upon him by this Act in that behalf, grant to the Local Authority of the State of the Commonwealth or the corporation or instrumentality representing the Crown in the right of such State which is a party to such agreement, an Order or, in the case of the Minister, a license under this Act in terms of such agreement.

The provisions of subsections two, three, and four of section 11B of this Act shall apply to and with respect to every such Order.

(3.) If the Area specified in an Order or a license under this Act granted pursuant to the provisions of this section is subsequently included in a region of electricity supply constituted under **“The Regional Electric Authorities Acts, 1945 to 1946,”* such Order or

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PART II.—
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license shall terminate and be deemed to terminate upon the date when the Regional Board constituted for such region becomes the electric authority for the region or, as the case may be, for that part of the region in which such Area is situated.

The undertaking (including all works) in such Area of the Local Authority, corporation, or instrumentality which is the grantee named in such Order or the licensee named in such license shall forthwith upon such termination be divested from such Local Authority, corporation, or instrumentality and vested in such Regional Board.

The agreement in respect of such Order or license shall provide for the basis or method of payment to be made by the Regional Board to the grantee of the Order or the licensee named in the license for such works and the Regional Board shall make payment accordingly."

5. The following section, numbered 11E, is inserted after section 11D of *"*The Electric Light and Power Acts, 1896 to 1945,*" as previously inserted by section four of this Act, namely:—

New s. 11E
inserted.

"[11E.] Any Regional Electric Authority or any Local Authority which is an Electric Authority shall have power to enter upon and carry into execution the business of supplying electricity outside of Queensland and for that purpose to apply for, obtain, and hold all such licenses, permits, and authorities and to do all such things as are required to enable it to enter upon and carry into execution in any other State or territory of the Commonwealth the business of supplying electricity under and in accordance with the laws of such State or territory and, subject to such laws, for that purpose—

Power of
Regional
Electric
Authority or
Local
Authority
to supply
electricity
inter-State.

- (a) To do outside Queensland all such things as are deemed by it necessary or convenient; and
- (b) In particular to establish and carry on works outside of Queensland; and
- (c) To appoint, employ, and pay such officers, employees, and other persons outside of Queensland as are by it deemed necessary."

* 60 V. No. 24 and amending Acts.

PART III.—
AMENDMENTS
OF “THE
REGIONAL
ELECTRIC
AUTHORITIES
ACT OF 1945.”

Electric Light and Power, Etc., Act. 11 GEO. VI. No. 8,

PART III.—AMENDMENTS OF “*THE REGIONAL ELECTRIC
AUTHORITIES ACT OF 1945.”

Construc-
tion of
Part III. and
collective
title.

6. This Part of this Act shall be read as one with **“The Regional Electric Authorities Act of 1945,”* and that Act and this Part of this Act may be collectively cited as *“The Regional Electric Authorities Acts, 1945 to 1946.”*

New s. 17A
inserted.

7. The following section, numbered 17A, is inserted after section seventeen of **“The Regional Electric Authorities Act of 1945,”* namely :—

Inclusion of
electricity
undertaking
of Inkerman
Irrigation
Board in
Region.

“[17A.] (1.) The Governor in Council is, and it is hereby declared always was, authorised to include in the Townsville Region of electricity supply the Area for which the Inkerman Irrigation Board is an Electric Authority (and the Order in Council under this Act constituting the said Region and including the said Area therein published in the *Gazette* of the eighth day of December, one thousand nine hundred and forty-five, is hereby approved, ratified, and validated accordingly) and to prescribe by Order in Council published in the *Gazette*, a date on and after which the Regional Board constituted for such Region shall become and be the Electric Authority for such Area and on and after which the Inkerman Irrigation Board shall cease to be the Electric Authority for such Area.

(2.) For the purposes of this section the Governor in Council shall have, and it is hereby declared that he always has had, power and authority to make such and so many Orders in Council (including any “Order” as defined in †*“The Electric Light and Power Acts, 1896 to 1946”*) as he shall think necessary or desirable to constitute the Regional Board constituted for the Townsville Region of electricity supply the Electric Authority for the Area hereinbefore in this section mentioned.

(3.) On and from the date prescribed by the Governor in Council as the date on and after which the Inkerman Irrigation Board shall cease to be an Electric Authority the undertaking as an Electric Authority of the

* 9 G. 6 No. 16.

† 60 V. No. 24 and amending Acts.

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AMENDMENTS
OF "THE
REGIONAL
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AUTHORITIES
ACT OF 1945."

Inkerman Irrigation Board shall be divested from such Board and shall vest in the Regional Board constituted for the Townsville Region of electricity supply.

Such undertaking shall include all assets of the Inkerman Irrigation Board (whether acquired by it as a Water Board or as an Electric Authority) which are works within the meaning of that term as defined in **"The Electric Light and Power Acts, 1896 to 1946."*

(4.) The Regional Board constituted for the Townsville Region of electricity supply and the Inkerman Irrigation Board shall arrange and agree (and it is hereby declared always were empowered, on and after the date of the publication in the *Gazette* of the Order in Council constituting the said Region to arrange and agree) upon the amount to be paid by such Regional Board to the Inkerman Irrigation Board for its undertaking as an Electric Authority and the terms and conditions of such payment.

Such arrangements and agreement shall not be concluded until the Governor in Council has, upon the recommendation of the Commission, approved of the amount to be paid and of the terms and conditions of payment thereof.

If the aforesaid arrangements and agreement are not concluded and approved by the Governor in Council within two months after the passing of †*"The Electric Light and Power Acts and Another Act Amendment Act of 1946"* the Commission may, with the approval of the Governor in Council, fix the amount to be paid as aforesaid and determine the terms and conditions of payment thereof.

The Regional Board constituted for the Townsville Region of electricity supply shall make payment to the Inkerman Irrigation Board of the amount so arranged and agreed upon or fixed by the Commission under and in accordance with the terms and conditions arranged and agreed upon or determined by the Commission."

* 60 V. No. 24 and amending Acts.

† This Act.