

South Australia



**ELECTRICITY CORPORATIONS (SCHEDULE 4) AMENDMENT ACT
1996**

No. 43 of 1996

SUMMARY OF PROVISIONS

1. Short title
2. Commencement
3. Insertion of s. 48A
 48A. Liability of electricity corporations to council rates
4. Amendment of schedule 4



ANNO QUADRAGESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1996

No. 43 of 1996

An Act to amend the Electricity Corporations Act 1994.

[Assented to 20 June 1996]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Electricity Corporations (Schedule 4) Amendment Act 1996*.

(2) The *Electricity Corporations Act 1994* is referred to in this Act as "the principal Act".

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Insertion of s. 48A

3. The following section is inserted after section 48 of the principal Act:

Liability of electricity corporations to council rates

48A. (1) An electricity corporation is liable to pay rates under the *Local Government Act 1934*.

(2) For rating purposes under the *Local Government Act 1934*—

(a) land and buildings of an electricity corporation are ratable property within the meaning of that Act; and

(b) the following are not ratable property within the meaning of that Act:

(i) plant or equipment used by an electricity corporation in connection with the generation, transmission or distribution of electricity (whether or not the plant or equipment is situated on land owned by the corporation);

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- (ii) easements, rights of way or other similar rights (including such rights arising by virtue of a licence) that have been granted or operate in connection with the generation, transmission or distribution of electricity.

(3) This section operates despite any provisions of the *Local Government Act 1934* or the *Public Corporations Act 1993* and an electricity corporation does not have any liability under the *Public Corporations Act 1993* to pay to the Treasurer any amount as the equivalent of rates under the *Local Government Act 1934*.

Amendment of schedule 4

4. Schedule 4 of the principal Act is amended—

- (a) by striking out from paragraph (a) of the definition of "transmission or distribution system" in clause 1 "ETSA" and substituting "an electricity corporation";
- (b) by striking out from the definition of "electrical installation" in clause 1 "ETSA" and substituting "an electricity corporation";
- (c) by striking out from clause 3 "ETSA" wherever occurring and substituting, in each case, "An electricity corporation";
- (d) by striking out from clause 5(1) "ETSA must ensure that the transmission or distribution system" and substituting "An electricity corporation with electricity transmission and system control functions or electricity distribution functions must ensure that any transmission or distribution system under its control";
- (e) by striking out subclause (2) of clause (5) and substituting the following subclause:
- (2) Subject to this clause, the electricity corporations must conduct and co-ordinate their operations so as to ensure as far as practicable that the electricity supply is maintained through the transmission and distribution systems under the control of electricity corporations.;
- (f) by striking out from clause 5(3) "ETSA must" and substituting "an electricity corporation with electricity distribution functions must";
- (g) by striking out from clause 5(3) "by ETSA" and substituting "by the corporation";
- (h) by striking out from clause 5(4) "ETSA may" and substituting "An electricity corporation may";
- (i) by striking out from clause 5(4)(a) "ETSA's" and substituting "the corporation's";
- (j) by striking out from clause 5(4)(b) "ETSA" and substituting "the corporation";
- (k) by striking out from clause 5(5) "If ETSA" and substituting "If an electricity corporation";
- (l) by striking out from clause 5(5) "ETSA should" and substituting "the corporation should";
- (m) by striking out from clause 6 "ETSA" and substituting "An electricity corporation";

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(n) by striking out subclause (1) of clause 7 and substituting the following subclause:

(1) An electricity corporation has a duty to take reasonable steps—

- (a) to keep vegetation of all kinds clear of public supply lines under the corporation's control; and
- (b) to keep naturally occurring vegetation clear of private supply lines under the corporation's control,

in accordance with the principles of vegetation clearance;

- (o) by inserting in clause 7(3) "under the control of an electricity corporation" after "public supply line";
- (p) by striking out from clause 7(3) "ETSA" and substituting "the corporation";
- (q) by striking out from clause 7(4) "by ETSA" and substituting "by an electricity corporation";
- (r) by striking out from clause 7(4) "ETSA is" and substituting "the corporation is";
- (s) by inserting in clause 7(5) ", and so operates with respect to vegetation clearance work whether the work is carried out by an electricity corporation itself or by another person acting as a contractor or other agent on behalf of the corporation or in pursuance of a delegation by the corporation" after "supply lines";
- (t) by striking out from clause 8(1) "ETSA" and substituting "An electricity corporation";
- (u) by striking out from clause 8(2) and (3) "ETSA" wherever occurring and substituting, in each case, "the electricity corporation";
- (v) by striking out from clause 9(1) "ETSA may" and substituting "An electricity corporation may";
- (w) by striking out from clause 9(1) "ETSA thinks" and substituting "the corporation thinks";
- (x) by inserting in clause 9(2) "appointed by an electricity corporation" after "An authorised person";
- (y) by striking out from clause 9(2)(f) "ETSA" twice occurring and substituting, in each case, "the electricity corporation";
- (z) by striking out from clause 9(5) "ETSA" and substituting "an electricity corporation";
- (aa) by striking out from clause 9(6) "ETSA" and "ETSA's" and substituting "the electricity corporation" and "the electricity corporation's" respectively;
- (ab) by striking out from clause 10(1) "ETSA" wherever occurring and substituting, in each case, "an electricity corporation";
- (ac) by striking out from clause 10(6) "If ETSA" and substituting "If an electricity corporation";

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- (ad) by striking out from clause 10(6) "ETSA may" and substituting "the corporation may";
- (ae) by striking out from clause 11(1) "ETSA" and substituting "the electricity corporation";
- (af) by striking out from clause 11(2) "ETSA" and substituting "An electricity corporation with electricity distribution functions";
- (ag) by striking out from clause 11(3) "ETSA" twice occurring and substituting, in each case, "the electricity corporation";
- (ah) by striking out from clause 12(3)(b) "ETSA" and substituting "an electricity corporation";

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor