

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 16th December, 1920.*

New South Wales.



ANNO UNDECIMO

GEORGII V REGIS.

Act No. 22, 1920.

An Act to provide for the variation of certain agreements made by the Municipal Council of Sydney with regard to the supply of electricity; to authorise the Council in certain cases to make charges in excess of the charges specified in the said agreements; to amend the Municipal Council of Sydney Electric Lighting Act; and for purposes connected therewith. [Assented to, 23rd December, 1920.]

BE it enacted by the King'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:—

1. This Act may be cited as the "Municipal Council of Sydney Electric Lighting (Amendment) Act, 1920," and shall be construed with the Municipal Council of Sydney Electric Lighting Act.

Municipal Council of Sydney Electric Lighting (Amendment).

Charge for electricity supplied under certain agreements to be varied.

2. Notwithstanding the terms of any agreement heretofore made by the council with the council of a municipality or shire for the supply of electricity for any purpose, the council shall be entitled to charge for electricity supplied under the said agreements an amount to be determined under the provisions of this Act.

Where cost to council of electricity increased city treasurer to certify to Minister.

3. If at any time after the first day of December, one thousand nine hundred and twenty, the cost to the council of the generation and supply of electricity has increased to the extent of at least $\frac{1}{10}$ d. (one-tenth of a penny) per unit (kilo-watt hour) above the average cost to the council of such generation and supply in the year one thousand nine hundred and fifteen, the city treasurer shall so certify in writing to Minister.

Inquiry to be held by judge.

4. Upon receipt of such certificate the Minister shall cause an inquiry to be held by a Supreme Court judge at which the Minister, the council, and the councils of the municipalities and shires who are parties to the said agreements may be represented and may tender evidence.

Judge to determine and certify to Minister.

5. The judge holding the inquiry shall determine and certify to the Minister whether the cost to the council of the generation and supply of electricity has so increased, and, if so, by what amount, and also such cost, per unit (kilo-watt hour), at the time of the said inquiry.

Matters to be considered by judge.

6. In ascertaining the amount, if any, by which the cost to the council of the generation and supply of electricity has so increased, the judge holding the inquiry shall take into consideration all increases or decreases in wages, freight, coal, oil, rates, and other expenses properly chargeable to revenue, and such sum as, in his opinion, will ensure a reasonable return upon the value of the land used by the council in connection with its electric-lighting undertaking, and upon all moneys expended by the council upon buildings and apparatus for the generation and supply of electricity.

Cost chargeable by council may be increased and increased cost to be proclaimed.

7. The price chargeable by the council for electricity supplied under the said agreements shall be increased by $\frac{1}{10}$ d. (one-tenth of a penny) per unit (kilo-watt hour) for every $\frac{1}{10}$ d. (one-tenth of a penny) by which the judge shall

Municipal Council of Sydney Electric Lighting (Amendment).

shall certify that the cost per unit (kilo-watt hour) to the council of the generation and supply of electricity has so increased. Such increased price so chargeable by the council shall be stated in a proclamation by the Governor to be published in the Gazette, and upon such publication the price so stated shall be substituted for the price specified in the said agreements as mentioned in the said proclamation.

8. Where the price chargeable by the council under the said agreements has been so increased the Minister may cause a further inquiry to be held, and if the judge holding such further inquiry certifies to the Minister that since the date of the said proclamation there has been a reduction in the cost to the council of the generation and supply of electricity of at least $\cdot 1d.$ (one-tenth of a penny) per unit (kilo-watt hour) and that such reduction in cost has been continued during the period of one year preceding the holding of such further inquiry, the price chargeable by the council for electricity supplied under the said agreements shall be reduced by $\cdot 1d.$ (one-tenth of a penny) per unit (kilo-watt hour) for every $\cdot 1d.$ (one-tenth of a penny) by which the judge certifies that the cost per unit (kilo-watt hour) to the council at the date of such further inquiry of the generation and supply of electricity is less than such cost as determined at the previous inquiry. Further inquiry where cost reduced.

9. The reduced price chargeable by the council shall be stated in a proclamation by the Governor published in the Gazette, and upon such publication the price so stated shall be the price chargeable under the said agreements and shall be substituted for the price as stated in the previous proclamation. Reduced cost to be proclaimed and substituted for previous price.

10. Where the price chargeable by the council has been so increased or reduced, the Minister may cause a further inquiry to be held, and a further increase or reduction, as the case may be, in the price chargeable by the council, may be made as the result of such further inquiry. Further increase or reduction in price may be made as result of further inquiry.

Municipal Council of Sydney Electric Lighting (Amendment).

Provision as
to first
inquiry
applicable to
further
inquiry.

Other agree-
ments for
supply of
electricity to
be varied.

Increase of
rates payable
for the hire
of motors.

Increase of
rent for hire
of meters.

Charges for
meters, &c.
not payable
until deter-
mined by
judge.

Determina-
tion of judge
to be
gazetted.

11. The provisions of this Act, with regard to the first-mentioned inquiry, certificates, determination, and proclamation, shall apply, mutatis mutandis, to any further inquiry and subsequent proclamation.

12. Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the supply of electricity, the council may make a minimum charge not exceeding ten shillings per quarter for electricity supplied under the said agreements.

13. Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the hire of electric motors the council may increase the rates for the hire of motors specified in such agreements. Such increase shall not exceed one hundred and fifty per centum of the amount specified in such agreements.

14. Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the provision of meters the council may make a rental charge for such meters not exceeding tenpence (10d.) per month.

15. (1) No rental charge for meters or increased charge or rate for the supply of electricity or the hire of electric motors shall be payable to the council under the provisions of the last three preceding sections until such rental charge or increased charge or rate has been determined by the judge upon the holding of an inquiry in accordance with the provisions hereinbefore contained, and the judge holding any such inquiry is hereby authorised and required to determine such rental charge or increased charge or rate at a fair and reasonable amount if requested by the Minister so to do.

(2) Any rental charge or increased charge or rate so determined by the judge shall be stated in a proclamation by the Governor to be published in the Gazette and upon such publication the rental charge or increased charge or rate so stated shall be payable under the said agreements and the said agreements shall be deemed to be amended accordingly.

In the name and on behalf of His Majesty I assent to this Act.

W. E. DAVIDSON,
Governor.

Government House,
Sydney, 23rd December, 1920.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

W. L. S. COOPER,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 7th December, 1920.*

New South Wales.



ANNO UNDECIMO

GEORGII V REGIS.

Act No. , 1920.

An Act to provide for the variation of certain agreements made by the Municipal Council of Sydney with regard to the supply of electricity; to authorise the Council in certain cases to make charges in excess of the charges specified in the said agreements; to amend the Municipal Council of Sydney Electric Lighting Act; and for purposes connected therewith.

BE it enacted by the King'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 5 the same, as follows:—

1. This Act may be cited as the “Municipal Council Short title. of Sydney Electric Lighting (Amendment) Act, 1920,” and shall be construed with the Municipal Council of Sydney Electric Lighting Act.

Municipal Council of Sydney Electric Lighting (Amendment).

2. Notwithstanding the terms of any agreement heretofore made by the council with the council of a municipality or shire for the supply of electricity for any purpose, the council shall be entitled to charge for 5 electricity supplied under the said agreements an amount to be determined under the provisions of this Act.

Charge for electricity supplied under certain agreements to be varied.

3. If at any time after the first day of December, one thousand nine hundred and twenty, the cost to the council of the generation and supply of electricity has 10 increased to the extent of at least $\cdot 1d.$ (one-tenth of a penny) per unit (kilo-watt hour) above the average cost to the council of such generation and supply in the year one thousand nine hundred and fifteen, the city treasurer shall so certify in writing to Minister.

Where cost to council of electricity increased city treasurer to certify to Minister.

15 4. Upon receipt of such certificate the Minister shall cause an inquiry to be held by a Supreme Court judge at which the Minister, the council, and the councils of the municipalities and shires who are parties to the said agreements may be represented and may 20 tender evidence.

Inquiry to be held by judge.

5. The judge holding the inquiry shall determine and certify to the Minister whether the cost to the council of the generation and supply of electricity has 25 so increased, and, if so, by what amount, and also such cost, per unit (kilo-watt hour), at the time of the said inquiry.

Judge to determine and certify to Minister.

6. In ascertaining the amount, if any, by which the cost to the council of the generation and supply of electricity has so increased, the judge holding the inquiry 30 shall take into consideration all increases or decreases in wages, freight, coal, oil, rates, and other expenses properly chargeable to revenue, and such sum as, in his opinion, will ensure a reasonable return upon the value of the land used by the council in connection with its electric- 35 lighting undertaking, and upon all moneys expended by the council upon buildings and apparatus for the generation and supply of electricity.

Matters to be considered by judge.

7. The price chargeable by the council for electricity supplied under the said agreements shall be increased 40 by $\cdot 1d.$ (one-tenth of a penny) per unit (kilo-watt hour) for every $\cdot 1d.$ (one-tenth of a penny) by which the judge shall

Cost chargeable by council may be increased and increased cost to be proclaimed.

Municipal Council of Sydney Electric Lighting (Amendment).

shall certify that the cost per unit (kilo-watt hour) to the council of the generation and supply of electricity has so increased. Such increased price so chargeable by the council shall be stated in a proclamation by the Governor to be published in the Gazette, and upon such publication the price so stated shall be substituted for the price specified in the said agreements as mentioned in the said proclamation.

8. Where the price chargeable by the council under the said agreements has been so increased the Minister may cause a further inquiry to be held, and if the judge holding such further inquiry certifies to the Minister that since the date of the said proclamation there has been a reduction in the cost to the council of the generation and supply of electricity of at least $\cdot 1d.$ (one-tenth of a penny) per unit (kilo-watt hour) and that such reduction in cost has been continued during the period of one year preceding the holding of such further inquiry, the price chargeable by the council for electricity supplied under the said agreements shall be reduced by $\cdot 1d.$ (one-tenth of a penny) per unit (kilo-watt hour) for every $\cdot 1d.$ (one-tenth of a penny) by which the judge certifies that the cost per unit (kilo-watt hour) to the council at the date of such further inquiry of the generation and supply of electricity is less than such cost as determined at the previous inquiry.

Further inquiry where cost reduced.

9. The reduced price chargeable by the council shall be stated in a proclamation by the Governor published in the Gazette, and upon such publication the price so stated shall be the price chargeable under the said agreements and shall be substituted for the price as stated in the previous proclamation.

Reduced cost to be proclaimed and substituted for previous price.

10. Where the price chargeable by the council has been so increased or reduced, the Minister may cause a further inquiry to be held, and a further increase or reduction, as the case may be, in the price chargeable by the council, may be made as the result of such further inquiry.

Further increase or reduction in price may be made as result of further inquiry.

Municipal Council of Sydney Electric Lighting (Amendment).

- 11.** The provisions of this Act, with regard to the first-mentioned inquiry, certificates, determination, and proclamation, shall apply, *mutatis mutandis*, to any further inquiry and subsequent proclamation. Provision as to first inquiry applicable to further inquiry.
- 5 **12.** Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the supply of electricity, the council may make a minimum charge not exceeding ten shillings per quarter for electricity supplied under the said agreements. Other agreements for supply of electricity to be varied.
- 10 **13.** Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the hire of electric motors the council may increase the rates for the hire of motors specified in such agreements. Such increase shall not exceed one hundred and fifty per centum of the amount specified in such agreements. Increase of rates payable for the hire of motors.
- 15 **14.** Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the provision of meters the council may make a rental charge for such meters not exceeding tenpence (10d.) per month. Increase of rent for hire of meters.
- 20 **15.** (1) No rental charge for meters or increased charge or rate for the supply of electricity or the hire of electric motors shall be payable to the council under the provisions of the last three preceding sections until such rental charge or increased charge or rate has been determined by the judge upon the holding of an inquiry in accordance with the provisions hereinbefore contained, and the judge holding any such inquiry is hereby authorised and required to determine such rental charge or increased charge or rate at a fair and reasonable amount if requested by the Minister so to do. Charges for meters, &c. not payable until determined by judge.
- 25 (2) Any rental charge or increased charge or rate so determined by the judge shall be stated in a proclamation by the Governor to be published in the Gazette and upon such publication the rental charge or increased charge or rate so stated shall be payable under the said agreements and the said agreements shall be deemed to be amended accordingly. Determination of judge to be gazetted.
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Legislative Council.

No. , 1920.

A BILL

To provide for the variation of certain agreements made by the Municipal Council of Sydney with regard to the supply of electricity; to authorise the Council in certain cases to make charges in excess of the charges specified in the said agreements; to amend the Municipal Council of Sydney Electric Lighting Act; and for purposes connected therewith.

[MR. KAVANAGH;—30 November, 1920.]

BE it enacted by the King'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

1. This Act may be cited as the "Municipal Council of Sydney Electric Lighting (Amendment) Act, 1920," and shall be construed with the Municipal Council of Sydney Electric Lighting Act.

Charge for electricity supplied under certain agreements to be varied.

2. Notwithstanding the terms of any agreement heretofore made by the council with the council of a municipality or shire for the supply of electricity for any purpose, the council shall be entitled to charge for electricity supplied under the said agreements an amount to be determined under the provisions of this Act.

Where cost to council of electricity increased city treasurer to certify to Minister.

3. If at any time after the first day of December, 1920, the cost to the council of the generation and supply of electricity has increased to the extent of at least 1d. (one-tenth of a penny) per unit (kilo-watt hour) above the average cost to the council of such generation and supply in the year one thousand nine hundred and fifteen, the city treasurer shall so certify in writing to Minister.

Inquiry to be held by judge.

4. Upon receipt of such certificate the Minister shall cause an inquiry to be held by a Supreme Court judge at which the Minister, the council, and the councils of the municipalities and shires who are parties to the said agreements may be represented and may tender evidence.

Judge to determine and certify to Minister.

5. The judge holding the inquiry shall determine and certify to the Minister whether the cost to the council of the generation and supply of electricity has so increased, and, if so, by what amount, and also such cost, per unit (kilo-watt hour), at the time of the said inquiry.

Matters to be considered by judge.

6. In ascertaining the amount, if any, by which the cost to the council of the generation and supply of electricity has so increased, the judge holding the inquiry shall take into consideration all increases in wages, freight, coal, oil, rates, and other expenses properly chargeable to revenue, and such sum as, in his opinion, will

will ensure a reasonable return upon the value of the land used by the council in connection with its electric-lighting undertaking, and upon all moneys expended by the council upon buildings and apparatus for the generation and supply of electricity.

7. The price chargeable by the council for electricity supplied under the said agreements shall be increased by $\cdot 1d.$ (one-tenth of a penny) per unit (kilo-watt hour) for every $\cdot 1d.$ (one-tenth of a penny) by which the judge shall certify that the cost per unit (kilo-watt hour) to the council of the generation and supply of electricity has so increased. Such increased price so chargeable by the council shall be stated in a proclamation by the Governor to be published in the Gazette, and upon such publication the price so stated shall be substituted for the price specified in the said agreements as mentioned in the said proclamation.

Cost chargeable by council may be increased and increased cost to be proclaimed.

8. Where the price chargeable by the council under the said agreements has been so increased the Minister may cause a further inquiry to be held, and if the judge holding such further inquiry certifies to the Minister that since the date of the said proclamation there has been a reduction in the cost to the council of the generation and supply of electricity of at least $\cdot 1d.$ (one-tenth of a penny) per unit (kilo-watt hour) and that such reduction in cost has been continued during the period of one year preceding the holding of such further inquiry, the price chargeable by the council for electricity supplied under the said agreements shall be reduced by $\cdot 1d.$ (one-tenth of a penny) per unit (kilo-watt hour) for every $\cdot 1d.$ (one-tenth of a penny) by which the judge certifies that the cost per unit (kilo-watt hour) to the council at the date of such further inquiry of the generation and supply of electricity is less than such cost as determined at the previous inquiry.

Further inquiry where cost reduced.

9. The reduced price chargeable by the council shall be stated in a proclamation by the Governor published in the Gazette, and upon such publication the price so stated shall be the price chargeable under the said agreements and shall be substituted for the price as stated in the previous proclamation.

Reduced cost to be proclaimed and substituted for previous price.

10.

Further increase or reduction in price may be made as result of further inquiry.

10. Where the price chargeable by the council has been so increased or reduced, the Minister may cause a further inquiry to be held, and a further increase or reduction, as the case may be, in the price chargeable by the council, may be made as the result of such further inquiry. 5

Provision as to first inquiry applicable to further inquiry.

11. The provisions of this Act, with regard to the first-mentioned inquiry, certificates, determination, and proclamation, shall apply, mutatis mutandis, to any further inquiry and subsequent proclamation. 10

Other agreements for supply of electricity to be varied.

12. Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the supply of electricity, other than the agreements hereinbefore referred to, the council may increase its minimum charges per quarter to ten shillings in lieu of seven shillings and sixpence and two shillings and sixpence as specified in such agreements, and the said agreements shall be deemed to be amended accordingly : 15

Provided that in respect of the quarter current at the date of the passing of this Act a proportionate part only of such increased charges shall be payable by the consumer. 20

Increase of rates payable for the hire of motors.

13. Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the hire of electric motors the council may increase the rates for the hire of motors specified in such agreements by one hundred and fifty per centum and such agreements shall be deemed to be amended accordingly : 30

Provided that in respect of the quarter current at the date of the passing of this Act a proportionate part only of such increased rates shall be payable by the hirer.

Increase of rent for hire of meters.

14. Notwithstanding the terms of any agreement heretofore made between the council and any person or corporation for the hiring of meters provided by the council for the registration of the quantity of electricity supplied, the council may increase the rents for such meters specified in such agreements to a sum not exceeding tenpence (10d.) per month, and such agreements shall be deemed to be amended accordingly : 40

Provided that in no case shall the rents charged to hirers outside the City of Sydney exceed the rents charged to hirers within the city.