

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

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 30 October, 1956.*

## New South Wales



ANNO QUINTO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No.       , 1956.

An Act to determine the valuation of the undertaking of the Balmain Electric Light Company; for this and other purposes to amend the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950; and for purposes connected therewith.

**B**E it enacted by the Queen'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.** (1) This Act may be cited as the "Electricity Commission (Balmain Electric Light Company Purchase) Amendment Act, 1956." Short title, citation and construction.

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

(2) The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, as amended by this Act, may be cited as the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950-5 1956.

(3) This Act shall be read and construed with the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, and the Electricity Commission Act, 1950-1954.

10 **2.** The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, is amended—

Amendment of Act No. 40, 1950.

(a) by omitting section three and by inserting in lieu thereof the following section:—

Substituted sec. 3.

15 3. The valuation as at the thirty-first day of October, one thousand nine hundred and fifty, of the undertaking of the Balmain Electric Light Company as a going concern is hereby determined at the amount of two million four hundred thousand pounds.

Valuation of undertaking of Balmain Electric Light Company.

20 (b) (i) by omitting subsection one of section four and by inserting in lieu thereof the following subsection:—

Sec. 4. (Vesting of shares in the Commission.)

25 (1) Upon the first day of January, one thousand nine hundred and fifty-seven (which day is in this Act hereinafter referred to as "the appointed day") all the issued shares of the two companies shall vest in and belong to the Commission.

30 (ii) by omitting from subsection two of the same section the words "determined by the Court as the valuation of the undertaking of that company pursuant to section three of this Act" and by inserting in lieu thereof the words "specified in section three of this Act";

35

(c)

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

- (c) by omitting from paragraph (d) of subsection two of section five the words "three and one-half" and by inserting in lieu thereof the words "five and one-quarter";

Sec. 5.  
(Purchase price to be paid to shareholders.)
- 5 (d) by omitting subsection two of section seven;

Sec. 7.  
(Control and direction by Commission.)
- (e) (i) by inserting at the end of subsection four of section eleven the following new proviso:—

Sec. 11.  
(Transfer of officers, etc., to Commission.)

10        Provided that where, on the appointed day, there is in force an award or industrial agreement which is binding upon the Commission and which regulates the conditions of employment of its servants in any status, grade or classification, then in the case of

15        any transferred servant who upon transfer is appointed or employed in any such status, grade or classification, his conditions of employment shall, on and from the

20        appointed day, be regulated by that award or industrial agreement.

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

(5) (a) Notwithstanding any of the

25        provisions of this section Harold Graydon Conde, Esquire, shall not thereby be transferred to the service of or become or be a servant of the Commission.

(b) Notwithstanding any of the

30        provisions of section nine of this Act, the contract of employment between the two companies or either of them and Harold Graydon Conde, Esquire, shall terminate on the appointed day and no compensation shall be paid or be payable in respect of the

35        determination of such contract of employment.

(f)

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

(f) by omitting section twelve and by inserting in lieu thereof the following section:— Substituted sec. 12.

5                   12. (1) In this section "Staff Pension Trust Deed" means the Trust Deed made on the twenty-second day of October, one thousand nine hundred and fifty-six between the Electric Light and Power Supply Corporation Limited of the first part, William James Bradley and others (thereinafter called "the Board of Directors") of the second part, William James Bradley and others (thereinafter referred to as "the Former Trustees") of the third part, Leonard Kerr Baxter and others (thereinafter called "the Officers") of the fourth part, The Electricity Commission of New South Wales of the fifth part, and Harold Graydon Conde and others (the trustees for the time being of the deed) of the sixth part.

20                   (2) Each of the parties to the Staff Pension Trust Deed is hereby authorised and empowered and shall be deemed always to have been authorised and empowered to enter into that deed and to observe and perform the covenants conditions and agreements which by the terms of that deed are to be observed and performed by him or it and to exercise and enforce the rights and powers which by the terms of that deed are conferred upon him or it.

30                   (3) The rights of the parties to the Staff Pension Trust Deed of the fourth part and the obligations of the Commission in relation to superannuation or the provision of allowances pensions gratuities or annuities for their benefit as servants or ex-servants of the Commission or in the case of their death for the

benefit

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

benefit of other persons shall be regulated and determined solely by the provisions of that deed and the provisions of any other superannuation or retirement benefit scheme shall not apply to them and in particular neither the provisions of the Superannuation Act, 1916, as amended by subsequent Acts, nor the provisions of the Local Government and Other Authorities (Superannuation) Act, 1927, as amended by subsequent Acts, shall apply to them as servants of the Commission.

(4) The provisions of the Local Government and Other Authorities (Superannuation) Act, 1927, as amended by subsequent Acts, shall not apply to any transferred servant who was a party to the Staff Pension Trust Deed made on the seventh day of March, one thousand nine hundred and fifty, between the Electric Light and Power Supply Corporation Limited of the first part, Robert Craig Dixson and others (hereinafter referred to as "The Board of Directors") of the second part, Robert Craig Dixson and others (the trustees for the time being of the deed) of the third part and the several persons therein referred to of the fourth part, and who attained the age of sixty years prior to the appointed day.

3. (1) The proclamations purporting to be made under section four of the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, and published in the Government Gazettes No. 44 of the twentieth day of April, one thousand nine hundred and fifty-six, No. 47 of the twenty-seventh day of April, one thousand nine hundred and fifty-six, and No. 51 of the fourth day of May, one thousand nine hundred and fifty-six, are hereby revoked and shall be deemed never to have had any force or effect.

(2)

---

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

---

(2) The injunction granted by the Supreme Court of New South Wales in its Equitable Jurisdiction on the first day of June, one thousand nine hundred and fifty-six, in the proceedings No. 505 of 1956 between the Electric Light and Power Supply Corporation Limited and the Electricity Commission of New South Wales is hereby dissolved.

Electricity Commission (Belmont Electric Light Company License)  
Amendment

(2) The suspension granted by the Supreme Court of New South Wales in its Honorable Judgment on the first day of June, one thousand nine hundred and fifty-six in the proceedings No. 506 of 1956 between the Electric Light and Power Supply Corporation Limited and the Electricity Commission of New South Wales is hereby dissolved.

The House of Representatives in the Legislative Assembly  
has had a bill introduced for the purpose of  
amending the law relating to the

of the Legislative Assembly  
and the House of Representatives

Legislative Assembly  
of the House of Representatives



No. , 1956.

---

---

## A BILL

To determine the valuation of the undertaking of the Balmain Electric Light Company; for this and other purposes to amend the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950; and for purposes connected therewith.

[MR. RENSRAW;—25 October, 1956.]

---

---

**B**E it enacted by the Queen'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. (1) This Act may be cited as the "Electricity Commission (Balmain Electric Light Company Purchase) Amendment Act, 1956." Short title, citation and construction.

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

(2) The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, as amended by this Act, may be cited as the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950-5 1956.

(3) This Act shall be read and construed with the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, and the Electricity Commission Act, 1950-1954.

10 **2.** The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, is amended— Amendment of Act No. 40, 1950.

(a) by omitting section three and by inserting in lieu thereof the following section:— Substituted sec. 3.

15 **3.** The valuation as at the thirty-first day of October, one thousand nine hundred and fifty, of the undertaking of the Balmain Electric Light Company as a going concern is hereby determined at the amount of two million four hundred thousand pounds. Valuation of undertaking of Balmain Electric Light Company.

20 (b) (i) by omitting subsection one of section four and by inserting in lieu thereof the following subsection:— Sec. 4. (Vesting of shares in the Commission.)

25 (1) Upon the first day of January, one thousand nine hundred and fifty-seven (which day is in this Act hereinafter referred to as "the appointed day") all the issued shares of the two companies shall vest in and belong to the Commission.

30 (ii) by omitting from subsection two of the same section the words "determined by the Court as the valuation of the undertaking of that company pursuant to section three of this Act" and by inserting in lieu thereof the words "specified in section three of this Act";

35

(c)

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

- (c) by omitting from paragraph (d) of subsection two of section five the words "three and one-half" and by inserting in lieu thereof the words "five and one-quarter";
- 5 (d) by omitting subsection two of section seven;
- (e) (i) by inserting at the end of subsection four of section eleven the following new proviso:—
- 10        Provided that where, on the appointed day, there is in force an award or industrial agreement which is binding upon the Commission and which regulates the conditions of employment of its servants in any status, grade or classification, then in the case of
- 15        any transferred servant who upon transfer is appointed or employed in any such status, grade or classification, his conditions of employment shall, on and from the
- 20        appointed day, be regulated by that award or industrial agreement.
- (ii) by inserting next after the same subsection the following new subsection:—
- 25        (5) (a) Notwithstanding any of the provisions of this section Harold Graydon Conde, Esquire, shall not thereby be transferred to the service of or become or be a servant of the Commission.
- 30        (b) Notwithstanding any of the provisions of section nine of this Act, the contract of employment between the two companies or either of them and Harold Graydon Conde, Esquire, shall terminate on the appointed day and no compensation shall be paid or be payable in respect of the
- 35        determination of such contract of employment.
- (f)

Sec. 5.  
(Purchase price to be paid to shareholders.)

Sec. 7.  
(Control and direction by Commission.)

Sec. 11.  
(Transfer of officers, etc., to Commission.)

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

(f) by omitting section twelve and by inserting in lieu thereof the following section:— Substituted  
sec. 12.

5           12. (1) In this section "Staff Pension Trust Deed" means the Trust Deed made on the twenty-second day of October, one thousand nine hundred and fifty-six between the Electric Light and Power Supply Corporation Limited of the first part, William James Bradley and others (hereinafter called "the Board of Directors") of the second part, William James Bradley and others (hereinafter referred to as "the Former Trustees") of the third part, Leonard Kerr Baxter and others (hereinafter called "the Officers") of the fourth part, The Electricity Commission of New South Wales of the fifth part, and Harold Graydon Conde and others (the trustees for the time being of the deed) of the sixth part. Balmain  
Electric  
Light  
Company—  
Staff  
Pension  
Trust Deed.

20           (2) Each of the parties to the Staff Pension Trust Deed is hereby authorised and empowered and shall be deemed always to have been authorised and empowered to enter into that deed and to observe and perform the covenants conditions and agreements which by the terms of that deed are to be observed and performed by him or it and to exercise and enforce the rights and powers which by the terms of that deed are conferred upon him or it.

30           (3) The rights of the parties to the Staff Pension Trust Deed of the fourth part and the obligations of the Commission in relation to superannuation or the provision of allowances pensions gratuities or annuities for their benefit as servants or ex-servants of the Commission or in the case of their death for the

benefit

---

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

---

5 benefit of other persons shall be regulated and  
determined solely by the provisions of that deed  
and the provisions of any other superannuation  
or retirement benefit scheme shall not apply to  
them and in particular neither the provisions of  
the Superannuation Act, 1916, as amended by  
subsequent Acts, nor the provisions of the Local  
Government and Other Authorities (Superan-  
10 nuation) Act, 1927, as amended by subsequent  
Acts, shall apply to them as servants of the  
Commission.

(4) The provisions of the Local Govern-  
ment and Other Authorities (Superannuation)  
Act, 1927, as amended by subsequent Acts, shall  
15 not apply to any transferred servant who was  
a party to the Staff Pension Trust Deed made  
on the seventh day of March, one thousand nine  
hundred and fifty, between the Electric Light  
and Power Supply Corporation Limited of the  
20 first part, Robert Craig Dixson and others  
(thereinafter referred to as "The Board of  
Directors") of the second part, Robert Craig  
Dixson and others (the trustees for the time  
being of the deed) of the third part and the  
25 several persons therein referred to of the fourth  
part, and who attained the age of sixty years  
prior to the appointed day.

**3.** (1) The proclamations purporting to be made <sup>Consequen-</sup>  
under section four of the Electricity Commission (Bal-  
30 main Electric Light Company Purchase) Act, 1950, and  
published in the Government Gazettes No. 44 of the  
twentieth day of April, one thousand nine hundred and  
fifty-six, No. 47 of the twenty-seventh day of April, one  
thousand nine hundred and fifty-six, and No. 51 of the  
35 fourth day of May, one thousand nine hundred and fifty-  
six, are hereby revoked and shall be deemed never to  
have had any force or effect.

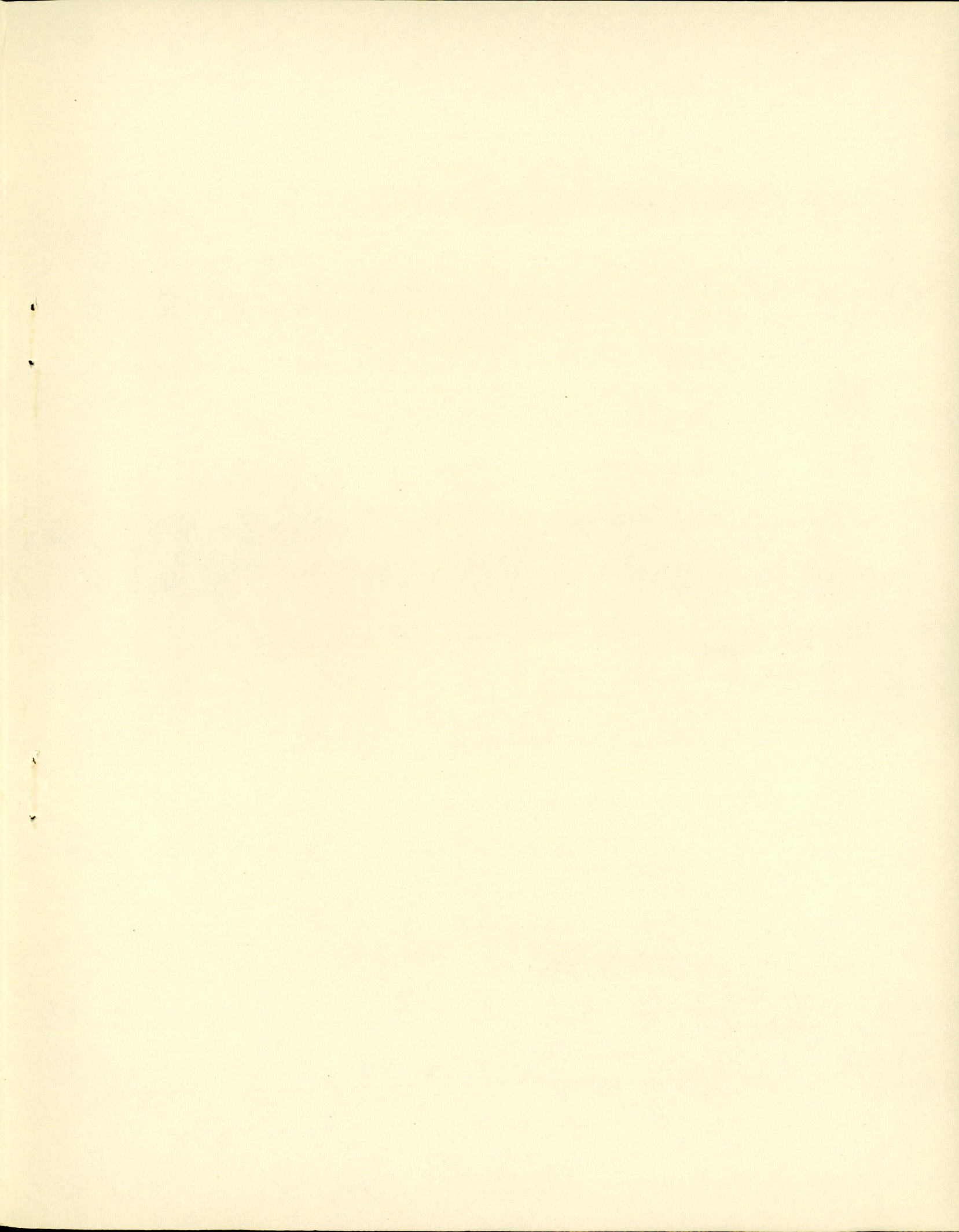
(2)

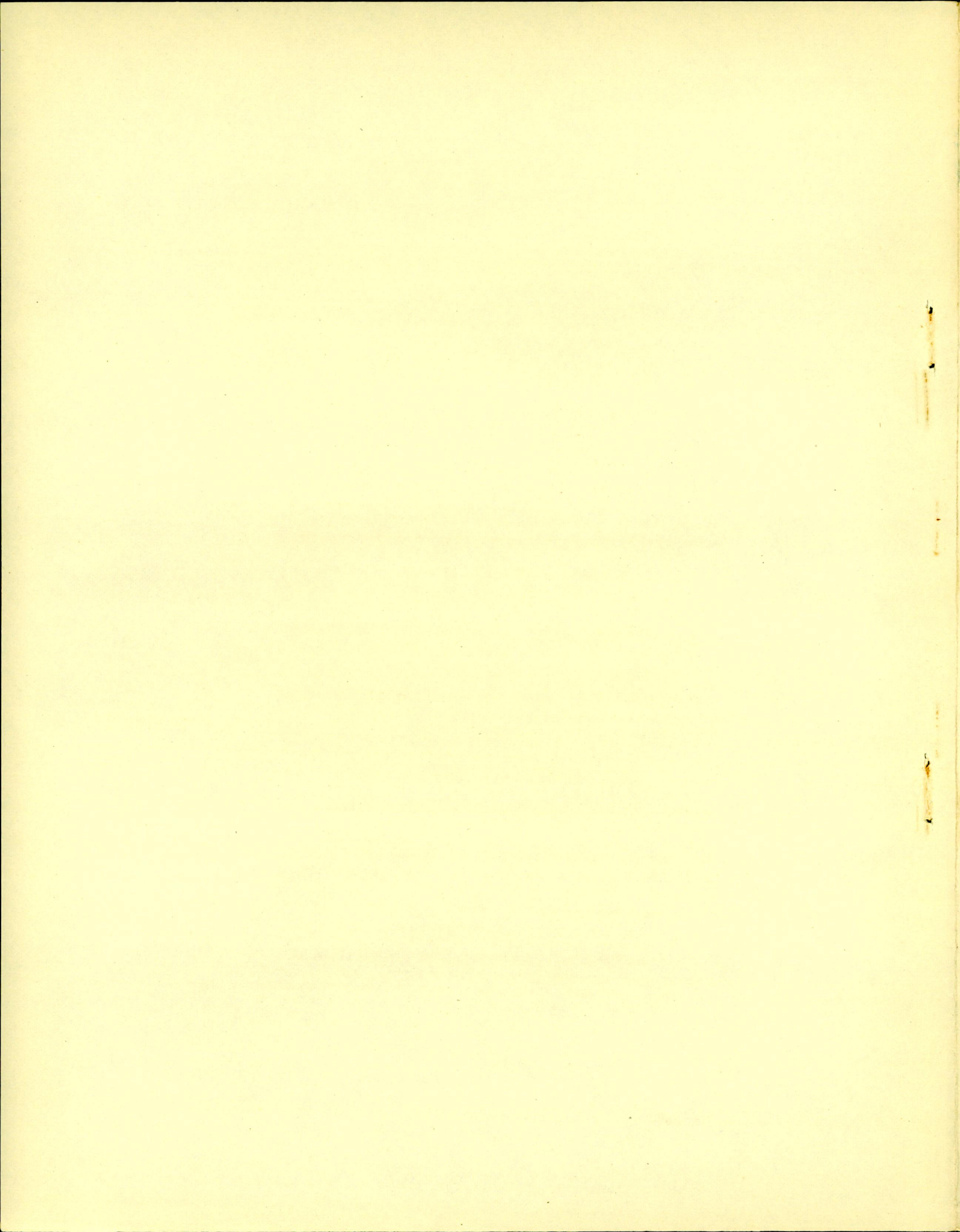
---

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

---

(2) The injunction granted by the Supreme Court of New South Wales in its Equitable Jurisdiction on the first day of June, one thousand nine hundred and fifty-six, in the proceedings No. 505 of 1956 between the Electric Light and Power Supply Corporation Limited and the Electricity Commission of New South Wales is hereby dissolved.







# ELECTRICITY COMMISSION (BALMAIN ELECTRIC LIGHT COMPANY PURCHASE) AMENDMENT BILL, 1956.

---

## EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) to fix 1st January, 1957, as the date on which the undertaking of the Balmain Electric Light Company is to vest in the Electricity Commission;
- (b) to determine the valuation of that undertaking as a going concern as at 31/10/1950 at £2,400,000;
- (c) to increase the interest rate on debentures issued under section five of the Electricity Commission (Balmain Electric Light Company Purchase) Act to 5½ per cent. per annum;
- (d) to make further provision in relation to conditions of employment and pension rights of officers of the Balmain Electric Light Company and the Parramatta and Granville Electric Supply Company Limited transferred to the Electricity Commission;
- (e) to make other provisions consequential and ancillary to the foregoing.



No. , 1956.

---

---

## A BILL

To determine the valuation of the undertaking of the Balmain Electric Light Company; for this and other purposes to amend the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950; and for purposes connected therewith.

[MR. RENSRAW;—25 October, 1956.]

---

---

**B**E it enacted by the Queen'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. (1) This Act may be cited as the "Electricity Commission (Balmain Electric Light Company Purchase) Amendment Act, 1956." Short title, citation and construction.

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

(2) The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, as amended by this Act, may be cited as the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950-5 1956.

(3) This Act shall be read and construed with the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, and the Electricity Commission Act, 1950-1954.

10 2. The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, is amended—

Amendment of Act No. 40, 1950. Substituted sec. 3.

(a) by omitting section three and by inserting in lieu thereof the following section:—

15 3. The valuation as at the thirty-first day of October, one thousand nine hundred and fifty, of the undertaking of the Balmain Electric Light Company as a going concern is hereby determined at the amount of two million four hundred thousand pounds.

Valuation of undertaking of Balmain Electric Light Company.

20 (b) (i) by omitting subsection one of section four and by inserting in lieu thereof the following subsection:—

Sec. 4. (Vesting of shares in the Commission.)

25 (1) Upon the first day of January, one thousand nine hundred and fifty-seven (which day is in this Act hereinafter referred to as "the appointed day") all the issued shares of the two companies shall vest in and belong to the Commission.

30 (ii) by omitting from subsection two of the same section the words "determined by the Court as the valuation of the undertaking of that company pursuant to section three of this Act" and by inserting in lieu thereof the words "specified in section three of this Act";

35

(c)

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

- (c) by omitting from paragraph (d) of subsection two of section five the words "three and one-half" and by inserting in lieu thereof the words "five and one-quarter";
- 5 (d) by omitting subsection two of section seven;
- (e) (i) by inserting at the end of subsection four of section eleven the following new proviso:—
- 10 Provided that where, on the appointed day, there is in force an award or industrial agreement which is binding upon the Commission and which regulates the conditions of employment of its servants in any status, grade or classification, then in the case of
- 15 any transferred servant who upon transfer is appointed or employed in any such status, grade or classification, his conditions of employment shall, on and from the
- 20 appointed day, be regulated by that award or industrial agreement.
- (ii) by inserting next after the same subsection the following new subsection:—
- 25 (5) (a) Notwithstanding any of the provisions of this section Harold Graydon Conde, Esquire, shall not thereby be transferred to the service of or become or be a servant of the Commission.
- (b) Notwithstanding any of the provisions of section nine of this Act, the
- 30 contract of employment between the two companies or either of them and Harold Graydon Conde, Esquire, shall terminate on the appointed day and no compensation shall be paid or be payable in respect of the
- 35 determination of such contract of employment.
- (f)

Sec. 5.  
(Purchase price to be paid to shareholders.)

Sec. 7.  
(Control and direction by Commission.)

Sec. 11.  
(Transfer of officers, etc., to Commission.)

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

(f) by omitting section twelve and by inserting in lieu thereof the following section:— Substituted sec. 12.

5           12. (1) In this section "Staff Pension Trust Deed" means the Trust Deed made on the twenty-second day of October, one thousand nine hundred and fifty-six between the Electric Light and Power Supply Corporation Limited of the first part, William James Bradley and others (thereinafter called "the Board of Directors") of the second part, William James Bradley and others (thereinafter referred to as "the Former Trustees") of the third part, Leonard Kerr Baxter and others (thereinafter called "the Officers") of the fourth part, The Electricity Commission of New South Wales of the fifth part, and Harold Graydon Conde and others (the trustees for the time being of the deed) of the sixth part. Balmain Electric Light Company—Staff Pension Trust Deed.

20           (2) Each of the parties to the Staff Pension Trust Deed is hereby authorised and empowered and shall be deemed always to have been authorised and empowered to enter into that deed and to observe and perform the covenants conditions and agreements which by the terms of that deed are to be observed and performed by him or it and to exercise and enforce the rights and powers which by the terms of that deed are conferred upon him or it.

30           (3) The rights of the parties to the Staff Pension Trust Deed of the fourth part and the obligations of the Commission in relation to superannuation or the provision of allowances pensions gratuities or annuities for their benefit as servants or ex-servants of the Commission or in the case of their death for the

benefit

*Electricity Commission (Balmain Electric Light Company Purchase)*  
*Amendment.*

benefit of other persons shall be regulated and determined solely by the provisions of that deed and the provisions of any other superannuation or retirement benefit scheme shall not apply to them and in particular neither the provisions of the Superannuation Act, 1916, as amended by subsequent Acts, nor the provisions of the Local Government and Other Authorities (Superannuation) Act, 1927, as amended by subsequent Acts, shall apply to them as servants of the Commission.

(4) The provisions of the Local Government and Other Authorities (Superannuation) Act, 1927, as amended by subsequent Acts, shall not apply to any transferred servant who was a party to the Staff Pension Trust Deed made on the seventh day of March, one thousand nine hundred and fifty, between the Electric Light and Power Supply Corporation Limited of the first part, Robert Craig Dixson and others (hereinafter referred to as "The Board of Directors") of the second part, Robert Craig Dixson and others (the trustees for the time being of the deed) of the third part and the several persons therein referred to of the fourth part, and who attained the age of sixty years prior to the appointed day.

**3.** (1) The proclamations purporting to be made under section four of the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, and published in the Government Gazettes No. 44 of the twentieth day of April, one thousand nine hundred and fifty-six, No. 47 of the twenty-seventh day of April, one thousand nine hundred and fifty-six, and No. 51 of the fourth day of May, one thousand nine hundred and fifty-six, are hereby revoked and shall be deemed never to have had any force or effect.

(2)

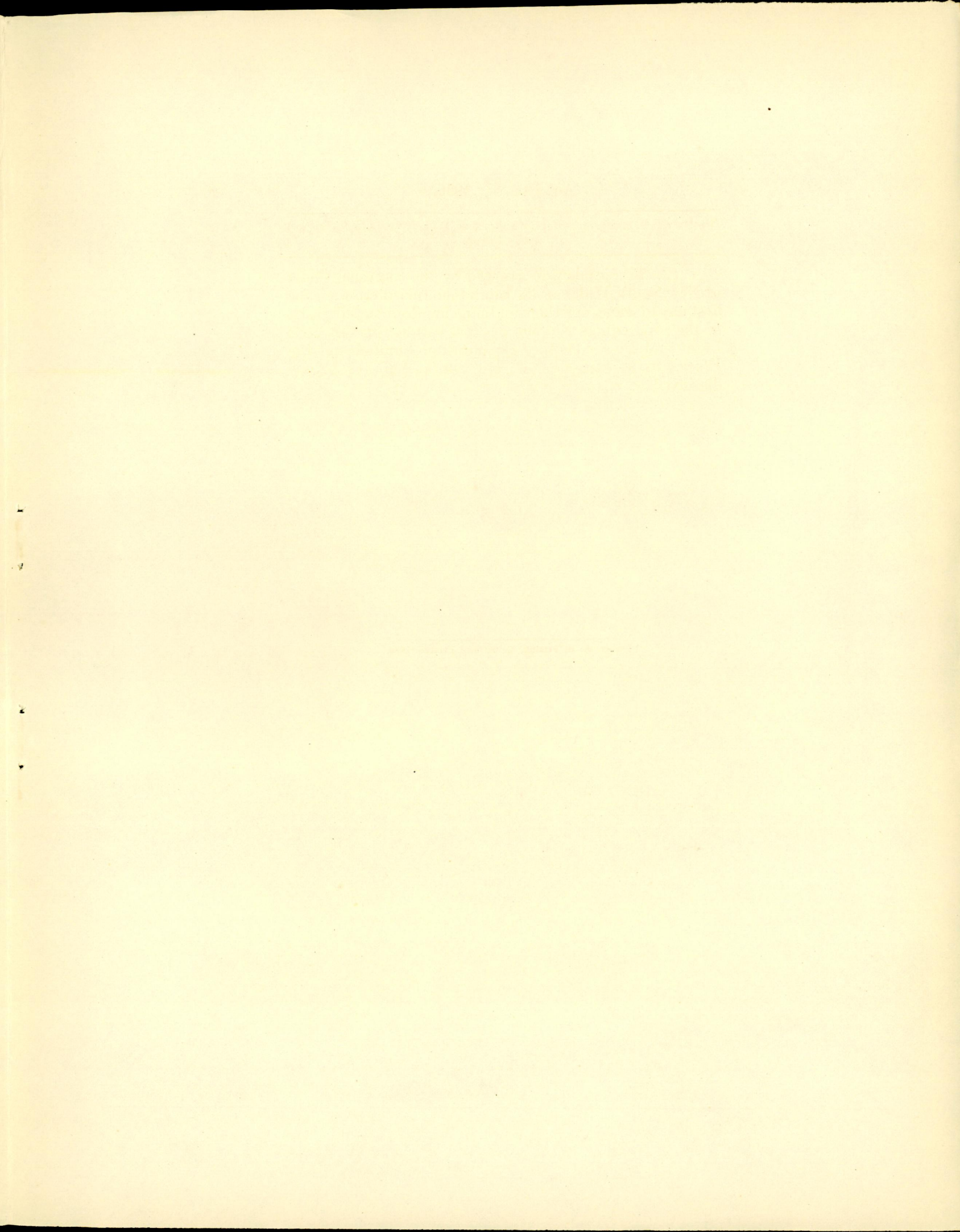
---

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

---

(2) The injunction granted by the Supreme Court of New South Wales in its Equitable Jurisdiction on the first day of June, one thousand nine hundred and fifty-six, in the proceedings No. 505 of 1956 between the Electric Light and Power Supply Corporation Limited and the Electricity Commission of New South Wales is hereby dissolved.







New South Wales



ANNO QUINTO

ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No. 30, 1956.

An Act to determine the valuation of the undertaking of the Balmain Electric Light Company; for this and other purposes to amend the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950; and for purposes connected therewith. [Assented to, 9th November, 1956.]

BE it enacted by the Queen'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. (1) This Act may be cited as the "Electricity Commission (Balmain Electric Light Company Purchase) Amendment Act, 1956." Short title, citation and construction.

70625 [4d.]

(2)

---

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

---

(2) The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, as amended by this Act, may be cited as the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950-1956.

(3) This Act shall be read and construed with the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, and the Electricity Commission Act, 1950-1954.

Amendment  
of Act  
No. 40,  
1950.

Substituted  
sec. 3.

Valuation of  
undertaking  
of Balmain  
Electric  
Light  
Company.

Sec. 4.

(Vesting of  
shares in the  
Commis-  
sion.)

**2.** The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, is amended—

(a) by omitting section three and by inserting in lieu thereof the following section:—

3. The valuation as at the thirty-first day of October, one thousand nine hundred and fifty, of the undertaking of the Balmain Electric Light Company as a going concern is hereby determined at the amount of two million four hundred thousand pounds.

(b) (i) by omitting subsection one of section four and by inserting in lieu thereof the following subsection:—

(1) Upon the first day of January, one thousand nine hundred and fifty-seven (which day is in this Act hereinafter referred to as “the appointed day”) all the issued shares of the two companies shall vest in and belong to the Commission.

(ii) by omitting from subsection two of the same section the words “determined by the Court as the valuation of the undertaking of that company pursuant to section three of this Act” and by inserting in lieu thereof the words “specified in section three of this Act”;

(c)

---

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

---

- (c) by omitting from paragraph (d) of subsection two of section five the words "three and one-half" and by inserting in lieu thereof the words "five and one-quarter"; Sec. 5.  
(Purchase price to be paid to share-holders.)
- (d) by omitting subsection two of section seven; Sec. 7.  
(Control and direction by Commission.)
- (e) (i) by inserting at the end of subsection four of section eleven the following new proviso:— Sec. 11.  
(Transfer of officers, etc., to Commission.)
- Provided that where, on the appointed day, there is in force an award or industrial agreement which is binding upon the Commission and which regulates the conditions of employment of its servants in any status, grade or classification, then in the case of any transferred servant who upon transfer is appointed or employed in any such status, grade or classification, his conditions of employment shall, on and from the appointed day, be regulated by that award or industrial agreement.
- (ii) by inserting next after the same subsection the following new subsection:—
- (5) (a) Notwithstanding any of the provisions of this section Harold Graydon Conde, Esquire, shall not thereby be transferred to the service of or become or be a servant of the Commission.
- (b) Notwithstanding any of the provisions of section nine of this Act, the contract of employment between the two companies or either of them and Harold Graydon Conde, Esquire, shall terminate on the appointed day and no compensation shall be paid or be payable in respect of the determination of such contract of employment.
- (f).

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

Substituted  
sec. 12.

(f) by omitting section twelve and by inserting in lieu thereof the following section:—

Balmain  
Electric  
Light  
Company—  
Staff  
Pension  
Trust Deed.

12. (1) In this section "Staff Pension Trust Deed" means the Trust Deed made on the twenty-second day of October, one thousand nine hundred and fifty-six between the Electric Light and Power Supply Corporation Limited of the first part, William James Bradley and others (hereinafter called "the Board of Directors") of the second part, William James Bradley and others (hereinafter referred to as "the Former Trustees") of the third part, Leonard Kerr Baxter and others (hereinafter called "the Officers") of the fourth part, The Electricity Commission of New South Wales of the fifth part, and Harold Graydon Conde and others (the trustees for the time being of the deed) of the sixth part.

(2) Each of the parties to the Staff Pension Trust Deed is hereby authorised and empowered and shall be deemed always to have been authorised and empowered to enter into that deed and to observe and perform the covenants conditions and agreements which by the terms of that deed are to be observed and performed by him or it and to exercise and enforce the rights and powers which by the terms of that deed are conferred upon him or it.

(3) The rights of the parties to the Staff Pension Trust Deed of the fourth part and the obligations of the Commission in relation to superannuation or the provision of allowances pensions gratuities or annuities for their benefit as servants or ex-servants of the Commission or in the case of their death for the

benefit

---

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

---

benefit of other persons shall be regulated and determined solely by the provisions of that deed and the provisions of any other superannuation or retirement benefit scheme shall not apply to them and in particular neither the provisions of the Superannuation Act, 1916, as amended by subsequent Acts, nor the provisions of the Local Government and Other Authorities (Superannuation) Act, 1927, as amended by subsequent Acts, shall apply to them as servants of the Commission.

(4) The provisions of the Local Government and Other Authorities (Superannuation) Act, 1927, as amended by subsequent Acts, shall not apply to any transferred servant who was a party to the Staff Pension Trust Deed made on the seventh day of March, one thousand nine hundred and fifty, between the Electric Light and Power Supply Corporation Limited of the first part, Robert Craig Dixon and others (thereinafter referred to as "The Board of Directors") of the second part, Robert Craig Dixon and others (the trustees for the time being of the deed) of the third part and the several persons therein referred to of the fourth part, and who attained the age of sixty years prior to the appointed day.

3. (1) The proclamations purporting to be made under section four of the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, and published in the Government Gazettes No. 44 of the twentieth day of April, one thousand nine hundred and fifty-six, No. 47 of the twenty-seventh day of April, one thousand nine hundred and fifty-six, and No. 51 of the fourth day of May, one thousand nine hundred and fifty-six, are hereby revoked and shall be deemed never to have had any force or effect.

Consequen-  
tial.

---

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

---

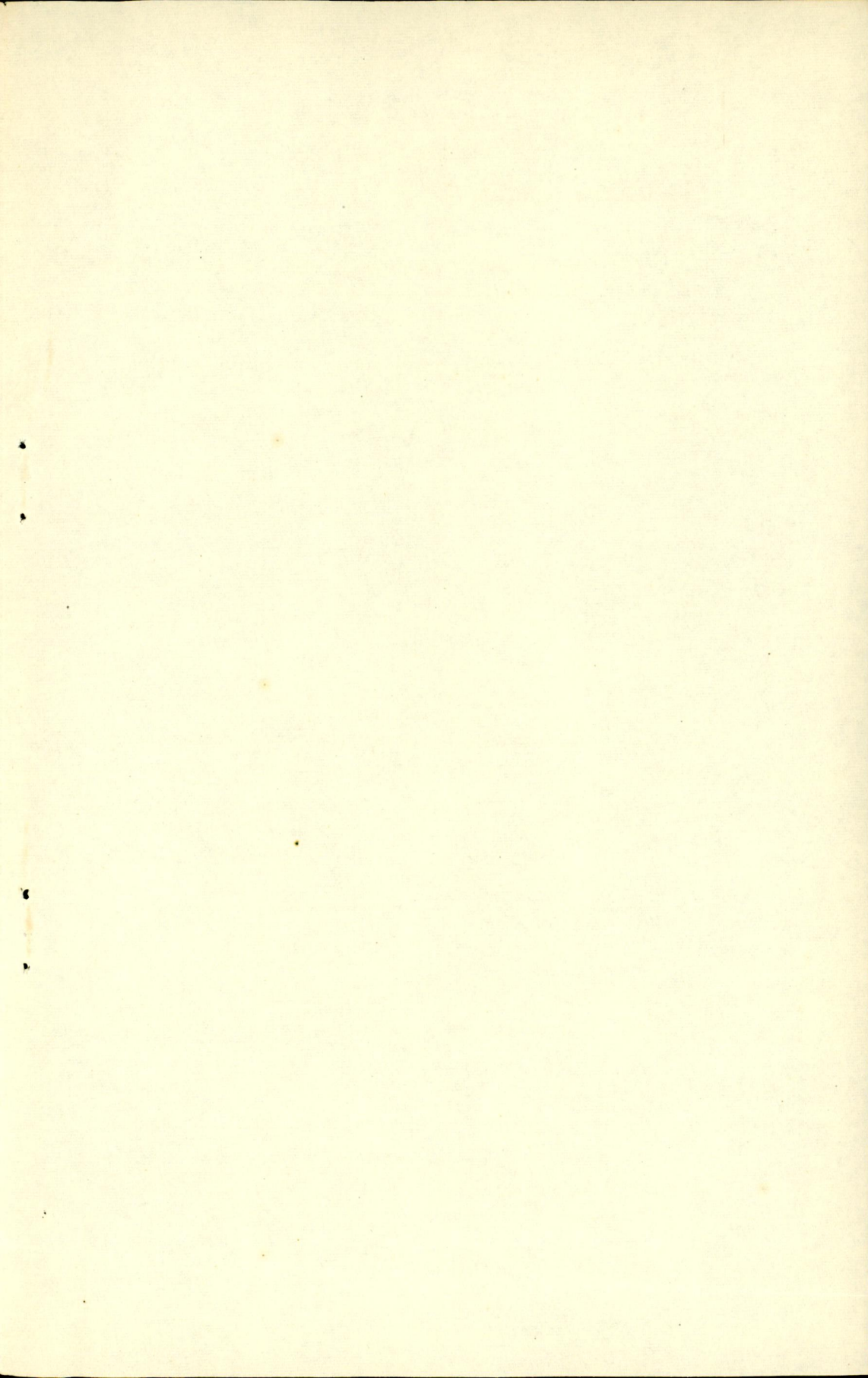
(2) The injunction granted by the Supreme Court of New South Wales in its Equitable Jurisdiction on the first day of June, one thousand nine hundred and fifty-six, in the proceedings No. 505 of 1956 between the Electric Light and Power Supply Corporation Limited and the Electricity Commission of New South Wales is hereby dissolved.

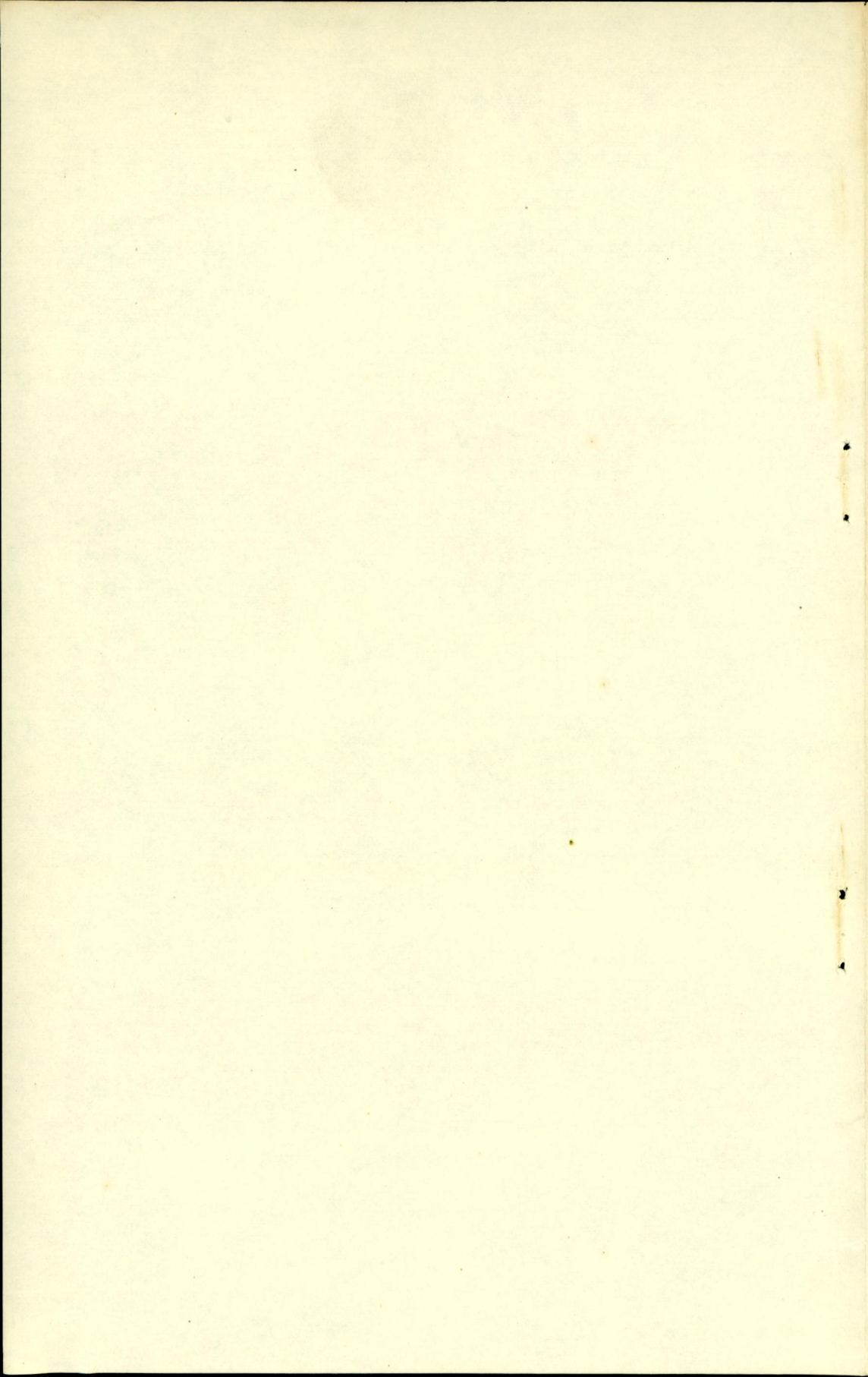
---

By Authority:

A. H. PETTIFER, Government Printer, Sydney, 1956.





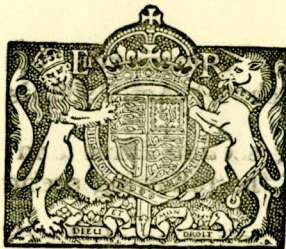


*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 1 November, 1956, A.M.*

## New South Wales



ANNO QUINTO

ELIZABETHÆ II REGINÆ

\*\*\*\*\*

**Act No. 30, 1956.**

An Act to determine the valuation of the undertaking of the Balmain Electric Light Company; for this and other purposes to amend the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950; and for purposes connected therewith. [Assented to, 9th November, 1956.]

**B**E it enacted by the Queen'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.** (1) This Act may be cited as the "Electricity Commission (Balmain Electric Light Company Purchase) Amendment Act, 1956." Short title, citation and construction.

(2)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

G. BOOTH,  
*Chairman of Committees of the Legislative Assembly.*

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

(2) The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, as amended by this Act, may be cited as the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950-1956.

(3) This Act shall be read and construed with the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, and the Electricity Commission Act, 1950-1954.

Amendment  
of Act  
No. 40,  
1950.  
Substituted  
sec. 3.

**2.** The Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, is amended—

(a) by omitting section three and by inserting in lieu thereof the following section:—

Valuation of  
undertaking  
of Balmain  
Electric  
Light  
Company.

3. The valuation as at the thirty-first day of October, one thousand nine hundred and fifty, of the undertaking of the Balmain Electric Light Company as a going concern is hereby determined at the amount of two million four hundred thousand pounds.

Sec. 4.  
(Vesting of  
shares in the  
Commis-  
sion.)

(b) (i) by omitting subsection one of section four and by inserting in lieu thereof the following subsection:—

(1) Upon the first day of January, one thousand nine hundred and fifty-seven (which day is in this Act hereinafter referred to as “the appointed day”) all the issued shares of the two companies shall vest in and belong to the Commission.

(ii) by omitting from subsection two of the same section the words “determined by the Court as the valuation of the undertaking of that company pursuant to section three of this Act” and by inserting in lieu thereof the words “specified in section three of this Act”:

(c)

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

- (c) by omitting from paragraph (d) of subsection two of section five the words "three and one-half" and by inserting in lieu thereof the words "five and one-quarter"; Sec. 5.  
(Purchase price to be paid to shareholders.)
- (d) by omitting subsection two of section seven; Sec. 7.  
(Control and direction by Commission.)
- (e) (i) by inserting at the end of subsection four of section eleven the following new proviso:— Sec. 11.  
(Transfer of officers, etc., to Commission.)  
Provided that where, on the appointed day, there is in force an award or industrial agreement which is binding upon the Commission and which regulates the conditions of employment of its servants in any status, grade or classification, then in the case of any transferred servant who upon transfer is appointed or employed in any such status, grade or classification, his conditions of employment shall, on and from the appointed day, be regulated by that award or industrial agreement.
- (ii) by inserting next after the same subsection the following new subsection:—  
(5) (a) Notwithstanding any of the provisions of this section Harold Graydon Conde, Esquire, shall not thereby be transferred to the service of or become or be a servant of the Commission.  
(b) Notwithstanding any of the provisions of section nine of this Act, the contract of employment between the two companies or either of them and Harold Graydon Conde, Esquire, shall terminate on the appointed day and no compensation shall be paid or be payable in respect of the determination of such contract of employment.
- (f)

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

Substituted  
sec. 12.

(f) by omitting section twelve and by inserting in lieu thereof the following section:—

Balmain  
Electric  
Light  
Company—  
Staff  
Pension  
Trust Deed.

12. (1) In this section "Staff Pension Trust Deed" means the Trust Deed made on the twenty-second day of October, one thousand nine hundred and fifty-six between the Electric Light and Power Supply Corporation Limited of the first part, William James Bradley and others (hereinafter called "the Board of Directors") of the second part, William James Bradley and others (hereinafter referred to as "the Former Trustees") of the third part, Leonard Kerr Baxter and others (hereinafter called "the Officers") of the fourth part, The Electricity Commission of New South Wales of the fifth part, and Harold Graydon Conde and others (the trustees for the time being of the deed) of the sixth part.

(2) Each of the parties to the Staff Pension Trust Deed is hereby authorised and empowered and shall be deemed always to have been authorised and empowered to enter into that deed and to observe and perform the covenants conditions and agreements which by the terms of that deed are to be observed and performed by him or it and to exercise and enforce the rights and powers which by the terms of that deed are conferred upon him or it.

(3) The rights of the parties to the Staff Pension Trust Deed of the fourth part and the obligations of the Commission in relation to superannuation or the provision of allowances pensions gratuities or annuities for their benefit as servants or ex-servants of the Commission or in the case of their death for the

benefit

---

*Electricity Commission (Balmain Electric Light Company Purchase) Amendment.*

---

benefit of other persons shall be regulated and determined solely by the provisions of that deed and the provisions of any other superannuation or retirement benefit scheme shall not apply to them and in particular neither the provisions of the Superannuation Act, 1916, as amended by subsequent Acts, nor the provisions of the Local Government and Other Authorities (Superannuation) Act, 1927, as amended by subsequent Acts, shall apply to them as servants of the Commission.

(4) The provisions of the Local Government and Other Authorities (Superannuation) Act, 1927, as amended by subsequent Acts, shall not apply to any transferred servant who was a party to the Staff Pension Trust Deed made on the seventh day of March, one thousand nine hundred and fifty, between the Electric Light and Power Supply Corporation Limited of the first part, Robert Craig Dixson and others (hereinafter referred to as "The Board of Directors") of the second part, Robert Craig Dixson and others (the trustees for the time being of the deed) of the third part and the several persons therein referred to of the fourth part, and who attained the age of sixty years prior to the appointed day.

3. (1) The proclamations purporting to be made under section four of the Electricity Commission (Balmain Electric Light Company Purchase) Act, 1950, and published in the Government Gazettes No. 44 of the twentieth day of April, one thousand nine hundred and fifty-six, No. 47 of the twenty-seventh day of April, one thousand nine hundred and fifty-six, and No. 51 of the fourth day of May, one thousand nine hundred and fifty-six, are hereby revoked and shall be deemed never to have had any force or effect.

(2)

---

*Electricity Commission (Balmain Electric Light Company Purchase)  
Amendment.*

---

(2) The injunction granted by the Supreme Court of New South Wales in its Equitable Jurisdiction on the first day of June, one thousand nine hundred and fifty-six, in the proceedings No. 505 of 1956 between the Electric Light and Power Supply Corporation Limited and the Electricity Commission of New South Wales is hereby dissolved.

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

J. NORTHCOTT,  
*Governor.*

*Government House,  
Sydney, 9th November, 1956.*



