

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 30 November, 1967.

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1967.

An Act relating to the supply of gas; for this purpose to amend the Gas and Electricity Act, 1935, as amended by subsequent Acts; and for purposes connected therewith.

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 "Gas and Electricity (Amendment) Act, 1967".

Short title
and citation.

(2)

Gas and Electricity (Amendment).

(2) The Gas and Electricity Act, 1935, as amended by subsequent Acts and by this Act, may be cited as the Gas and Electricity Act, 1935-1967.

2. The Gas and Electricity Act, 1935, as amended by 5 subsequent Acts, is amended— Amendment of Act No. 42, 1935.

(a) by inserting next after section two the following new section :— New sec. 2A.

10 2A. This Act shall be read and construed subject to the limits of the legislative powers of the State and so as not to exceed those powers, to the intent that, where any enactment thereof, but for this provision, would be construed as being in excess of those powers, it shall nevertheless be a valid enactment to the extent to which it is not in excess of those powers. Construction of Act.

(b) by inserting in section three next after the definition of "British thermal unit" the following new definition :— Sec. 3. (Definitions.)

20 "Gas" includes natural gas, whether processed or not.

(c) by inserting next after section twenty the following new section :— New sec. 20A.

25 20A. (1) Notwithstanding anything contained in any other Act, a person not acting on behalf of the Crown shall not, after the expiration of a period of six months after the commencement of the Gas and Electricity (Amendment) Act, 1967, by means of a pipe or system of pipes, supply or distribute gas to any other person for lighting, heating or any other purpose or dispose of gas to any other person with a view to profit except with the approval in writing of the Minister and in accordance with any conditions to which any such approval is from time to time subject. Gas not to be supplied except with approval of the Minister.

(2)

Gas and Electricity (Amendment).

5 (2) Any conditions to which an approval granted under subsection one of this section is from time to time subject may be varied, revoked or added to by an instrument in writing under the hand of the Minister served on the holder of the approval.

10 (3) A gas company specified in Schedule Seven shall, on an application in writing made to the Minister, be entitled to be granted an approval under subsection one of this section subject to such conditions as to the area in which it may supply, distribute or dispose of gas and to such other conditions as may be specified in the instrument of approval.

15 (4) Subsection one of this section does not apply to a licensee under the Pipelines Act, 1967, in respect of the supply of gas to a gas company that holds an approval under subsection one of this section.

20 (5) Any company, corporation, firm or person that or who contravenes the provisions of subsection one of this section shall be guilty of an offence and, subject to subsection seven of this section, liable to a penalty not exceeding five hundred dollars for each day on which the offence occurs.

25 (6) Proceedings for an offence arising under this section may be taken before a stipendiary magistrate sitting alone as a court of summary jurisdiction or before the Supreme Court in its summary jurisdiction.

30 (7) If proceedings for an offence arising under this section are brought before a stipendiary magistrate, the maximum penalty that may be imposed in respect of the offence is one thousand dollars.

35 (8) In this section "gas" includes liquefied petroleum gas as defined in section two of the Liquefied Petroleum Gas Act, 1961.

(d)

Gas and Electricity (Amendment).

(d) by inserting next after Schedule Six the following ^{New Sch. 7.}
new Schedule :—

SCHEDULE SEVEN.

Sec. 20A.

- 5 Aberdare County Council.
The Albury Gas Company Limited.
Armidale City Council.
The Australian Gas Light Company.
Bathurst City Council.
10 Bega Municipal Council.
Bowral Municipal Council.
Broken Hill & Suburban Gas Coy. Limited.
Camden Municipal Council.
Colonial Gas Holdings Limited.
Cootamundra Municipal Council.
15 Cowra Municipal Council.
Dubbo City Council.
Glen Innes Municipal Council.
City of Goulburn Gas and Coke Company (Limited).
20 Grafton Lighting Coy. Limited.
Grenfell Municipal Council.
The Katoomba and Leura Gas Company Pty. Limited.
Kiama Municipal Council.
Lismore City Council.
25 Lithgow City Council.
Mittagong Shire Council.
Molong Shire Council.
Muswellbrook Municipal Council.
The City of Newcastle Gas and Coke Company (Limited).
30 The North Shore Gas Company Limited.
Orange City Council.
Parkes Municipal Council.
Shoalhaven Shire Council.
Singleton Gas Company Limited.
35 Tamworth City Council.
Wagga Wagga City Council.
Wellington Shire Council.
Wollongong Gas Light Coy. Limited.
Yass Municipal Council.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967
[5c]

No. , 1967.

A BILL

Relating to the supply of gas; for this purpose to amend the Gas and Electricity Act, 1935, as amended by subsequent Acts; and for purposes connected therewith.

[MR MORTON—28 *November*, 1967.]

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 "Gas and Electricity (Amendment) Act, 1967".

Short title
and citation.

(2)

Gas and Electricity (Amendment).

(2) The Gas and Electricity Act, 1935, as amended by subsequent Acts and by this Act, may be cited as the Gas and Electricity Act, 1935-1967.

2. The Gas and Electricity Act, 1935, as amended by Amendment of Act No. 42, 1935.
5 subsequent Acts, is amended—

(a) by inserting next after section two the following New sec. 2A.
new section :—

10 2A. This Act shall be read and construed subject Construc-
tion of Act.
and so as not to exceed those powers, to the intent
that, where any enactment thereof, but for this
provision, would be construed as being in excess of
15 those powers, it shall nevertheless be a valid enact-
ment to the extent to which it is not in excess of
those powers.

(b) by inserting in section three next after the definition Sec. 3.
(Defini-
tions.)
of "British thermal unit" the following new
definition :—

20 "Gas" includes natural gas, whether processed
or not.

(c) by inserting next after section twenty the following New sec.
20A.
new section :—

25 20A. (1) Notwithstanding anything contained Gas not to
be supplied
except with
approval
of the
Minister.
in any other Act, a person not acting on behalf of
the Crown shall not, after the expiration of a
period of six months after the commencement of
the Gas and Electricity (Amendment) Act, 1967,
30 by means of a pipe or system of pipes,
supply or distribute gas to any other person for
lighting, heating or any other purpose or dispose
of gas to any other person with a view to profit
except with the approval in writing of the Minister
and in accordance with any conditions to which
any such approval is from time to time subject.

(2)

Gas and Electricity (Amendment).

5 (2) Any conditions to which an approval granted under subsection one of this section is from time to time subject may be varied, revoked or added to by an instrument in writing under the hand of the Minister served on the holder of the approval.

10 (3) A gas company specified in Schedule Seven shall, on an application in writing made to the Minister, be entitled to be granted an approval under subsection one of this section subject to such conditions as to the area in which it may supply, distribute or dispose of gas and to such other conditions as may be specified in the instrument of approval.

15 (4) Subsection one of this section does not apply to a licensee under the Pipelines Act, 1967, in respect of the supply of gas to a gas company that holds an approval under subsection one of this section.

20 (5) Any company, corporation, firm or person that or who contravenes the provisions of subsection one of this section shall be guilty of an offence and, subject to subsection seven of this section, liable to a penalty not exceeding five hundred dollars for each day on which the offence occurs.

25 (6) Proceedings for an offence arising under this section may be taken before a stipendiary magistrate sitting alone as a court of summary jurisdiction or before the Supreme Court in its summary jurisdiction.

30 (7) If proceedings for an offence arising under this section are brought before a stipendiary magistrate, the maximum penalty that may be imposed in respect of the offence is one thousand dollars.

35 (8) In this section "gas" includes liquefied petroleum gas as defined in section two of the Liquefied Petroleum Gas Act, 1961.

(d)

Gas and Electricity (Amendment).

(d) by inserting next after Schedule Six the following New Sch. 7.
new Schedule :—

SCHEDULE SEVEN.

Sec. 20A.

- 5 Aberdare County Council.
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Singleton Gas Company Limited.
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Wagga Wagga City Council.
Wellington Shire Council.
Wollongong Gas Light Coy. Limited.
Yass Municipal Council.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967
[5c]

GAS AND ELECTRICITY (AMENDMENT) BILL, 1967

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to prohibit the supply, distribution or disposal of gas except with the Minister's approval and in accordance with any conditions to which the approval is subject ;
- (b) to make other provisions of a minor or ancillary character.

GAS AND ELECTRICITY SUPPLYMENT, 1911

EXPLANATION

The following table shows the amount of gas and electricity supplied to the various departments of the Government during the year 1911. The figures are given in thousands of cubic feet of gas and in kilowatt-hours of electricity.

1911

PROOF

No. , 1967.

A BILL

Relating to the supply of gas; for this purpose to amend the Gas and Electricity Act, 1935, as amended by subsequent Acts; and for purposes connected therewith.

[MR MORTON—28 *November*, 1967.]

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 "Gas and Electricity (Amendment) Act, 1967". Short title and citation.

(2)

Gas and Electricity (Amendment).

(2) The Gas and Electricity Act, 1935, as amended by subsequent Acts and by this Act, may be cited as the Gas and Electricity Act, 1935-1967.

2. The Gas and Electricity Act, 1935, as amended by 5 subsequent Acts, is amended— Amendment of Act No. 42, 1935.

(a) by inserting next after section two the following new section :— New sec. 2A.

10 2A. This Act shall be read and construed subject to the limits of the legislative powers of the State and so as not to exceed those powers, to the intent that, where any enactment thereof, but for this provision, would be construed as being in excess of those powers, it shall nevertheless be a valid enactment to the extent to which it is not in excess of those powers. Construction of Act.

(b) by inserting in section three next after the definition of "British thermal unit" the following new definition :— Sec. 3. (Definitions.)

20 "Gas" includes natural gas, whether processed or not.

(c) by inserting next after section twenty the following new section :— New sec. 20A.

25 20A. (1) Notwithstanding anything contained in any other Act, a person not acting on behalf of the Crown shall not, after the expiration of a period of six months after the commencement of the Gas and Electricity (Amendment) Act, 1967, by means of a pipe or system of pipes, supply or distribute gas to any other person for lighting, heating or any other purpose or dispose of gas to any other person with a view to profit except with the approval in writing of the Minister and in accordance with any conditions to which any such approval is from time to time subject. Gas not to be supplied except with approval of the Minister.

30

(2)

Gas and Electricity (Amendment).

5 (2) Any conditions to which an approval granted under subsection one of this section is from time to time subject may be varied, revoked or added to by an instrument in writing under the hand of the Minister served on the holder of the approval.

10 (3) A gas company specified in Schedule Seven shall, on an application in writing made to the Minister, be entitled to be granted an approval under subsection one of this section subject to such conditions as to the area in which it may supply, distribute or dispose of gas and to such other conditions as may be specified in the instrument of approval.

15 (4) Subsection one of this section does not apply to a licensee under the Pipelines Act, 1967, in respect of the supply of gas to a gas company that holds an approval under subsection one of this section.

20 (5) Any company, corporation, firm or person that or who contravenes the provisions of subsection one of this section shall be guilty of an offence and, subject to subsection seven of this section, liable to a penalty not exceeding five hundred dollars for each day on which the offence occurs.

25 (6) Proceedings for an offence arising under this section may be taken before a stipendiary magistrate sitting alone as a court of summary jurisdiction or before the Supreme Court in its summary jurisdiction.

30 (7) If proceedings for an offence arising under this section are brought before a stipendiary magistrate, the maximum penalty that may be imposed in respect of the offence is one thousand dollars.

35 (8) In this section "gas" includes liquefied petroleum gas as defined in section two of the Liquefied Petroleum Gas Act, 1961.

(d)

Gas and Electricity (Amendment).

(d) by inserting next after Schedule Six the following New Sch. 7.
new Schedule :—

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Yass Municipal Council.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

New South Wales.



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 99, 1967.

An Act relating to the supply of gas; for this purpose to amend the Gas and Electricity Act, 1935, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 19th December, 1967.]

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 "Gas and Electricity (Amendment) Act, 1967". Short title
and citation.

(2)

Gas and Electricity (Amendment).

(2) The Gas and Electricity Act, 1935, as amended by subsequent Acts and by this Act, may be cited as the Gas and Electricity Act, 1935-1967.

Amendment of Act No. 42, 1935. **2.** The Gas and Electricity Act, 1935, as amended by subsequent Acts, is amended—

New sec. 2A. (a) by inserting next after section two the following new section :—

Construction of Act. 2A. This Act shall be read and construed subject to the limits of the legislative powers of the State and so as not to exceed those powers, to the intent that, where any enactment thereof, but for this provision, would be construed as being in excess of those powers, it shall nevertheless be a valid enactment to the extent to which it is not in excess of those powers.

Sec. 3. (Definitions.) (b) by inserting in section three next after the definition of "British thermal unit" the following new definition :—

"Gas" includes natural gas, whether processed or not.

New sec. 20A. (c) by inserting next after section twenty the following new section :—

Gas not to be supplied except with approval of the Minister. 20A. (1) Notwithstanding anything contained in any other Act, a person not acting on behalf of the Crown shall not, after the expiration of a period of six months after the commencement of the Gas and Electricity (Amendment) Act, 1967, by means of a pipe or system of pipes, supply or distribute gas to any other person for lighting, heating or any other purpose or dispose of gas to any other person with a view to profit except with the approval in writing of the Minister and in accordance with any conditions to which any such approval is from time to time subject.

(2)

Gas and Electricity (Amendment).

(2) Any conditions to which an approval granted under subsection one of this section is from time to time subject may be varied, revoked or added to by an instrument in writing under the hand of the Minister served on the holder of the approval.

(3) A gas company specified in Schedule Seven shall, on an application in writing made to the Minister, be entitled to be granted an approval under subsection one of this section subject to such conditions as to the area in which it may supply, distribute or dispose of gas and to such other conditions as may be specified in the instrument of approval.

(4) Subsection one of this section does not apply to a licensee under the Pipelines Act, 1967, in respect of the supply of gas to a gas company that holds an approval under subsection one of this section.

(5) Any company, corporation, firm or person that or who contravenes the provisions of subsection one of this section shall be guilty of an offence and, subject to subsection seven of this section, liable to a penalty not exceeding five hundred dollars for each day on which the offence occurs.

(6) Proceedings for an offence arising under this section may be taken before a stipendiary magistrate sitting alone as a court of summary jurisdiction or before the Supreme Court in its summary jurisdiction.

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(8) In this section "gas" includes liquefied petroleum gas as defined in section two of the Liquefied Petroleum Gas Act, 1961.

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Gas and Electricity (Amendment).

New Sch. 7. (d) by inserting next after Schedule Six the following new Schedule :—

Sec. 20A.

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Wagga Wagga City Council.
Wellington Shire Council.
Wollongong Gas Light Coy. Limited.
Yass Municipal Council.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1968

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 6 December, 1967.*

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 99, 1967.

An Act relating to the supply of gas; for this purpose to amend the Gas and Electricity Act, 1935, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 19th December, 1967.]

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 "Gas and Electricity Short title and citation. (Amendment) Act, 1967".

(2)

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

G. R. CRAWFORD,
Chairman of Committees of the Legislative Assembly.

Gas and Electricity (Amendment).

(2) The Gas and Electricity Act, 1935, as amended by subsequent Acts and by this Act, may be cited as the Gas and Electricity Act, 1935-1967.

Amendment of Act No. 42, 1935. **2.** The Gas and Electricity Act, 1935, as amended by subsequent Acts, is amended—

New sec. 2A. (a) by inserting next after section two the following new section :—

Construction of Act. 2A. This Act shall be read and construed subject to the limits of the legislative powers of the State and so as not to exceed those powers, to the intent that, where any enactment thereof, but for this provision, would be construed as being in excess of those powers, it shall nevertheless be a valid enactment to the extent to which it is not in excess of those powers.

Sec. 3. (Definitions.) (b) by inserting in section three next after the definition of "British thermal unit" the following new definition :—

"Gas" includes natural gas, whether processed or not.

New sec. 20A. (c) by inserting next after section twenty the following new section :—

Gas not to be supplied except with approval of the Minister. 20A. (1) Notwithstanding anything contained in any other Act, a person not acting on behalf of the Crown shall not, after the expiration of a period of six months after the commencement of the Gas and Electricity (Amendment) Act, 1967, by means of a pipe or system of pipes, supply or distribute gas to any other person for lighting, heating or any other purpose or dispose of gas to any other person with a view to profit except with the approval in writing of the Minister and in accordance with any conditions to which any such approval is from time to time subject.

(2)

Gas and Electricity (Amendment).

(2) Any conditions to which an approval granted under subsection one of this section is from time to time subject may be varied, revoked or added to by an instrument in writing under the hand of the Minister served on the holder of the approval.

(3) A gas company specified in Schedule Seven shall, on an application in writing made to the Minister, be entitled to be granted an approval under subsection one of this section subject to such conditions as to the area in which it may supply, distribute or dispose of gas and to such other conditions as may be specified in the instrument of approval.

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(5) Any company, corporation, firm or person that or who contravenes the provisions of subsection one of this section shall be guilty of an offence and, subject to subsection seven of this section, liable to a penalty not exceeding five hundred dollars for each day on which the offence occurs.

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(7) If proceedings for an offence arising under this section are brought before a stipendiary magistrate, the maximum penalty that may be imposed in respect of the offence is one thousand dollars.

(8) In this section "gas" includes liquefied petroleum gas as defined in section two of the Liquefied Petroleum Gas Act, 1961.

(d)

Gas and Electricity (Amendment).

New Sch. 7. (d) by inserting next after Schedule Six the following new Schedule :—

Sec. 20A. SCHEDULE SEVEN.

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Wellington Shire Council.
Wollongong Gas Light Coy. Limited.
Yass Municipal Council.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 19th December, 1967.*