

**ELECTRICITY COMMISSION (LOANS) AMENDMENT BILL,
1979**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The Maritime Services (Loans) Amendment Bill, 1979, is cognate with this Bill.

The object of this Bill is to extend the borrowing powers of the Electricity Commission of New South Wales so that it is not restricted to borrowing by way of debentures, bonds, stock and other securities.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 350

LECTURE 1

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**ELECTRICITY COMMISSION (LOANS) AMENDMENT
BILL, 1979**

No. , 1979.

A BILL FOR

An Act to amend the Electricity Commission Act, 1950, so as to extend the borrowing powers of the Electricity Commission of New South Wales.

[MR RENSHAW—21 *March*, 1979.]

See also Maritime Services (Loans) Amendment Bill, 1979.

Electricity Commission (Loans) Amendment.

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 :—

5 **1.** This Act may be cited as the "Electricity Commission Short title. (Loans) Amendment Act, 1979".

2. The Electricity Commission Act, 1950, is amended by inserting after section 43A the following section :—

Amendment
of Act No.
22, 1950.
Sec. 43B.

10 43B. (1) This section applies to and in respect of a loan, wherever raised, where the Governor, on the recommendation of the Minister and the Treasurer, approves (as referred to in section 39) of the loan in and by an instrument which specifies that it is a loan to which this section applies.

Other
methods of
raising
loans.

15 (2) Except as provided in this section, the provisions of this Division do not apply to or in respect of a loan to which this section applies.

(3) A loan to which this section applies may be—

(a) raised in such amounts and in such currencies;

20 (b) raised in such manner and on such terms and conditions; and

(c) secured by such securities, if any,

as the Governor, on the recommendation of the Minister and the Treasurer, approves in and by the instrument referred to in subsection (1) or in that instrument by reference to another instrument.

25 (4) Any security or other instrument issued or executed by the Commission or the Government in respect of a loan to which this section applies shall, both as regards its issue or execution and its transfer or assignment be

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deemed to be included in the general exemptions from stamp duty under Part III of the Stamp Duties Act, 1920, contained in the Second Schedule to that Act.

5 (5) The Governor may, upon the recommendation
of the Commission, appoint 2 or more persons for and on
behalf of the Commission to enter into any securities or
other instruments in respect of a loan to which this section
applies and to sign, execute, or otherwise perfect all such
10 securities or other instruments, and to do all such things as
may be necessary or convenient to be done for the purpose
of raising the loan under this Act, and may upon the like
recommendation revoke or vary any such appointment and
make any fresh appointment.

15 (6) The production of a copy of the Gazette
containing a notification of any appointment or revocation
under subsection (5) shall in favour of a lender, of the
holder of any security or of a person to whom the benefit
under any such instrument is assigned be conclusive evidence
of the appointment or revocation.

20 (7) The due payment of any amounts payable by
the Commission to the lender in respect of any loan to which
this section applies is a charge on the income and revenue
of the Commission, from whatever source arising, and is
hereby guaranteed by the Government, and, where any
25 agreement to which the Government is a party specifies any
terms or conditions upon or subject to which the due payment
of those amounts is so guaranteed, the due payment of those
amounts is so guaranteed upon or subject to those terms
and conditions.

30 (8) An agreement with respect to a loan to which
this section applies and to which the Government and the
Commission are parties may require the Government to make
any payment for which the Commission would, under the
agreement, be liable but for its being precluded from making
35 the payment by any law in force in New South Wales.

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5 (9) The Consolidated Revenue Fund is hereby appropriated for the purpose of meeting any liability in respect of any guarantee referred to in subsection (7) and any liability of the Government arising under any agreement referred to in subsection (8).

(10) The provisions of—

- 10 (a) sections 46, 47, 48 and 49 apply to and in respect of the appointment of a receiver by reason of any default being made by the Commission in making any payment in respect of a loan to which this section applies and to and in respect of a receiver appointed by virtue of the application of section 46 by this subsection in the same way as those
- 15 sections apply to and in respect of the appointment of a receiver by reason of any default being made by the Commission in making any payment, whether of principal or interest, to the holder of any debenture, or coupon, issued, or stock inscribed, by the Commission and to and in respect
- 20 of a receiver appointed under section 46;
- (b) section 50 (1) apply to and in respect of a person advancing money to the Commission by way of a loan to which this section applies in the same way
- 25 as they apply to and in respect of a person advancing money to the Commission as referred to in section 50 (1);
- (c) section 50 (2) apply to and in respect of a notification in the Gazette of the approval of the Governor having been given to a loan to which
- 30 this section applies in the same way as they apply to and in respect of a notification in the Gazette of the approval of the Governor having been given to a borrowing referred to in section 50 (2);
- (d) section 51 apply to and in respect of a loan to which
- 35 this section applies as if the reference in that section to other securities which are secured upon the income and revenue of the Commission included a reference to such a loan; and

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- 5 (e) any other section of this Division (being a section
that, in an agreement between the Commission and
the lender with respect to a loan to which this
section applies, is specified as being a section that
applies to and in respect of the loan or as being a
section that, with such modifications or additions
as are so specified, applies to and in respect of the
loan) apply or apply with those modifications or
additions, as the case may be, to and in respect of
10 the loan.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1979

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**ELECTRICITY COMMISSION (LOANS) AMENDMENT
ACT, 1979, No. 3**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 3, 1979.

An Act to amend the Electricity Commission Act, 1950, so as to extend the borrowing powers of the Electricity Commission of New South Wales. [Assented to, 23rd March, 1979.]

See also Maritime Services (Loans) Amendment Act, 1979.

Electricity Commission (Loans) Amendment.

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 :—

Short title. **1.** This Act may be cited as the "Electricity Commission (Loans) Amendment Act, 1979".

Amendment of Act No. 22, 1950, Sec. 43B. **2.** The Electricity Commission Act, 1950, is amended by inserting after section 43A the following section :—

Other methods of raising loans.

43B. (1) This section applies to and in respect of a loan, wherever raised, where the Governor, on the recommendation of the Minister and the Treasurer, approves (as referred to in section 39) of the loan in and by an instrument which specifies that it is a loan to which this section applies.

(2) Except as provided in this section, the provisions of this Division do not apply to or in respect of a loan to which this section applies.

(3) A loan to which this section applies may be—

- (a) raised in such amounts and in such currencies;
- (b) raised in such manner and on such terms and conditions; and
- (c) secured by such securities, if any,

as the Governor, on the recommendation of the Minister and the Treasurer, approves in and by the instrument referred to in subsection (1) or in that instrument by reference to another instrument.

(4) Any security or other instrument issued or executed by the Commission or the Government in respect of a loan to which this section applies shall, both as regards its issue or execution and its transfer or assignment be

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deemed to be included in the general exemptions from stamp duty under Part III of the Stamp Duties Act, 1920, contained in the Second Schedule to that Act.

(5) The Governor may, upon the recommendation of the Commission, appoint 2 or more persons for and on behalf of the Commission to enter into any securities or other instruments in respect of a loan to which this section applies and to sign, execute, or otherwise perfect all such securities or other instruments, and to do all such things as may be necessary or convenient to be done for the purpose of raising the loan under this Act, and may upon the like recommendation revoke or vary any such appointment and make any fresh appointment.

(6) The production of a copy of the Gazette containing a notification of any appointment or revocation under subsection (5) shall in favour of a lender, of the holder of any security or of a person to whom the benefit under any such instrument is assigned be conclusive evidence of the appointment or revocation.

(7) The due payment of any amounts payable by the Commission to the lender in respect of any loan to which this section applies is a charge on the income and revenue of the Commission, from whatever source arising, and is hereby guaranteed by the Government, and, where any agreement to which the Government is a party specifies any terms or conditions upon or subject to which the due payment of those amounts is so guaranteed, the due payment of those amounts is so guaranteed upon or subject to those terms and conditions.

(8) An agreement with respect to a loan to which this section applies and to which the Government and the Commission are parties may require the Government to make any payment for which the Commission would, under the agreement, be liable but for its being precluded from making the payment by any law in force in New South Wales.

Electricity Commission (Loans) Amendment.

(9) The Consolidated Revenue Fund is hereby appropriated for the purpose of meeting any liability in respect of any guarantee referred to in subsection (7) and any liability of the Government arising under any agreement referred to in subsection (8).

(10) The provisions of—

- (a) sections 46, 47, 48 and 49 apply to and in respect of the appointment of a receiver by reason of any default being made by the Commission in making any payment in respect of a loan to which this section applies and to and in respect of a receiver appointed by virtue of the application of section 46 by this subsection in the same way as those sections apply to and in respect of the appointment of a receiver by reason of any default being made by the Commission in making any payment, whether of principal or interest, to the holder of any debenture, or coupon, issued, or stock inscribed, by the Commission and to and in respect of a receiver appointed under section 46;
- (b) section 50 (1) apply to and in respect of a person advancing money to the Commission by way of a loan to which this section applies in the same way as they apply to and in respect of a person advancing money to the Commission as referred to in section 50 (1);
- (c) section 50 (2) apply to and in respect of a notification in the Gazette of the approval of the Governor having been given to a loan to which this section applies in the same way as they apply to and in respect of a notification in the Gazette of the approval of the Governor having been given to a borrowing referred to in section 50 (2);
- (d) section 51 apply to and in respect of a loan to which this section applies as if the reference in that section to other securities which are secured upon the income and revenue of the Commission included a reference to such a loan; and

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- (e) any other section of this Division (being a section that, in an agreement between the Commission and the lender with respect to a loan to which this section applies, is specified as being a section that applies to and in respect of the loan or as being a section that, with such modifications or additions as are so specified, applies to and in respect of the loan) apply or apply with those modifications or additions, as the case may be, to and in respect of the loan.

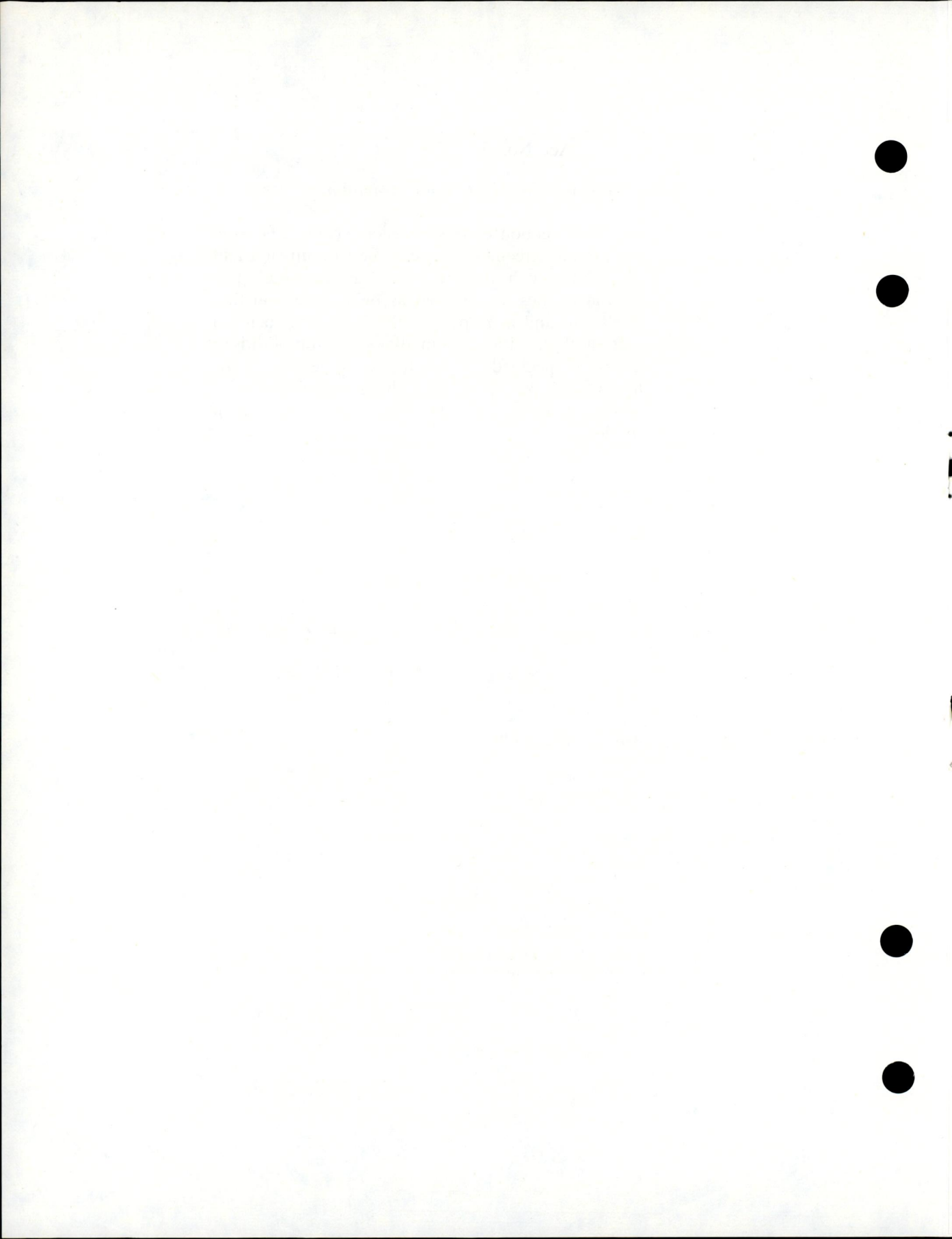
In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 23rd March, 1979.*

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1979







ELECTRICITY DEVELOPMENT (AMENDMENT) BILL, 1978

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE objects of this Bill are—

- (a) to extend the powers of the Electricity Authority of New South Wales relating to safety, and in particular—
 - (i) to promote and encourage the safety of persons and property in relation to electricity, including the issuing or publishing of public statements or warnings relating to unsafe electrical articles and electrical installations (Schedule 1 (1));
 - (ii) to allow the Authority to prohibit the sale or hire of electrical articles which are, or are likely to become, unsafe to use and, if any such articles are sold by retail or hired, to allow the Authority to require the manufacturer or importer, or the owner of hired goods, to take action to make the articles safe to use (Schedule 1 (2));
 - (iii) to expand the power of entry provisions in the Electricity Development Act, 1945 (“the Principal Act”) so as to enable officers authorised by the Authority and electricity supply authorities to enter land or premises on or in which some manufacture, business or trade is carried on for the purpose of examining and testing electrical articles and examining records relating to the manufacture, sale or hire of electrical articles and, in the case of electrical articles held or exhibited for sale, to take them for examination or testing, on paying a just price if required (Schedule 1 (3) (b));
 - (iv) to require occupiers and other persons to assist authorised officers in the exercise of their powers and to enable authorised officers to require production of certificates, licences, etc., by persons carrying out electrical wiring work (Schedule 1 (3) (b));
- (b) to replace the present system of licensing electrical contractors and electricians with a new system whereby—
 - (i) persons or bodies of persons carrying on business as electrical contractors will, with certain exceptions, be required to be registered as electrical contractors;
 - (ii) persons actually carrying out electrical wiring work will, with certain exceptions, be required to be licensed electrical mechanics (a registered electrical contractor who actually does electrical wiring work himself will be required to be both registered and licensed);

- (iii) there will be 3 grades of electrical mechanics' licences, one entitling the holder to carry out work without supervision, one entitling the holder to carry out work under supervision and one entitling the holder to carry out only limited kinds of work;
 - (iv) existing licensed electrical contractors will be deemed to be registered electrical contractors under the proposed new provisions until the end of the terms of the current licences (12 months—subject to any suspension or cancellation under the Act and regulations);
 - (v) existing licensed electricians (whose licences last for life) will be deemed to be licensed electrical mechanics (also for life) entitled to carry out electrical wiring work without supervision (subject to any suspension or cancellation under the Act and regulations);
 - (vi) an existing individual licensed electrical contractor (who was required to surrender his electrician's licence in order to obtain his electrical contractor's licence) will also be deemed to be a licensed electrical mechanic (for life) entitled to carry out electrical wiring work without supervision (subject to any suspension or cancellation under the Act and regulations);
 - (vii) an unlicensed person will, in line with the present practice, be permitted to carry out electrical wiring work if he is under the constant personal supervision of a licensed electrical mechanic and an apprentice will be permitted to carry out electrical wiring work if he is either under the supervision or under the constant personal supervision of a licensed electrical mechanic ("under supervision" and "under constant personal supervision" are defined for the purposes of the foregoing provisions and other provisions are included to require employers and supervisors to ensure compliance with the Act and regulations);
 - (viii) the holders of approved licences issued in other States, or in Territories, of the Commonwealth will not be required to obtain licences in New South Wales,

(as at present in relation to the licensing of electrical contractors and electricians, the provisions relating to the registration of electrical contractors and the licensing of electrical mechanics, including provisions relating to cancellation or suspension of licences, the constitution of a committee to advise the Authority in relation to registration and licensing, the qualifications for registration or entitlement to the issue of licences and the holding of examinations, will be prescribed by regulations to be made under the Principal Act) (Schedule 2 (4) and (6) and Schedule 6, clause 2);
- (c) to require persons carrying out or proposing to carry out electrical wiring work on land or premises to produce to the owners or occupiers, upon request, their certificates of registration or licences (Schedule 2 (4)—proposed section 24c);
 - (d) to increase certain penalties for offences against the Principal Act (Schedule 3);

- (e) to enable the appointment of a member of the Electricity Authority to act in the place of the Chairman or Deputy Chairman of the Authority when absent from duty (Schedule 4 (2));
 - (f) to provide that a member of, or any other person acting under the direction of, an electricity supply authority shall not be personally liable in respect of acts, etc., bona fide done for the purposes of executing the Principal Act (protection from personal liability already exists in respect of Electricity Authority members and officers) (Schedule 4 (4));
 - (g) to provide that a prosecution for an offence against the Principal Act or the regulations may be instituted at any time within 2 years after the commission of the offence, instead of within 6 months (Schedule 4 (5));
 - (h) to make certain amendments to the Principal Act by way of statute law revision (Schedule 5); and
 - (i) to make other provisions of a minor, consequential or ancillary nature.
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