

**ELECTRICITY DEVELOPMENT (ENERGY
AUTHORITY) AMENDMENT ACT, 1979, No. 104**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 104, 1979.

An Act to amend the Electricity Development Act, 1945, and the Electricity Development (Amendment) Act, 1978, consequentially upon the enactment of the Energy Authority (Amendment) Act, 1979. [Assented to, 17th May, 1979.]

Electricity Development (Energy Authority) 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 Development (Energy Authority) Amendment Act, 1979".

Commence-
ment.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 3 and Schedule 1 shall commence on the day appointed and notified under section 2 (2) of the Energy Authority (Amendment) Act, 1979.

Amendment
of Act No.
13, 1946.

3. The Electricity Development Act, 1945, is amended in the manner set forth in Schedule 1.

Amendment
of Act
No. 148,
1978.
Sch. 2.

4. The Electricity Development (Amendment) Act, 1978, is amended by omitting Schedule 2 (5) and by inserting instead the following item :—

(5) Section 33A—

After section 33, insert :—

Evidence.

33A. (1) In any legal proceedings under or for the purposes of this Act, a certificate purporting to be signed by the chairman and general manager of the Authority or a prescribed officer of the Authority and certifying that—

- (a) a person specified therein was or was not registered as an electrical contractor;
- (b) a person specified therein was or was not the holder of an electrical contractor's licence, an electrician's licence or an electrical mechanic's licence; or

Electricity Development (Energy Authority) Amendment.

(c) the terms and conditions specified therein were terms and conditions attaching to a certificate of registration or a licence, on any day, or during any period, specified therein shall be admissible in evidence and shall be prima facie evidence of the fact so certified.

(2) In any legal proceedings under or for the purposes of this Act, a certificate—

(a) purporting to be signed by a person who is the holder of an office in another State or a Territory of the Commonwealth, being an office prescribed for the purposes of this subsection; and

(b) certifying that particulars specified therein were particulars of the registration or licensing of a person in that State or Territory on any day or during any period specified therein,

shall be admissible in evidence and shall be prima facie evidence of those particulars.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE ELECTRICITY DEVELOPMENT
ACT, 1945.

(1) Long title—

Omit “to provide for the constitution of the Electricity Authority of New South Wales and to define its powers, authorities, duties and functions”, insert instead “to confer certain powers, authorities, duties and functions on the Energy Authority of New South Wales”.

Electricity Development (Energy Authority) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE ELECTRICITY DEVELOPMENT
ACT, 1945—*continued.*

- (2) (a) Section 3—
Omit the matter relating to Part II.
- (b) Section 3—
From the matter relating to Part III, omit “8”, insert instead “9”.
- (c) Section 3—
From the matter relating to Part IV, omit “19” insert instead “17”.
- (3) (a) Section 4, definition of “Authority”—
Omit the definition, insert instead :—
“Authority” means the Energy Authority of New South Wales constituted under the Energy Authority Act, 1976.
- (b) Section 4, definition of “Member”—
Omit the definition.
- (c) Section 4, definition of “Person”—
Omit the definition.
- (4) PART II—
Omit the Part.
- (5) Section 8—
Omit the section.

Electricity Development (Energy Authority) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE ELECTRICITY DEVELOPMENT
ACT, 1945—*continued.*

(6) Section 9 (1) (e)—

Omit “. Any such report shall be accompanied by a draft of the legislation (including regulations and the like) necessary to give effect to such report”.

(7) Section 10 (3)—

After “chairman” where firstly occurring, insert “and general manager”.

(8) (a) Section 15—

Omit “in or before the month of May in”.

(b) Section 15—

Omit “in defraying the expenses incurred in the administration of this Act and in carrying out the powers, authorities, duties and functions conferred and imposed upon the Authority by or under this Act. Such estimate shall specify the amount to be paid during such next following year”.

(9) Section 17 (1), (1A) and (2)—

Omit section 17 (1) and (2), insert instead :—

(1) There shall be paid into the Electricity Development Account all money appropriated by Parliament for the purposes of subsidies referred to in section 13 (1) and all amounts to which section 15A applies.

Electricity Development (Energy Authority) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE ELECTRICITY DEVELOPMENT
ACT, 1945—*continued.*

(1A) There may be paid into the Electricity Development Account money, other than money referred to in subsection (1), which may lawfully be paid into that account.

(2) There may be paid out of the Electricity Development Account—

(a) the subsidies referred to in section 13 (1); and

(b) all other amounts required or authorised by this or any other Act to be paid out of that account.

(10) Sections 18 and 19—

Omit the sections.

(11) Section 26 (2)—

After “chairman”, insert “and general manager”.

(12) Sections 29–31—

Omit the sections.

(13) Sections 34–36—

Omit the sections.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 17th May, 1979.*





**ELECTRICITY DEVELOPMENT (ENERGY AUTHORITY)
AMENDMENT BILL, 1979**

EXPLANATORY NOTE

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

This Bill is cognate with the Energy Authority (Amendment) Bill, 1979.

The object of this Bill is to amend the Electricity Development Act, 1945, (the "Principal Act") and the Electricity Development (Amendment) Act, 1978, consequentially upon the enactment of the proposed Energy Authority (Amendment) Act, 1979, to repeal provisions of the Principal Act that are duplicated in the Energy Authority Act, 1976, and will become redundant upon the enactment of the proposed Energy Authority (Amendment) Act, 1979, and to make certain other minor amendments.

LEGISLATIVE AUTHORITY OF THE FEDERAL ENERGY COMMISSION
AMENDMENT BILL 1978

LEGISLATIVE NOTE

This Legislative Note refers to the bill as introduced into the House.

The bill's purpose is to amend the Federal Energy Commission Act, 1970.

The object of this bill is to amend the Federal Energy Commission Act, 1970, to provide for the establishment of a Federal Energy Commission. The bill also provides for the appointment of the Commission's members and the Secretary of the Commission. The bill further provides for the Commission's powers and duties, including the authority to issue orders and regulations. The bill also provides for the Commission's budget and the Secretary's duties. The bill is intended to provide for the efficient and effective operation of the Federal Energy Commission.

**ELECTRICITY DEVELOPMENT (ENERGY
AUTHORITY) AMENDMENT BILL, 1979**

No. , 1979.

A BILL FOR

An Act to amend the Electricity Development Act, 1945, and the Electricity Development (Amendment) Act, 1978, consequentially upon the enactment of the Energy Authority (Amendment) Act, 1979.

[MR HILLS—22 *March*, 1979.]

Electricity Development (Energy Authority) 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 Development (Energy Authority) Amendment Act, 1979". Short title.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act. Commencement.

(2) Section 3 and Schedule 1 shall commence on the day appointed and notified under section 2 (2) of the Energy Authority (Amendment) Act, 1979.

3. The Electricity Development Act, 1945, is amended in the manner set forth in Schedule 1. Amendment of Act No. 13, 1946.

4. The Electricity Development (Amendment) Act, 1978, is amended by omitting Schedule 2 (5) and by inserting instead the following item :— Amendment of Act No. 148, 1978. Sch. 2.

(5) Section 33A—

After section 33, insert :—

20 **33A.** (1) In any legal proceedings under or for the purposes of this Act, a certificate purporting to be signed by the chairman and general manager of the Authority or a prescribed officer of the Authority and certifying that— Evidence.

25 (a) a person specified therein was or was not registered as an electrical contractor;

(b) a person specified therein was or was not the holder of an electrical contractor's licence, an electrician's licence or an electrical mechanic's licence; or

Electricity Development (Energy Authority) Amendment.

(c) the terms and conditions specified therein were terms and conditions attaching to a certificate of registration or a licence, on any day, or during any period, specified therein shall be admissible in evidence and shall be prima facie evidence of the fact so certified.

(2) In any legal proceedings under or for the purposes of this Act, a certificate—

(a) purporting to be signed by a person who is the holder of an office in another State or a Territory of the Commonwealth, being an office prescribed for the purposes of this subsection; and

(b) certifying that particulars specified therein were particulars of the registration or licensing of a person in that State or Territory on any day or during any period specified therein,

shall be admissible in evidence and shall be prima facie evidence of those particulars.

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE ELECTRICITY DEVELOPMENT
ACT, 1945.

(1) Long title—

25 Omit “to provide for the constitution of the Electricity Authority of New South Wales and to define its powers, authorities, duties and functions”, insert instead “to confer certain powers, authorities, duties and functions on the Energy Authority of New South Wales”.

Electricity Development (Energy Authority) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE ELECTRICITY DEVELOPMENT
ACT, 1945—*continued.*

- (2) (a) Section 3—
5 Omit the matter relating to Part II.
- (b) Section 3—
From the matter relating to Part III, omit “8”, insert
instead “9”.
- (c) Section 3—
10 From the matter relating to Part IV, omit “19” insert
instead “17”.
- (3) (a) Section 4, definition of “Authority”—
Omit the definition, insert instead :—
15 “Authority” means the Energy Authority of New
South Wales constituted under the Energy
Authority Act, 1976.
- (b) Section 4, definition of “Member”—
Omit the definition.
- (c) Section 4, definition of “Person”—
20 Omit the definition.
- (4) PART II—
Omit the Part.
- (5) Section 8—
Omit the section.

Electricity Development (Energy Authority) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE ELECTRICITY DEVELOPMENT
ACT, 1945—*continued.*

- (6) Section 9 (1) (e)—
- 5 Omit “. Any such report shall be accompanied by a draft of the legislation (including regulations and the like) necessary to give effect to such report”.
- (7) Section 10 (3)—
- 10 After “chairman” where firstly occurring, insert “and general manager”.
- (8) (a) Section 15—
- Omit “in or before the month of May in”.
- (b) Section 15—
- 15 Omit “in defraying the expenses incurred in the administration of this Act and in carrying out the powers, authorities, duties and functions conferred and imposed upon the Authority by or under this Act. Such estimate shall specify the amount to be paid during such next following year”.
- 20 (9) Section 17 (1), (1A) and (2)—
- Omit section 17 (1) and (2), insert instead :—
- (1) There shall be paid into the Electricity Development Account all money appropriated by Parliament for the purposes of subsidies referred to in section 13 (1) and all
- 25 amounts to which section 15A applies.

*Electricity Development (Energy Authority) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE ELECTRICITY DEVELOPMENT
ACT, 1945—*continued.*

- 5 (1A) There may be paid into the Electricity Development Account money, other than money referred to in subsection (1), which may lawfully be paid into that account.
- (2) There may be paid out of the Electricity Development Account—
- 10 (a) the subsidies referred to in section 13 (1); and
(b) all other amounts required or authorised by this or any other Act to be paid out of that account.
- (10) Sections 18 and 19—
Omit the sections.
- 15 (11) Section 26 (2)—
After “chairman”, insert “and general manager”.
- (12) Sections 29–31—
Omit the sections.
- (13) Sections 34–36—
20 Omit the sections.

BY AUTHORITY

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