

FIRST PRINT

**GAS AND ELECTRICITY (GAS REPEAL) AMENDMENT
BILL 1986**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Gas Bill 1986.

The object of this Bill is to remove from the Gas and Electricity Act 1935 provisions to be contained in the proposed Gas Act 1986. The Bill also changes the short title of the Principal Act to the Electricity (Special Provisions) Act 1935.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with minor exceptions, commence on a day to be appointed by the Governor-in-Council.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Principal Act.

Schedule 1 (1) makes a consequential amendment to the long title of the Principal Act.

Schedule 1 (2) changes the short title of the Principal Act to the "Electricity (Special Provisions) Act 1935". As proposed to be amended, the Principal Act will relate only to the Sydney County Council.

Schedule 1 (3)-(14) repeals provisions of the Principal Act which relate to gas and which will be re-enacted in the proposed Gas Act 1986.

GAS AND ELECTRICITY (GAS REPEAL) AMENDMENT BILL 1986

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 42, 1935

SCHEDULE 1—AMENDMENTS TO THE GAS AND ELECTRICITY ACT 1935

**GAS AND ELECTRICITY (GAS REPEAL) AMENDMENT
BILL 1986**

NEW SOUTH WALES



No. , 1986

A BILL FOR

An Act to amend the Gas and Electricity Act 1935 as a consequence of the enactment of the Gas Act 1986.

Gas and Electricity (Gas Repeal) Amendment 1986

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 Short title

1. This Act may be cited as the "Gas and Electricity (Gas Repeal) Amendment Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this
10 Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 42, 1935

15 3. The Gas and Electricity Act 1935 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE GAS AND ELECTRICITY ACT 1935

(1) Long title—

5 Omit the long title, insert instead:

An Act to constitute the Sydney County Council and to make provision for its functions.

(2) Section 1—

Omit the section, insert instead:

10 **Short title**

1. This Act may be cited as the “Electricity (Special Provisions) Act 1935”.

(3) Section 2 (**Application of Act**)—

Section 2 (1)–(4)—

15 Omit the subsections.

(4) Section 3—

Omit the section, insert instead:

Interpretation

3. In this Act—

20 “regulation” means a regulation made under this Act.

(5) Section 4 (**Repeal and savings**)—

Omit the section.

(6) Parts II–V—

Omit the Parts.

25 (7) Sections 52, 54—

Omit the sections.

(8) Section 55 (**Delegation**)—

Section 55 (5)—

Omit the subsection.

Gas and Electricity (Gas Repeal) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE GAS AND ELECTRICITY ACT 1935—
continued

(9) Sections 82, 82A—

Omit the sections.

(10) Section 83—

Omit the section, insert instead:

5 **Proceedings for offences**

18. Proceedings for an offence against this Act or the regulations shall be dealt with summarily before a Local Court constituted by a Magistrate sitting alone.

(11) Section 84 (**Savings and transitional provisions**)—

10 Omit the section.

(12) Section 85—

Omit the section, insert instead:

Regulations

15 85. (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

20 (2) A regulation may create an offence punishable by a penalty not exceeding \$500.

(3) A provision of a regulation may—

(a) apply generally or be limited in its application by reference to specified exceptions or factors;

25 (b) apply differently according to different factors of a specified kind; or

Gas and Electricity (Gas Repeal) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE GAS AND ELECTRICITY ACT 1935—
continued

(c) authorise any matter or thing to be from time to time determined, applied or regulated by any specified person or body,

or may do any combination of those things.

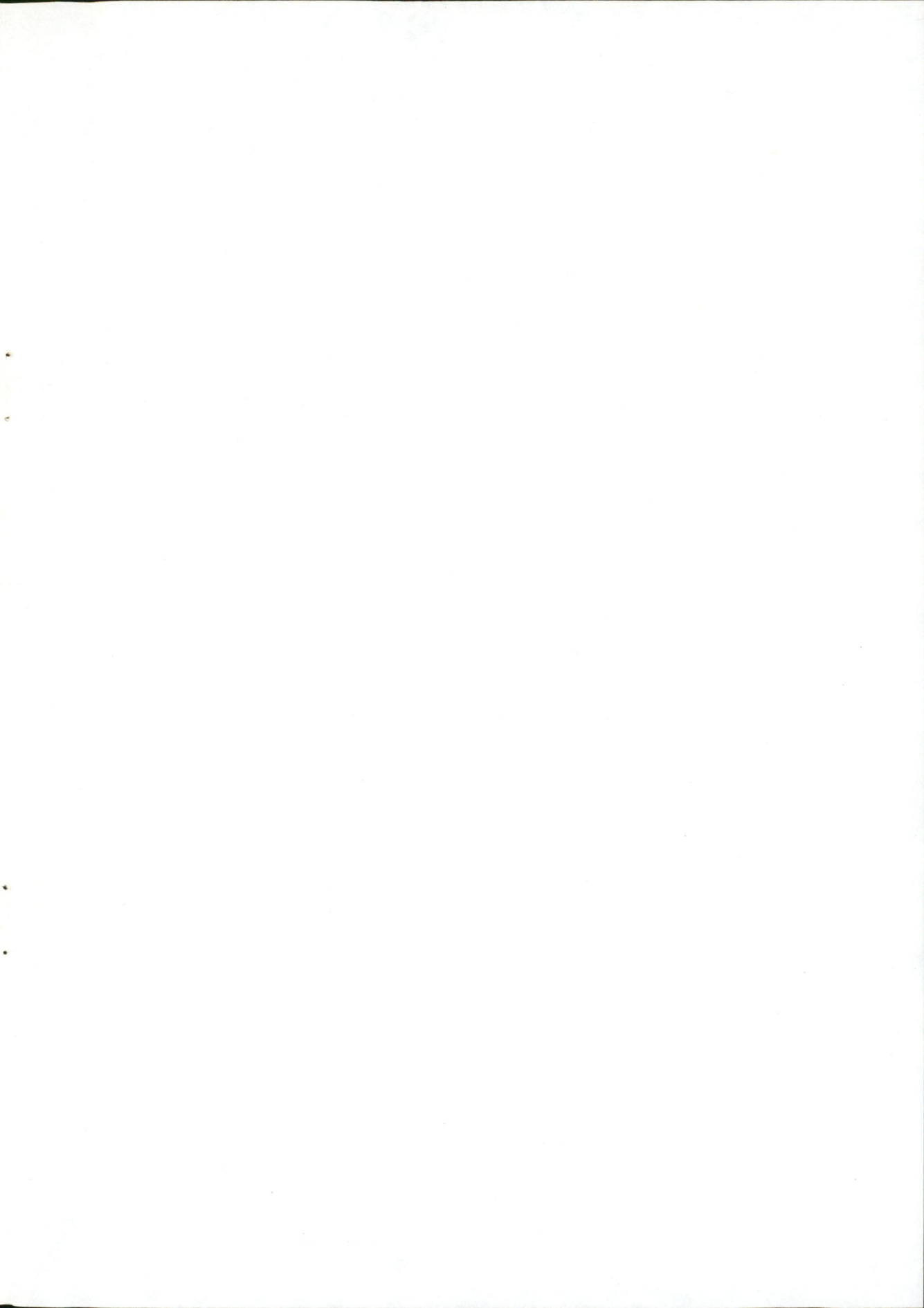
5 (4) Section 41 of the Interpretation Act 1897 applies in respect of a regulation made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act 1969.

(13) Parts IX, X—

10 Omit the Parts.

(14) Schedules 1, 2, 4, 7—

Omit the Schedules.



**GAS AND ELECTRICITY (GAS REPEAL) AMENDMENT
ACT 1986 No. 214**

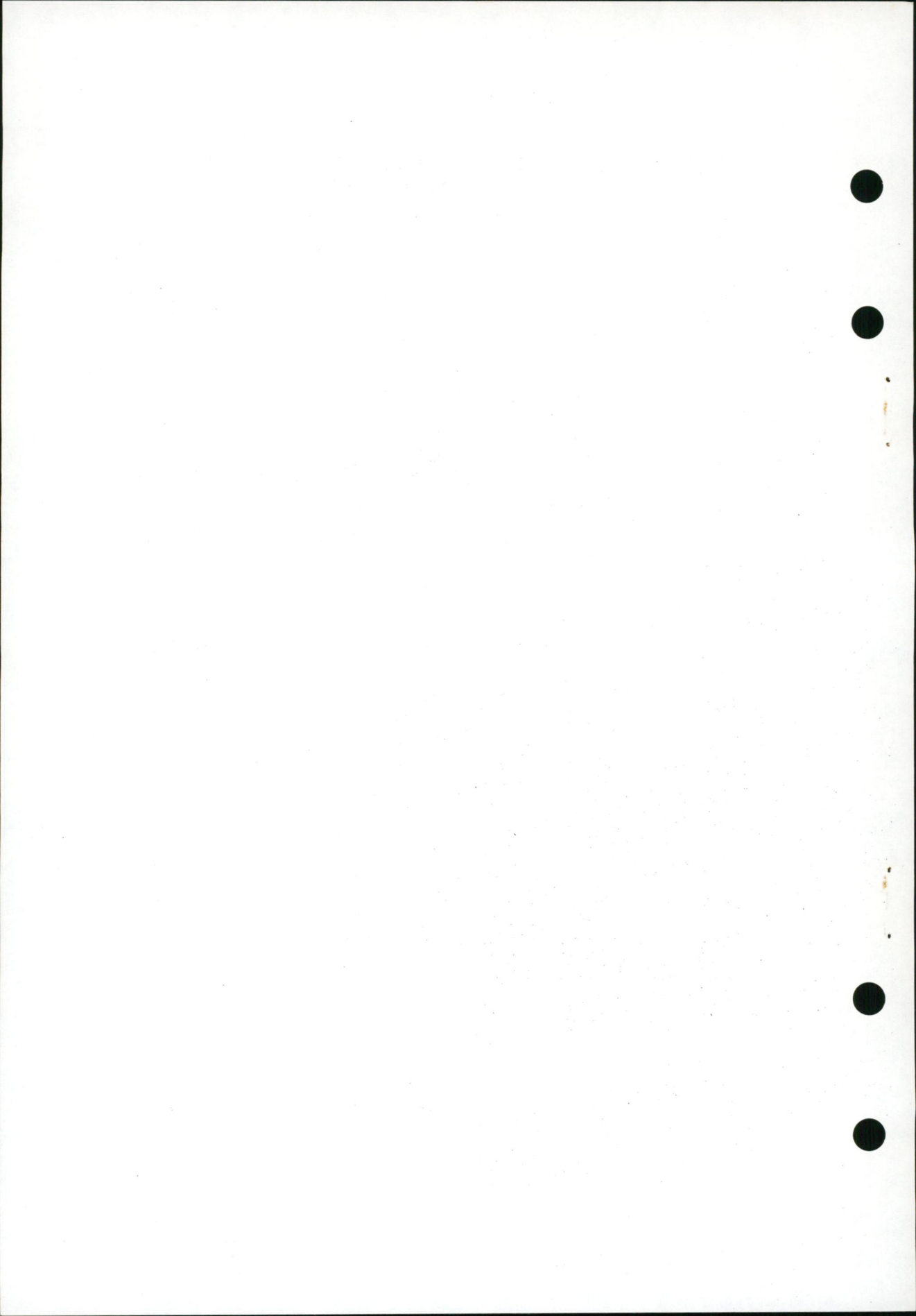
NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 42, 1935

SCHEDULE 1—AMENDMENTS TO THE GAS AND ELECTRICITY ACT 1935



GAS AND ELECTRICITY (GAS REPEAL) AMENDMENT ACT 1986
No. 214

NEW SOUTH WALES



Act No. 214, 1986

An Act to amend the Gas and Electricity Act 1935 as a consequence of the enactment of the Gas Act 1986. [Assented to 23 December 1986]

Gas and Electricity (Gas Repeal) Amendment 1986

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 "Gas and Electricity (Gas Repeal) Amendment Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 42, 1935

3. The Gas and Electricity Act 1935 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE GAS AND ELECTRICITY ACT 1935

(1) Long title—

Omit the long title, insert instead:

An Act to constitute the Sydney County Council and to make provision for its functions.

(2) Section 1—

Omit the section, insert instead:

Short title

1. This Act may be cited as the “Electricity (Special Provisions) Act 1935”.

(3) Section 2 (**Application of Act**)—

Section 2 (1)–(4)—

Omit the subsections.

(4) Section 3—

Omit the section, insert instead:

Interpretation

3. In this Act—

“regulation” means a regulation made under this Act.

(5) Section 4 (**Repeal and savings**)—

Omit the section.

(6) Parts II–V—

Omit the Parts.

(7) Sections 52, 54—

Omit the sections.

(8) Section 55 (**Delegation**)—

Section 55 (5)—

Omit the subsection.

Gas and Electricity (Gas Repeal) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE GAS AND ELECTRICITY ACT 1935—
continued

(9) Sections 82, 82A—

Omit the sections.

(10) Section 83—

Omit the section, insert instead:

Proceedings for offences

18. Proceedings for an offence against this Act or the regulations shall be dealt with summarily before a Local Court constituted by a Magistrate sitting alone.

(11) Section 84 (**Savings and transitional provisions**)—

Omit the section.

(12) Section 85—

Omit the section, insert instead:

Regulations

85. (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) A regulation may create an offence punishable by a penalty not exceeding \$500.

(3) A provision of a regulation may—

(a) apply generally or be limited in its application by reference to specified exceptions or factors;

(b) apply differently according to different factors of a specified kind; or

Gas and Electricity (Gas Repeal) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE GAS AND ELECTRICITY ACT 1935—
continued

(c) authorise any matter or thing to be from time to time determined, applied or regulated by any specified person or body,

or may do any combination of those things.

(4) Section 41 of the Interpretation Act 1897 applies in respect of a regulation made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act 1969.

(13) Parts IX, X—

○ Omit the Parts.

(14) Schedules 1, 2, 4, 7—

Omit the Schedules.

