

FIRST PRINT

**LOCAL GOVERNMENT (ELECTRICITY) AMENDMENT
BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

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

This Bill is cognate with the Energy Administration Bill 1987.

The object of this Bill is to amend the Local Government Act 1919 and certain ordinances under that Act as a consequence of the enactment of provisions relating to electricity councils contained in the proposed Electricity Development (Amendment) Act 1987.

Clause 1 specifies the short title of the proposed Act.

Clause 2 specifies that the proposed Act will, with minor exceptions, commence on the commencement of the proposed Energy Administration Act 1987.

Clause 3 gives effect to the Schedule of amendments to the Local Government Act 1919.

Clause 4 gives effect to the Schedule of amendments to certain ordinances under the Local Government Act 1919.

Clause 5 provides that Ordinance No. 20A under the Local Government Act 1919 does not apply to the Sydney County Council, except in the same way that it applies to other county councils.

Clause 6 repeals Ordinances Nos. 20B and 20C under the Local Government Act 1919.

Local Government (Electricity) Amendment 1987

SCHEDULE 1—AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919

This Schedule amends the Local Government Act 1919 to remove provisions restricting the acquisition and operation of electricity undertakings by electricity councils and to ensure that those provisions will be subject to the Electricity Act 1945 (presently cited as the Electricity Development Act 1945).

SCHEDULE 2—AMENDMENTS TO CERTAIN ORDINANCES

This Schedule amends Ordinances Nos. 20 and 54 to make amendments consequential on the reconstitution of the Sydney County Council and the employment of assistant general managers as a consequence of the enactment of the proposed Electricity Development (Amendment) Act 1987. Ordinance No 20 is amended to prevent the application of certain provisions of the Local Government Act 1919 (relating to the employment of clerks, deputy clerks and delegation) to county councils that are electricity councils. These matters are to be dealt with by the Electricity Act 1945, as amended by the proposed Electricity Development (Amendment) Act 1987.

LOCAL GOVERNMENT (ELECTRICITY) AMENDMENT BILL 1987

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 41, 1919
4. Amendment of Ordinances Nos. 20 and 54
5. Application of Ordinance No. 20A
6. Repeal of Ordinances Nos. 20B and 20c

SCHEDULE 1—AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919
SCHEDULE 2—AMENDMENTS TO CERTAIN ORDINANCES

LOCAL GOVERNMENT (ELECTIONS) BILL 1972

THE LOCAL GOVERNMENTS ACT 1972

THE LOCAL GOVERNMENTS (MISCELLANEOUS PROVISIONS) ACT 1972

Section 100 of the Local Government Act 1972 provides that the provisions of the Act shall apply to the following areas:

- (a) the area of the county of ...
- (b) the area of the county of ...
- (c) the area of the county of ...
- (d) the area of the county of ...
- (e) the area of the county of ...
- (f) the area of the county of ...
- (g) the area of the county of ...
- (h) the area of the county of ...
- (i) the area of the county of ...
- (j) the area of the county of ...
- (k) the area of the county of ...
- (l) the area of the county of ...
- (m) the area of the county of ...
- (n) the area of the county of ...
- (o) the area of the county of ...
- (p) the area of the county of ...
- (q) the area of the county of ...
- (r) the area of the county of ...
- (s) the area of the county of ...
- (t) the area of the county of ...
- (u) the area of the county of ...
- (v) the area of the county of ...
- (w) the area of the county of ...
- (x) the area of the county of ...
- (y) the area of the county of ...
- (z) the area of the county of ...

**LOCAL GOVERNMENT (ELECTRICITY) AMENDMENT
BILL 1987**

NEW SOUTH WALES



No. , 1987

A BILL FOR

An Act to amend the Local Government Act 1919 and ordinances under that Act as a consequence of the enactment of the Electricity Development (Amendment) Act 1987.

Local Government (Electricity) Amendment 1987

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 "Local Government (Electricity) Amendment Act 1987".

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 the day appointed and notified under section 2 (2) of the Energy Administration Act 1987.

Amendment of Act No. 41, 1919

15 3. The Local Government Act 1919 is amended in the manner set forth in Schedule 1.

Amendment of Ordinances Nos. 20 and 54

4. Each Ordinance referred to in Schedule 2 is amended in the manner set forth in Schedule 2.

20 Application of Ordinance No. 20A

5. Ordinance No. 20A under the Local Government Act 1919 does not apply to the Sydney County Council, except in so far as its provisions are applied to that Council by Ordinance No. 20 under that Act.

Repeal of Ordinances Nos. 20B and 20C

25 6. Ordinances Nos. 20B and 20C under the Local Government Act 1919 are repealed.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919

(1) Section 417A (**Acquisition of gas and electricity undertakings**)—

5 Section 417A (1) (a)—

After “this section”, insert “and, in the case of a person supplying electricity, in accordance with Part VI of the Electricity Act 1945”.

(2) Section 419 (**Principles of trading by councils**)—

Section 419 (2), (3)—

10 Omit the subsections.

(3) Section 420 (**Council may grant “franchises” limited by conditions**)—

Section 420 (8)—

After section 420 (7), insert:

15 (8) Subsections (2)–(7) do not apply to permission to supply electric current and for related purposes given by a council which is an electricity council within the meaning of the Electricity Act 1945.

(4) Section 420A (**Employment of certificated electrical engineer**)—

20 (a) Omit “sum, such person shall employ an electrical engineer who shall hold a certificate as prescribed.”, insert instead:

sum—

25 (a) in the case of an agreement with an electricity council within the meaning of the Electricity Act 1945, the person shall employ an engineer having such qualifications as may be approved by the Energy Corporation of New South Wales; or

(b) in any other case, the person shall employ an electrical engineer who holds a certificate as prescribed.

Local Government (Electricity) Amendment 1987

SCHEDULE 1—*continued*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919—
continued

(b) Omit the proviso, insert instead:

(2) A person referred to in subsection (1) may be exempted from that subsection—

5 (a) in a case referred to in subsection (1) (a)—by the Energy Corporation; and

(b) in any other case—by the Minister.

(5) Section 561A (**Proposals for alteration or union**)—

Section 561A (1) (d)—

10 Omit “Electricity Authority”, insert instead “Energy Corporation”.

(6) Section 570A (**Contributions to research**)—

Omit the section.

SCHEDULE 2

(Sec. 4)

15 AMENDMENTS TO CERTAIN ORDINANCES

Ordinance No. 20 (County Councils)—

(1) Clause 1 (**Application and interpretation**)—

Clause 1 (3)—

After clause 1 (2), insert:

20 (3) In this Ordinance, a reference to the Clerk of a County Council is, in relation to a council which is an electricity council within the meaning of the Electricity Act 1945, a reference to the general manager of the County Council.

Local Government (Electricity) Amendment 1987

SCHEDULE 2—*continued*

AMENDMENTS TO CERTAIN ORDINANCES—*continued*

(2) Clause 4 (**Sections of Act applying to County Councils**)—

Clause 4 (2)—

At the end of clause 4, insert:

- 5 (2) Sections 88, 89 and 530A of the Act do not apply to County Councils that are electricity councils within the meaning of the Electricity Act 1945.

Ordinance No. 54 (Electricity Supply)—

Clause 1 (**Application etc. of Ordinance**)—

After clause 1 (c), insert:

- 10 (d) In this Ordinance, a reference to the Electrical Engineer of a County Council is, in relation to a Council which is an electricity council within the meaning of the Electricity Act 1945, a reference to the general manager of the County Council.

SCHEDULE 2

AMENDMENTS TO CERTAIN ORDINANCES

(1) Clause 4 (entirety of Act applies in County Councils)

Clause 4(3)

at the end of clause 4 insert

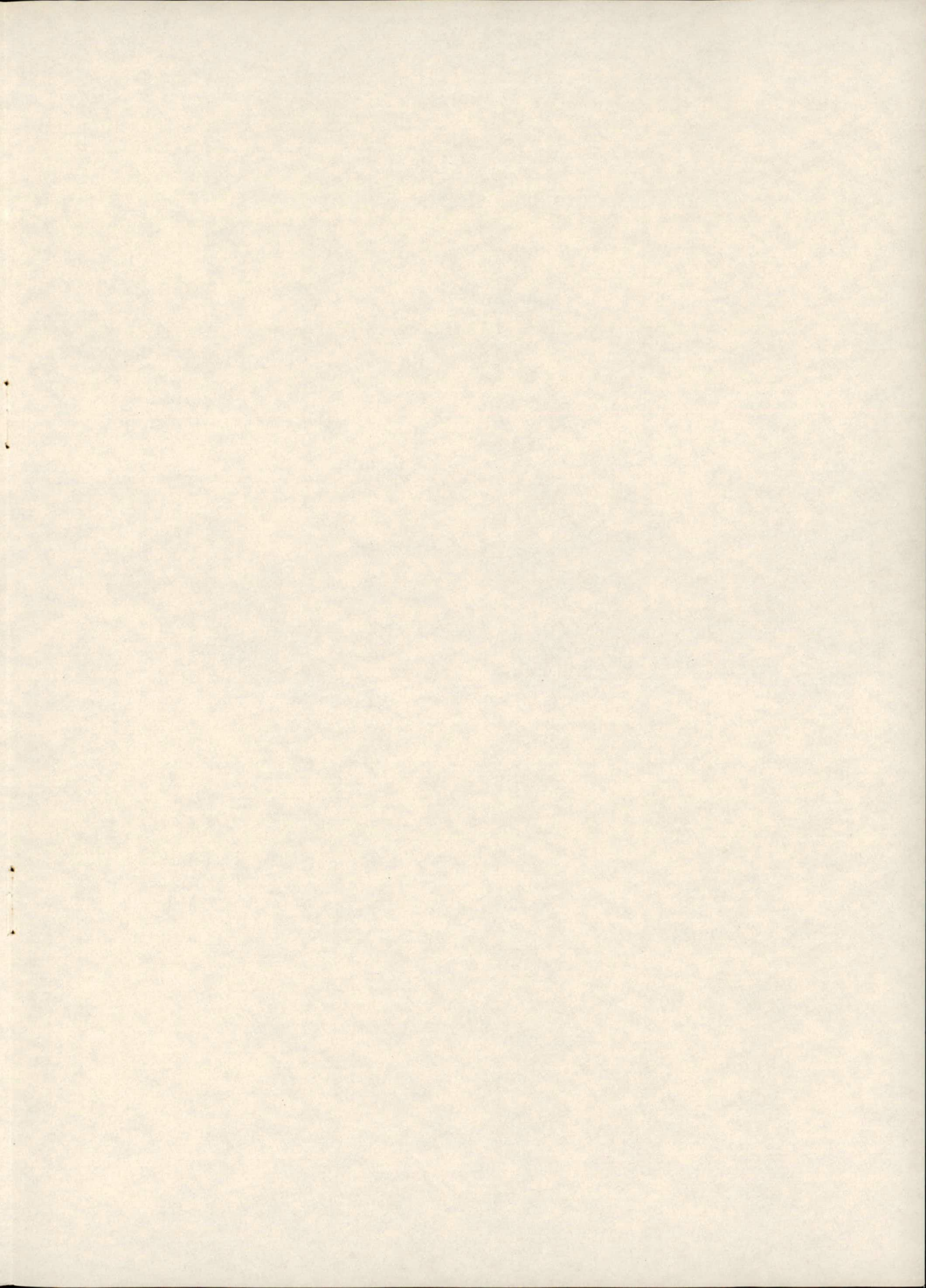
(2) Section 4(2) and (3) of the Act do not apply in County Councils and the County Councils shall have the power of the Councils (1972)

Section 4(2) and (3) of the Act

Section 4(2) and (3) of the Act

Section 4(2) and (3) of the Act

(3) The Councils shall have the power of the Councils (1972) and the Councils shall have the power of the Councils (1972) and the Councils shall have the power of the Councils (1972)



LOCAL GOVERNMENT (ELECTRICITY) AMENDMENT ACT 1987 No. 106

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 41, 1919
4. Amendment of Ordinances Nos. 20 and 54
5. Application of Ordinance No. 20A
6. Repeal of Ordinances Nos. 20B and 20C

SCHEDULE 1—AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919
SCHEDULE 2—AMENDMENTS TO CERTAIN ORDINANCES

THE NATIONAL ARCHIVES COLLEGE PARK, MARYLAND
20471



LOCAL GOVERNMENT (ELECTRICITY) AMENDMENT ACT 1987
No. 106

NEW SOUTH WALES



Act No. 106, 1987

An Act to amend the Local Government Act 1919 and ordinances under that Act as a consequence of the enactment of the Electricity Development (Amendment) Act 1987. [Assented to 12 June 1987]

Local Government (Electricity) Amendment 1987

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 "Local Government (Electricity) Amendment Act 1987".

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 the day appointed and notified under section 2 (2) of the Energy Administration Act 1987.

Amendment of Act No. 41, 1919

3. The Local Government Act 1919 is amended in the manner set forth in Schedule 1.

Amendment of Ordinances Nos. 20 and 54

4. Each Ordinance referred to in Schedule 2 is amended in the manner set forth in Schedule 2.

Application of Ordinance No. 20A

5. Ordinance No. 20A under the Local Government Act 1919 does not apply to the Sydney County Council, except in so far as its provisions are applied to that Council by Ordinance No. 20 under that Act.

Repeal of Ordinances Nos. 20B and 20C

6. Ordinances Nos. 20B and 20C under the Local Government Act 1919 are repealed.

Local Government (Electricity) Amendment 1987

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919

(1) Section 417A (**Acquisition of gas and electricity undertakings**)—

Section 417A (1) (a)—

After “this section”, insert “and, in the case of a person supplying electricity, in accordance with Part VI of the Electricity Act 1945”.

(2) Section 419 (**Principles of trading by councils**)—

Section 419 (2), (3)—

Omit the subsections.

(3) Section 420 (**Council may grant “franchises” limited by conditions**)—

Section 420 (8)—

After section 420 (7), insert:

(8) Subsections (2)–(7) do not apply to permission to supply electric current and for related purposes given by a council which is an electricity council within the meaning of the Electricity Act 1945.

(4) Section 420A (**Employment of certificated electrical engineer**)—

- (a) Omit “sum, such person shall employ an electrical engineer who shall hold a certificate as prescribed.”, insert instead:

sum—

- (a) in the case of an agreement with an electricity council within the meaning of the Electricity Act 1945, the person shall employ an engineer having such qualifications as may be approved by the Energy Corporation of New South Wales; or
- (b) in any other case, the person shall employ an electrical engineer who holds a certificate as prescribed.

Local Government (Electricity) Amendment 1987

SCHEDULE 1—*continued*

AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1919—
continued

- (b) Omit the proviso, insert instead:
- (2) A person referred to in subsection (1) may be exempted from that subsection—
- (a) in a case referred to in subsection (1) (a)—by the Energy Corporation; and
- (b) in any other case—by the Minister.
- (5) Section 561A (**Proposals for alteration or union**)—
- Section 561A (1) (d)—
- Omit “Electricity Authority”, insert instead “Energy Corporation”.
- (6) Section 570A (**Contributions to research**)—
- Omit the section.

SCHEDULE 2

(Sec. 4)

AMENDMENTS TO CERTAIN ORDINANCES

Ordinance No. 20 (County Councils)—

(1) Clause 1 (**Application and interpretation**)—

Clause 1 (3)—

After clause 1 (2), insert:

(3) In this Ordinance, a reference to the Clerk of a County Council is, in relation to a council which is an electricity council within the meaning of the Electricity Act 1945, a reference to the general manager of the County Council.

Local Government (Electricity) Amendment 1987

SCHEDULE 2—*continued*

AMENDMENTS TO CERTAIN ORDINANCES—*continued*

(2) Clause 4 (**Sections of Act applying to County Councils**)—

Clause 4 (2)—

At the end of clause 4, insert:

(2) Sections 88, 89 and 530A of the Act do not apply to County Councils that are electricity councils within the meaning of the Electricity Act 1945.

Ordinance No. 54 (Electricity Supply)—

Clause 1 (**Application etc. of Ordinance**)—

After clause 1 (c), insert:

(d) In this Ordinance, a reference to the Electrical Engineer of a County Council is, in relation to a Council which is an electricity council within the meaning of the Electricity Act 1945, a reference to the general manager of the County Council.

1. The Board of Directors of the Corporation (hereinafter referred to as the "Board") has the honor to acknowledge the receipt of your letter of the 15th day of June, 1944, in relation to the matter mentioned therein.

2. The Board has considered the matter and has decided to grant your request insofar as it relates to the matter mentioned therein.

3. The Board has also decided to grant your request insofar as it relates to the matter mentioned therein.

4. The Board has also decided to grant your request insofar as it relates to the matter mentioned therein.

5. The Board has also decided to grant your request insofar as it relates to the matter mentioned therein.

6. The Board has also decided to grant your request insofar as it relates to the matter mentioned therein.

7. The Board has also decided to grant your request insofar as it relates to the matter mentioned therein.

8. The Board has also decided to grant your request insofar as it relates to the matter mentioned therein.

9. The Board has also decided to grant your request insofar as it relates to the matter mentioned therein.

10. The Board has also decided to grant your request insofar as it relates to the matter mentioned therein.