

## STATE ELECTRICITY COMMISSION.

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No. 24 of 1966.

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### AN ACT to amend the State Electricity Commission Act, 1945-1965.

[Assented to 27th October, 1966.]

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *State Electricity Commission Act Amendment Act, 1966.*

Short title.  
and citation.

(2) In this Act the State Electricity Commission Act, 1945-1965, is referred to as the principal Act.

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reprint 19th  
June, 1956  
as amended  
by Acts Nos.  
58 of 1956,  
5 of 1959,  
30 of 1959,  
68 of 1959 and  
113 of 1965.

(3) The principal Act as amended by this Act may be cited as the State Electricity Commission Act, 1945-1966.

S. 29B am.

2. Subsection (2) of section twenty-nine B of the principal Act is amended by substituting for the words, "six shillings and three pence" in line eight, the words, "sixty-three cents".

S. 29E am.

3. Section twenty-nine E of the principal Act is amended by substituting for the words, "the Electricity Commission General Fund Account at the Treasury" in lines seven and eight, the words, "The State Electricity Commission Account referred to in section forty-four of this Act".

S. 32A re-pealed and re-enacted.

4. Section thirty-two A of the principal Act is repealed and re-enacted as follows—

Power to Commission to supply electricity to certain places under terms and conditions.

32A. (1) Where the owner or occupier of land makes application in writing to the Commission to supply electricity to a place on that land, and the place is beyond a point from which the Commission is prepared to supply electricity under any other provision of this Act, the Commission may grant the application, or with the consent of the Minister, may refuse it.

(2) Where the Commission grants an application made under subsection (1) of this section, it may supply electricity to a place on the land referred to in that subsection as determined by the Commission, if the applicant agrees with the Commission in writing to do all or any of the following things, namely—

- (a) to pay the Commission for the electricity so supplied to him at the appropriate standard tariff from time to time applicable to a consumer to whom electricity is supplied by the Commission under any other provision of this Act for a like purpose on land, situate in the area in which the first-mentioned land is situated;
- (b) to pay to the Commission the amount of the capital contribution that the Commission may require the applicant

to pay to it to enable the Commission to extend the distribution works that it considers will be required in order to supply electricity from the point referred to in subsection (1) of this section to the place therein referred to as determined by the Commission;

- (c) to pay to the Commission by quarterly instalments on demand for such period not exceeding thirty years such amount of money as is agreed upon by the Commission and the applicant and the due payment of which the Commission may require to be guaranteed by the applicant or some other person either jointly or severally,

as the Commission, having regard to the circumstances of the case, may require.

(3) The Commission shall review the supply of electricity over distribution works erected for the purpose of supplying electricity under this section at least once in every three years and in any case where it thinks fit, the Commission shall do both or either of the following things, namely—

- (a) refund the whole or part of the amount of the capital contribution referred to in paragraph (b) of subsection (2) of this section; or
- (b) reduce the amount of the quarterly instalments referred to in paragraph (c) of subsection (2) of this section.

(4) Subject to subsection (3) of this section, the Commission shall, at the expiration of the period referred to in paragraph (c) of subsection (2) of this section as agreed upon and specified in any agreement made between the Commission and the applicant pursuant to that subsection, refund any amount held by the Commission as the amount of capital contribution.

(5) The Commission may discontinue the supply of electricity agreed to be supplied to the applicant pursuant to this section—

- (a) if any moneys due to the Commission for electricity so supplied by it remain unpaid for seven days after they become due; or
- (b) if the applicant fails to comply with the terms and conditions of any agreement made by him with the Commission pursuant to subsection (2) of this section,

without in any way affecting the right of the Commission to enforce any right it may have against the applicant in respect thereof.

(6) Where the supply of electricity to land is discontinued pursuant to subsection (5) of this section, or otherwise, if a written application is made to the Commission by any person to resume the supply of electricity to that land, the Commission may make the supply available upon the applicant agreeing in writing to take the supply of electricity upon the same terms and conditions as those in force immediately preceding the date on which the supply was so discontinued or upon those terms and conditions as varied by agreement between the Commission and the applicant.

(7) Where electricity is supplied to a person pursuant to the provisions of this section as those provisions existed immediately prior to the date of the coming into operation of the State Electricity Commission Act Amendment Act, 1966, or pursuant to any agreement in writing made with the Commission prior to that date, that provides for the payment to the Commission of any capital contribution or quarterly payments in relation to the electricity so supplied, or both, if the person applies in writing to the Commission to have—

- (a) the agreement cancelled; and

(b) the electricity supplied under the provisions of this section,

the Commission may cancel the agreement and supply the electricity under and subject to the provisions of this section. .

5. Subsection (1) of section thirty-eight of the principal Act is amended by substituting for the word, "Commissioner" in line one, the word, "Commission". S. 38 am.

6. Subsection (2) of section forty-four of the principal Act is amended by substituting for the passage commencing with the subsection designation "(2)" in line one and ending with the word, "Act" in line four, the following subsections— S. 44 am.

(2) The Commission may open and maintain an account with a bank approved by the Treasurer.

(2a) The account referred to in subsection (2) of this section shall be called "The State Electricity Commission Account".

(2b) The Commission shall pay all moneys received by it into The State Electricity Commission Account and those moneys shall be applied to the purposes of this Act.

7. Subsection (1) of section forty-five of the principal Act is amended by substituting for the words, "the Electricity Commission General Fund Account aforesaid" in lines nine and ten, the words, "The State Electricity Commission Account referred to in section forty-four of this Act". S. 45 am.

8. Subsection (1) of section forty-six of the principal Act is amended by substituting for the words, "the said Electricity Commission General Fund Account" in lines one and two, the words, "The State Electricity Commission Account referred to in section forty-four of this Act". S. 46 am.

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S. 48 am.

9. Subsection (1) of section forty-eight of the principal Act is amended by substituting for the words, "the Electricity Commission General Fund Account aforesaid" in lines one, two and three, the words, "The State Electricity Commission Account referred to in section forty-four of this Act".

S. 49 am.

10. Section forty-nine of the principal Act is amended by substituting for the words, "the Electricity Commission General Fund Account aforesaid" in lines one, two and three, the words, "The State Electricity Commission Account referred to in section forty-four of this Act".

Third  
Schedule am.

11. Part III of the Third Schedule to the principal Act is amended by deleting the words, "and attested by two or more credible witnesses" in line two of subclause (1) of clause 6.