

(Enregistré sur les Records le 25 novembre 1933).
AT THE COURT AT BUCKINGHAM PALACE,
The 10th day of November, 1933.

PRESENT.

THE KING'S MOST EXCELLENT MAJESTY,
LORD PRESIDENT.
EARL OF ATHLONE.
SECRETARY SIR JOHN SIMON.
SECRETARY SIR PHILIP CUNLIFFE-LISTER.
SIR BOYD MERRIMAN.

Loi relative a
la fourniture
de
l'Electricité
par les Etats,
1933.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 23rd day of October, 1933, in the words following, viz. :—

“ YOUR MAJESTY having been pleased, by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘ 1. That for the reasons set forth in the preamble thereto, the Royal Court, on the 20th day of June, 1933, adopted a Bill or Projet de Loi, prepared by the Law Officers of the Crown, and intituled “ Loi relative à la Fourniture de l'Electricité par les Etats, 1933,” and requested the Bailiff to submit the same to the States of Deliberation for their approval. 2. That, accordingly, on the 12th day of July, 1933, the said Bill or Projet de Loi was submitted to and considered by the States

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of Deliberation, when a resolution was adopted approving the same with certain amendments and authorizing the President to present a most humble Petition to Your Majesty in Council praying for Your Royal Sanction thereto. 3. That the said Bill or *Projet de Loi* is in the words and figures set forth in the Schedule to the said Petition. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or *Projet de Loi* of the States of Guernsey intituled “ *Loi relative à la Fourniture de l'Electricité par les Etats, 1933,*” and to order and direct that the same shall have the force of Law within the Island of Guernsey.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said *Projet de Loi* into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said *Projet de Loi.*”

HIS MAJESTY, having taken the said Report into consideration is pleased by and with the advice of His Privy Council, to approve of and ratify the said *Projet de Loi*, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said *Projet de Loi* (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty’s Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

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PROJET DE LOI referred to in the foregoing Order
in Council.

LOI RELATIVE À LA FOURNITURE DE
L'ÉLECTRICITÉ PAR LES ÉTATS, 1933.

Attendu que l'entreprise de la production et la fourniture aux habitants de cette Ile de l'électricité pour l'éclairage, l'échauffement et la force motrice a été jusqu'au commencement de cette Loi conduite par la Société dite "Guernsey Electric Light and Power Company, Limited," de cette Ile, successeurs de la Société dite "Edmundson's Electricity Corporation, Limited," et ce à titre de concessionnaires des Etats de cette Ile en vertu des dispositions de la Loi relative à la fourniture de la Lumière Artificielle au moyen de l'Electricité sanctionnée par un Ordre de Sa Majesté en Conseil en date du dix-huit juillet mil huit cent quatre vingt dix-huit enregistré le six août mil huit cent quatre vingt dix-huit et des lois l'amendant, savoir : la Loi portant modification à la Loi relative à la fourniture de la Lumière Artificielle au moyen de l'Electricité sanctionnée par un Ordre de Sa Majesté en Conseil en date du seize novembre mil neuf cent dix-sept enregistré le premier décembre mil neuf cent dix-sept, et la Loi portant modification à la Loi relative à la fourniture de la Lumière Artificielle au moyen de l'Electricité sanctionnée par un Ordre de Sa Majesté en Conseil en date du neuf décembre mil neuf cent dix-neuf enregistré le dix janvier mil neuf cent vingt.

Attendu aussi que les Etats en vertu de leur délibération du vingt-six juillet mil neuf cent trente deux et conformément aux dispositions de l'Article 17 de la dite loi de mil huit cent quatre vingt dix-huit, ont fait livrer un avertissement à la dite Société la sommant de céder et délaisser aux Etats sa concession y incluse toute la propriété immobilière et mobilière y appartenant et ce moyennant la considération visée par le dit Article 17 de la dite Loi.

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Les Etats, afin de pourvoir au fonctionnement de la dite entreprise comme entreprise d'Etat et de déterminer tant les droits, pouvoirs et devoirs de ceux qui seront chargés de son administration que les droits et obligations naissant des relations contractuelles et autres provenant de l'exercice de la dite entreprise et s'élevant entre les Etats ou leurs préposés et des particuliers, ont approuvé le Projet de Loi rédigé en anglais en les termes qui ensuivent, lequel, moyennant la sanction de Sa Très Excellente Majesté en Conseil, aura force de Loi en cette Ile.

1.—In this law, unless the context otherwise requires, the following expressions shall have the meanings or connotations in this section respectively assigned to them, that is to say :—

Definitions.

“The States ” means the States of Deliberation of the Island of Guernsey.

“Person ” shall include a Company, an association of persons, a parish or other local authority.

“Energy ” means electrical energy.

2.—(1) On the day when delivery shall be effected by the Guernsey Electric Light and Power Company, Limited, to the States of the Company's undertaking for the production and supply of energy to the inhabitants of Guernsey for the purpose of light, heat and power in compliance with the notice to that effect delivered to the said Company under Article 17 of the law entitled “Loi relative à la fourniture de la Lumière Artificielle au moyen de l'Electricité ” of 1898 together with all property both real and personal belonging thereto and used in connection therewith under the concession granted by virtue of the said law and subsequent laws amending the same, the said concession shall cease and be determined and the said undertaking and property shall vest in the States who, by their appointed authority as hereinafter provided shall continue the same and shall hold, control, administer, work, develop and

Transfer of undertaking and property to States.

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extend the same in pursuance of the purposes and objects thereof.

(2) Upon such delivery as aforesaid the States shall succeed to all the rights, benefits, and obligations of the said Company in respect of all contracts and commitments expressed or implied properly and lawfully made and entered into by the said Company under the said concession and subsisting at the time of such delivery and shall and may, by their appointed authority, maintain and execute the same and obtain the benefit thereof and enforce their execution as the case may be, in the place and stead of the said Company.

Delivery of
undertaking
and property
to Electricity
Board.

(3) As soon as possible after such delivery as aforesaid, the States shall deliver the said undertaking and property into the possession of a Committee of the States called the Electricity Board or (gallicé) "Conseil de l'Electricité" and in this law also referred to as "the Board" which shall hold and administer the same in Trust for the States under the powers assigned to it in this law.

Constitution
of Electricity
Board.

3.—(1) The Board shall be composed of five members being members of the States and who shall be elected by the States. Provided that the States on the recommendation of the Board may elect two additional members who shall not necessarily be members of the States.

(2) A President and a Vice-President of the Board shall be elected by the Board every year from among those of its members who are members of the States. In the absence of the President and of the Vice-President a meeting of the Board shall be presided over by the senior member present and where two or more members of equal seniority are present, by the member who shall be chosen for the purpose by election.

(3) For the purposes of a meeting of the Board three members shall form a quorum provided that at least two of them are members of the States,

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(4) The presiding member at a meeting shall have a vote as member and also, in case of an equal division, a casting vote.

(5) At the expiration of every calendar year excepting the year nineteen hundred and thirty-three, the two members who are senior in office to the other members shall retire provided that where there are at such time more than two members of equal seniority the Board shall determine which two of them shall retire. Every member retiring under this subsection shall be re-eligible by the States if willing to serve.

(6) A member shall cease to hold office in any of the following events, that is to say if he shall:—

- (a) being other than an additional member, cease to be a member of the States,
- (b) become mentally incapable,
- (c) be legally declared insolvent,
- (d) resign,
- (e) absent himself without reasonable excuse from six consecutive meetings of the Board,
- (f) absent himself without reasonable excuse from seven meetings of the Board in any series of ten consecutive meetings.

(7) When a member ceases to hold office otherwise than under sub-section (5) of this section the States shall elect a new member for the unexpired portion of the term of the member he replaces.

4.—The five persons who were elected by the States as members of the Board on the second day of November Nineteen hundred and thirty-two together with the two persons elected by the States as additional members on the twelfth day of December Nineteen hundred and thirty-two shall constitute the Board at the commencement of this law.

5—(1) Subject to the provisions of this law the Board shall have the exclusive right and privilege of supplying energy to the inhabitants of Guernsey but may at its discretion grant to any person a ^{Board's exclusive right to supply energy, and power to}

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grant	supply energy to another person or other persons
licences to	or to a class or classes of persons. If any person
others for the	shall without such licence or contrary to or beyond
purpose.	the terms of any licence granted to him supply or
Penalty for	assist in the supply of energy to any other person
supplying	or shall lay down, fix, instal or adapt any wire,
energy	cable, fitting, connection or apparatus for the purpose
without	of such supply or shall knowingly suffer any of such
licence.	acts he shall be guilty of an offence and on conviction shall be liable to a fine not exceeding fifty pounds. Provided that nothing in this subsection shall affect the right of a person to produce energy for his own consumption in the premises where it is consumed or in premises adjoining thereto or within the same enclosure.
Appeal	(2) A person who has applied to the Board for a
against	licence to supply energy and who is aggrieved
decision of	by the decision of the Board in refusing such licence
Board	or in respect of the conditions attached to the
regarding	licence granted may appeal to the Royal Court
licences.	sitting as the Full Court against such decision and the Court shall make such order thereon as it shall deem to be just, and every order so made shall be final.
Supply from	(3) Notwithstanding anything in this law con-
portable	tained it shall be lawful for a person to supply
batteries.	without licence energy stored in a portable battery.
Penalty for	(4) If a person with intent to defraud or deceive
alteration of	as the case may be shall by erasure, cancellation,
licences.	addition, insertion or otherwise make any alteration to a licence whereby the meaning and purport of the licence is varied in any material particular he shall be guilty of forgery and may be tried and sentenced accordingly.
Engineer-Manager.	6.—The Board in its operation of the production and supply of energy which is henceforth in this law referred to as “the undertaking” shall be assisted by an Engineer-Manager whose maximum

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and minimum salary as an officer of the Board shall be determined by the States and who shall be appointed by the States Appointments Board and whose appointment may be terminated at the instance of the Board by the States Board of Administration. The appointment of an Engineer-Manager made by the States Appointments Board before the commencement of this law shall be deemed to be an appointment under this law.

7.—All movable property belonging to and at any time comprised in the undertaking shall vest in the Board in Trust for the States. For the purpose of this section and of the undertaking all fixed plant, machinery, cables, poles and attachments belonging to and at any time comprised in the undertaking which by reason of attachment to or incorporation with land or buildings are by law or custom immovable property shall be deemed to be movable property and shall vest in the Board accordingly.

Movable property to vest in Board in Trust for States.

8.—(1) The Board on behalf of the States shall have such trading and other powers as are necessary for the efficient conduct of the undertaking and of the contracting and sales department ancillary thereto and such powers shall include powers :—

Trading and other powers of Board.

- (a) to purchase all plant, installation, apparatus and things necessary for the conduct and extension of the undertaking and to sell or otherwise dispose of all plant, installation, apparatus and things that are no longer serviceable to the undertaking ;
- (b) to make and receive all payments in connection with the undertaking ;
- (c) to take on lease lands and buildings required for the purposes of the undertaking ;
- (d) to enter into, conclude, maintain and enforce the execution of all contracts for the supply of energy including contracts subsisting on the day of transfer from the

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said Company to sell electric lines, fittings, apparatus, and appliances for lighting, heating and motive power, and for all other purposes for which energy can or may be used, and to instal, connect, repair, maintain, and remove the same, and with respect thereto, to demand and take such remuneration or rents and charges, and to make such terms and conditions as may be agreed upon, subject to the sanction of the States in the cases for which such sanction is in this law provided ;

- (e) and such further and other powers for the purposes of the undertaking as the States may at any time or from time to time assign to it.

Public
Thorough-
fares. Laying
of cables, etc.,
therein.

(2) Subject to such notices and sanctions and conditions of reinstatement as may be prescribed on behalf of the States Public Thoroughfares Committee the Board may break up so much of the surface of any public thoroughfare or roadway and therein make such excavations as may be necessary for laying in and under such thoroughfare or roadway all cables, mains and other apparatus used in connection with the undertaking, and for removing, repairing, renewing and altering the direction of all cables, mains and apparatus so laid or laid by the said Company. Subject as aforesaid the Board may also erect above or below the surface in any such thoroughfares and roadways such boxes or chambers with appropriate apparatus and connections as may be required for the control, inspection, and testing of mains and the measurement of energy passing through them and shall have access thereto by its officers and servants at all times and may also erect in such thoroughfares and roadways all necessary posts and supports and attach thereto overhead wires and mains suspended along or across any such thoroughfares and roadways.

(3) The Board may with the consent of the owner and occupier of any building or wall attach to that structure such brackets, wires and apparatus as may be required for the purposes of the undertaking.

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Attachment
of apparatus
to private
property.

Provided that

- (i) Where in the opinion of the Board any consent under this sub-section is unreasonably refused it may apply to the Royal Court of first instance who shall have power having regard to the character of the structure and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable in the circumstances or to disallow the same and to determine by which of the parties the costs of the appeal are to be paid. The decision of the said Court in any of the matters aforesaid shall be final. Provided that the Court in its discretion may grant leave to appeal to the Full Court in any case where it deems it expedient to do so. The procedure of a Court in dealing with any of the said matters shall be summary.
- (ii) Any consent of an owner or of an occupier and any order of the said Court under this sub-section shall not have effect as against a subsequent owner or occupier of the structure, but any attachments fixed under the provisions of this section may be retained in position for not more than three months after any subsequent owner or subsequent occupier shall have given to the Board notice in writing requiring the attachments to be removed. Where such notice is given the preceding provisions of this section shall apply in respect of the person giving such notice and

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the said Court shall have the same powers as under the first proviso of this section.

- (iii) The owner or occupier may require the Board temporarily to remove the attachments where necessary during any reconstruction or repair of the structure.

Placing of
electric lines
across private
property.

- (4) The Board may place any electric line below ground across any land and above ground across any land other than land covered by buildings or used as a garden or pleasure ground, and where any line has been so placed across any land the Board may enter on the land for the purpose of repairing or altering the line after giving seven days' notice thereof excepting that in the case of entry for the purpose of restoring interrupted service, emergency repairs, or inspection when defects are suspected or reported only such notice shall be given as may be possible without incurring undue delay.

Provided that, before placing any such line across any land, the Board shall serve on the owner and occupier of the land notice of its intention together with a description of the nature and position of the lines proposed to be so placed and if, within twenty-one days after the service of the notice, the owner and occupier fail to give their consent, or attach to their consent any terms or conditions or stipulations to which the Board objects, it shall not be lawful to place the line across that land without the permission of the Royal Court sitting as the Full Court with final jurisdiction; and the said Royal Court may, after all parties have had an opportunity of being heard, give their permission either unconditionally or subject to such terms, conditions and stipulations as they think just; and in deciding whether to give or withhold their permission or to impose any terms, conditions or stipulations (including the carrying of any portion of the line underground) the Court shall, among other

considerations have regard to the effect, if any, on the amenities or value of the land of the placing of the line in the manner proposed.

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Provided also that where any such line has been placed across any land whether by consent of the owner or occupier of the land or by permission of the Royal Court, the owner or occupier may at any time after the expiration of twelve calendar months from the date when such consent or such permission was given, or after the expiration of any term for which such consent or such permission was given as the case may be, serve a notice on the Board requiring the Board to remove such line from the land or to alter its position and the reason for such requisition shall be stated in the notice and if, within sixty days after the service of such notice the requisition has not been complied with, the person who caused the notice to be served may apply to the said Royal Court sitting as aforesaid, for an order confirming the notice, and the Court may, after all parties have had an opportunity of being heard, make such order either unconditionally or subject to such terms, conditions and stipulations as it thinks just.

In all cases in which an adjudication is made by the Court under the provisions of sub-sections (3) or (4) of this section, the costs incurred in connection therewith by the owner or occupier which would be legally recoverable by such owner or occupier were such costs awarded him by the Court, and the whole of the costs incurred by the Board in connection therewith, shall be borne by the Board as though an order to that effect had been made by the Court.

9.—(1) The Board shall cause proper books of account and other records to be kept in connection with the undertaking including maps showing the line and the depth below the surface of all mains, service lines and other works and street boxes at

Books of
account and
records to be
kept.

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any time existing and shall prepare an annual statement of accounts and an annual report on the progress of the undertaking and shall submit such accounts and report to the States. Transactions on account of capital shall be shown separately from those on account of revenue in such accounts.

Audit of
accounts.

(2) The accounts of the Board and their officers shall be audited by auditors appointed by the States.

States to
determine
maximum
prices

10.—The maximum prices to be charged by the Board for energy supplied for lighting, heating and power respectively shall be determined by the States from time to time on proposals which shall be submitted to them by the Board. The States may also, on proposals submitted as aforesaid

and may also
specify
maximum
quantity of
energy
chargeable
to consumers

(a) specify the minimum quantity of energy for which a consumer shall be liable to pay at the rate for the time being current on a year's supply notwithstanding that the total quantity consumed by him during the year may be less than the quantity so specified, and

and
maximum
rate for
energy used
as stand-by.

(b) specify the maximum rate to be charged for a supply of energy furnished as a stand-by to a consumer's own plant.

Rights of
Board
regarding its
property
upon
premises not
in its
possession.

11.—All electric lines, fittings, meters, apparatus and appliances let on hire by the Board or belonging to the Board but being in or upon premises of which the Board is not in possession for the purpose of supplying energy under this law, shall, whether they be or be not fixed or fastened to any part of any premises in or upon which they may be situate, or to the soil under any such premises, at all times continue to be the property of, and be removable by the Board, and shall not be subject to arrest or to the landlord's remedy for rent of the premises where the same may be, nor to be taken in execution under any process of court, or any proceedings in bankruptcy against the person in whose possession the same may be. Provided that

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such electric lines, fittings, meters, apparatus or appliances have upon them respectively a metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon, sufficiently indicating the Board as the actual owner thereof. All brands or marks affixed by the said Company to indicate its ownership shall be deemed to be brands or marks indicating the ownership of the Board.

For the purposes of this section, electric lines, fittings, meters, apparatus and appliances disposed of by the Board on terms of payment by instalments shall, until the whole of the instalments have been paid, be deemed to be electric lines, fittings, meters, apparatus and appliances let on hire by the Board.

Apparatus,
etc. sold on
instalment
system
deemed let
on hire.

12.—Any officer appointed by the Board may at all reasonable times enter any premises to which energy is or has been supplied by the Board or by the said Company previously to the transfer of the undertaking to the States, in order to inspect the electric lines, meters, accumulators, fittings, works and apparatus for the supply and use of energy therein or thereon, and for the purpose of ascertaining the quantity of energy consumed or supplied, or where a supply of energy is no longer required, or where the Board is authorised to take away and cut off the supply of energy from any premises, for the purpose of removing any electric lines, accumulators, fittings, works or apparatus belonging to the Board, repairing all damage caused by such entry, inspection or removal.

Right of
entry to
premises for
purpose of
inspection
and removal.

13.—Any person who shall hinder an officer appointed by the Board from entering any premises in pursuance of the preceding section or of sub-sections (3) or (4) of Section 8 of this law or from exercising the powers contained in that section or any of those sub-sections as the case may be after such officer has exhibited his authority so to enter shall be guilty of an offence and on conviction shall

Penalties for
refusing
entry to
officers of
Board.

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be liable to a fine not exceeding five pounds and upon any such conviction the Court may make such order as it may deem necessary to provide for such entry to be effected. Upon any such hindrance being offered the Board may discontinue the supply until entry is effected.

Use of energy
contrary to
terms agreed
with Board.

14.—No person shall be at liberty to use any form of lamp or apparatus or to use the energy supplied to him for any purposes, or to deal with it in any manner so as to unduly or improperly interfere with the supply of energy supplied to any other person by the Board, or in any manner contrary to the terms agreed between him and the Board. If any person shall act in contravention of this section the Board may, if it think fit, discontinue to supply energy to such person until it is satisfied that any energy so supplied will be consumed under such conditions as are not in conflict with the provisions of this section. The Board may also discontinue such supply pending the rectification of any defect in the installation or apparatus on the premises of a consumer.

Discontin-
uance of
supply on
account of
contravention
and pending
rectification
of defects.

Malicious
interference
with
apparatus.
Penalty.

15.—Any person who unlawfully and maliciously cuts or injures or interferes with any electric line or work shall be guilty of felony, and be liable to be kept in penal servitude for any term not exceeding five years, or to be imprisoned with or without hard labour for any term not exceeding two years ; but nothing in this section shall exempt a person from any proceeding for any offence which is punishable under any other provision of this law or under any other law, or at common law, so that no person be punished twice for the same offence.

Malicious
interference
with energy.

16.—(1) Any person who maliciously or fraudulently abstracts, causes to be wasted or diverted, consumes or uses any energy shall be guilty of larceny and punishable accordingly.

Wilful
interference
with
apparatus.

(2) If any person without reasonable excuse (the proof whereof shall lie on him) shall wilfully inter-

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fere with any electric line or other work or apparatus used for or in connection with the supply of energy by the Board or do or cause to be done anything which is calculated to interfere with or damage any such work or apparatus he shall for every such offence (without prejudice to any other liability or cause of action which may arise out of or by reason of such act) be liable to a penalty not exceeding five pounds or in the discretion of the Court to imprisonment (with or without hard labour) for any period not exceeding two months.

17.—(1) No person shall without the consent in writing of the Board use or suffer to be used (whether after transformation or conversion or not) for purposes of lighting or illumination (in this section referred to as “lighting purposes”) the whole or any part of any energy supplied to him by the Board for any other purpose. Use for illumination of energy supplied for other purposes forbidden.

(2) Any person who without such consent shall use or suffer to be used for lighting purposes energy supplied to him by the Board for any other purpose shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds recoverable by the Board on civil proceedings and shall in addition be liable to pay to the Board at such higher rate as it may be for the time being charging for the supply of energy for lighting purposes for all or any portion of the energy which has been supplied to him for such other purpose within one year previous to the date when the Board shall sue for any penalty as aforesaid. Penalty.

(3) The Court, on imposing such penalty may, and on the application of the Board shall, decide as to the portion (if any) of such energy in respect of which the higher charge as aforesaid shall be payable.

(4) The powers of the Board under Section 27 of this law shall be exercisable in respect of any supply which the Board has reasonable grounds for

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Obligation
of Board to
supply
energy.

believing to be used contrary to the provisions of this section.

18.—(1) The Board shall, upon being required to do so by the owner or occupier of any premises situate within fifty yards from any distributing main of the Board in which the Board is for the time being required to maintain or is maintaining a supply of energy for the purposes of general supply to private consumers, give and continue to give a supply of energy for those premises, and shall furnish and lay any electric lines that may be necessary for the purpose of such supply subject to the conditions following, that is to say :—

Conditions.

The cost of so much of any electric line for the supply of energy to any owner or occupier as may be laid upon the property of that owner or in the possession of that occupier, and of so much of any such electric lines as it may be necessary to lay for a greater distance than sixty feet from any distributing main of the Board, although not on that property, shall, if the Board so require, be defrayed by that owner or occupier.

(2) Every owner or occupier of premises requiring a supply of energy shall :—

(a) Serve a notice in writing upon the Board specifying the premises in respect of which the supply is required and (if the Board so requires) the maximum demand required to be supplied, and the day (not being an earlier day than a reasonable time after the date of the service of the notice) upon which the supply is required to commence : and

(b) if required by the Board enter into a written contract with the Board to continue to receive and pay for a supply of energy for a period of at least three years of such an amount that the payment to be made

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for the supply, at the rate of charge for the time being charged by the Board for a supply of energy for similar purposes to consumers within the area of supply, shall not be less than twenty per cent. per annum on the outlay incurred by the Board in providing and installing any electric lines required under this section to be provided by it for the purpose of the supply, and if required by the Board, give to it security for the payment to it of all moneys which may become due to it by the owner or occupier in respect of any electric lines to be furnished by the Board, and in respect of energy to be supplied by it.

(3) Provided always that the Board may, after it has given a supply of energy in respect of any premises, by notice in writing, require the owner or occupier of those premises, within seven days after the date of the service of the notice, to give to it security for the payment of all moneys which may become due to them in respect of the supply, in case the owner or occupier has not already given that security, or in case any security given has become invalid or is insufficient; and in case any such owner or occupier fail to comply with the terms of the notice, the Board may, if it think fit, discontinue to supply energy for the premises so long as the failure continues. Provided also that the Board shall not be compelled to give a supply of energy to any premises unless it is satisfied, after inspection by its officers, that the electric lines, fittings and apparatus therein are in good order and condition, and not calculated to affect injuriously the use of energy by the Board or by other persons.

19.—The maximum energy with which any consumer shall be entitled to be supplied shall be of such amount as he may require to be supplied with not exceeding what may be reasonably anticipated

Maximum energy to which consumer is entitled.

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as the maximim demand on his premises: Provided that where any consumer has required the Board to supply him with a maximum energy of any specified amount, he shall not be entitled to alter that maximum except upon one month's notice to the Board, and any expenses reasonably incurred by the Board, in respect of the service lines by which energy is supplied to the premises of that consumer, or any fittings or apparatus of the Board upon those premises, consequent upon the alteration, shall be paid by him to the Board, and may be recovered as a civil debt.

Requisitions
to Board for
laying of
distributing
mains.

20.—(1) Any requisition requiring the Board to lay down distributing mains for the purposes of general supply throughout any road or street or part of a road or street may be made by six or more owners or occupiers of premises along that road or street or that part of a road or street, or by the parish authority having control and management of the public lamps in that road or street or that part of a road or street.

(2) Every such requisition shall be signed by the persons making it, or by the parish authority (as the case may be) and shall be served upon the Board.

Right of
Board to
require
guarantees
from
prospective
consumers.

21.—(1) Where any such requisition is made by any such owners or occupiers or parish authority as aforesaid, the Board (if it think fit) may, within fourteen days after the service of the requisition upon them, serve a notice on all the persons by whom the requisition is signed, stating that it declines to be bound by the requisition unless those persons or some of them will bind themselves to take, or will guarantee that there shall be taken, a supply of energy for a period of three years at least, of such amount in the aggregate (to be specified by the Board in the notice) as will, at the rates of charge for the time being charged by the Board for a supply of energy from distributing mains to

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ordinary consumers within the existing area of supply, produce annually such reasonable sum as is specified by the Board in the notice : Provided that in the notice the Board shall not, without the authority of the States specify any sum exceeding twenty per cent. upon the expense of providing and installing the required distributing mains and any other mains or additions to existing mains which may be necessary for the purpose of connecting those distributing mains with the nearest available source of supply.

(2) When such a notice is served the requisition shall not be binding on the Board unless within fourteen days after the service of the notice on all the persons signing the requisition has been effected or in case of difference within fourteen days after an order of the Court, there be tendered to the Board, an agreement severally executed by those persons or some of them, binding them to take or guaranteeing that there shall be taken a supply of energy for a period of three years at the least of such amount as will in the aggregate at the rate of charge above specified produce an annual sum amounting to the sum specified in the notice or determined by the Court under this section, nor unless sufficient security for the payment to the Board of all moneys which may become due to it from those persons under the agreement is offered to the Board (if it so requires by such notice as aforesaid) within the period limited for the tender of the agreement as aforesaid.

(3) If the Board considers that the requisition is unreasonable, or that, under the circumstances of the case, the provisions of this section ought to be varied, they may, within fourteen days after the service of the requisition upon them, appeal to the Royal Court sitting as the Ordinary Court, and the Court, after such inquiry (if any) as they think fit, may, by order, which shall be final, either deter-

Submission
of disputes
regarding
requisitions
to Ordinary
Court.

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mine that the requisition is unreasonable, and shall not be binding upon the Board, or may authorise the Board by their notice to require a supply of energy to be taken for such longer period than three years, and to specify such sum or percentage, whether calculated as hereinbefore provided or otherwise, as is fixed or directed by the order, and the terms of the above mentioned agreement shall be varied accordingly.

(4) In case of any appeal to the Court under this section, any notice by the Board under this section may be served by the Board within fourteen days after the decision of the Court.

Board's
responsibility
for
maintenance
of apparatus,
etc.

22.—The Board shall be responsible for all electric lines, fittings and apparatus belonging to it or under its control, leading from a road main as far as and including the meter upon a consumer's premises, being maintained in a safe condition and in all respects fit for supplying energy but reinstatement of any part thereof which is situate upon such premises after damage thereto or destruction thereof not imputable to the act of the Board or its servants shall be at the cost of the consumer.

Provision of
meters.

23.—(1) The amount of energy supplied by the Board to any consumer or the electrical quantity contained in the supply (according to the method of charging employed by the Board) hereinafter referred to as "the value of the supply", shall, except as otherwise agreed between the consumer and the Board, be ascertained by means of an appropriate meter duly certified. Such meter and fittings thereto shall be provided, installed and connected by the Board, and shall remain the property of the Board and shall be let for hire to the consumer for such rent and on such terms with respect to the repair of the meter and fittings, and for securing the safety and return to the Board of the meter and fittings, as may be agreed upon between the consumer and the Board.

(2) The Board shall, unless the agreement for ¹⁹³³ hire otherwise provides, at all times, at their own ^{Maintenance} expense, keep all meters let for hire by them to any ^{of meters.} consumer, whereby the value of the supply is ascertained, in proper order for correctly registering that value. The Board shall, for the purposes aforesaid, have access to and be at liberty to remove, test, inspect and replace any such meter at all reasonable times : Provided that the expenses of procuring any such meter to be again duly certified, where that re-certifying is thereby rendered necessary, shall be paid by the Board.

24.—A meter shall be considered to be duly ^{Certification} certified if it be certified by an electricity inspector ^{of accuracy} appointed by the Board to be a correct meter, and ^{of meters.} to be of some construction and pattern and to have been fixed and to have been connected with the service lines in some manner approved by the Board of Trade or Electricity Commissioners, and every such meter is hereinafter referred to as a “ certified meter ” : Provided that where any alteration is made in any certified meter, or where any such meter is unfixed or disconnected from the service lines, that meter shall cease to be a certified meter unless and until it is again certified as a certified meter.

25.—(1) In the event of a meter whereby the ^{Erroneous} quantity of energy supplied to any person is ascer- ^{registration} tained being proved to register erroneously, such ^{by meters.} erroneous registration shall be deemed to have first arisen at the commencement of the then last preceding quarter of the year unless it be proved to have first arisen at some subsequent date.

(2) The amount of the allowance to be paid to or the surcharge to be made upon such person by the Board shall be paid by or to the Board as the case may be and in the case of a surcharge shall be recoverable in the like manner as charges for energy are recoverable.

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Power of Board to place other recording or regulating apparatus upon consumer's premises.

Subject as aforesaid, the register of the meter shall be conclusive evidence in the absence of fraud of the value of the supply.

26.—In addition to any meter which may be placed upon the premises of any consumer to ascertain the value of the supply the Board may place upon his premises such meter or other apparatus as they may desire for the purpose of ascertaining or regulating either the amount of energy supplied to the consumer or the number of hours during which the supply is given, or the maximum power taken by the consumer, or any other quantity or time connected with the supply: Provided that the meter or apparatus shall be of some construction and pattern and shall be fixed and connected with the service lines in some manner approved by the Board of Trade or Electricity Commissioners, and shall be supplied and maintained entirely at the cost of the Board, and shall not, except by agreement, be placed otherwise than between the mains of the Board and the consumer's terminals.

Discontinuance of supply on account of payments being in arrear.

27.—Where a person is in arrear in respect of payments of any charge for energy or of any other sum due from him to the Board in respect of the supply of energy to him (not being the subject of a bona-fide dispute) whether any such payments be due to the Board in respect of a supply to the premises in respect of which such supply is demanded or in respect of other premises the Board may cut off such supply, and for that purpose may cut or disconnect any electric line or other work through which energy may be supplied, and may, until such charge or other sum, together with any expenses incurred by the Board in cutting off such supply of energy as aforesaid, are fully paid, but no longer, discontinue the supply of energy to such person.

Expenses of discontinuance recoverable.

28.—Any expenses reasonably incurred by the Board in reconnecting any electric line or other work through which energy may be supplied which

may have been lawfully cut off or disconnected by reason of any default of the consumer may be recovered by the Board in like manner as expenses lawfully incurred by them in such cutting off or disconnecting.

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29.—(1) Twenty-four hours' notice in writing shall be given to the Board by every consumer before he quits any premises supplied with energy by the Board, and, in default of such notice, the consumer so quitting shall be liable to pay to the Board the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises, or the date from which any subsequent occupier of such premises may require the Board to supply energy to such premises whichever shall first occur. These provisions shall also apply whenever a consumer desires, without quitting his premises, to discontinue to receive a supply of energy.

Notice to Board on consumer quitting premises or desiring discontinuance of supply.

(2) Notice to the effect of this section shall be endorsed upon any demand note for charges for energy.

30.—The Board may for the purposes of testing or for any other purposes connected with the efficient working of the undertaking, discontinue the supply at such intervals of time and for such purposes as it may deem expedient. The Board shall not incur any liability in respect of any temporary interruption of supply but in the event of such interruption the Board shall restore the supply with all reasonable diligence.

Temporary interruptions of supply.

31.—It shall be unlawful for any person to make use of any electrical installation or apparatus fixed or placed in any premises to which energy is or is about to be supplied by the Board unless and until such installation and apparatus have been examined, tested and approved by an inspector appointed by the Board as complying with the requirements for the time being of the Institution of Electrical En-

Use of installation or apparatus fixed or placed in any premises to which energy is or is about to be supplied by the Board unless and until such installation and apparatus have been examined, tested and approved by an inspector.

- 1933

 Penalty. gineers of London as set forth in the rules and regulations, for the electrical equipment of buildings issued by that Institution. It shall likewise be unlawful to make use of any such installation or apparatus after the same or any part thereof has been altered in position or in extent or by replacement or repair unless and until it has been examined, tested and approved as aforesaid. If any person shall act in contravention of this section he shall be liable to a fine not exceeding twenty pounds. In the case of a second or subsequent examination and testing of an installation not provided and fixed by the Board or by the said Company the person on whose behalf such examination and testing is made shall pay such reasonable fee as may be prescribed therefor.
- Board not to supply energy before installation and apparatus approved.
 Notices. 32.—The Board shall not supply energy to any premises unless and until the installation and apparatus fixed or placed therein for the purpose of such supply has been examined, tested and approved in accordance with the preceding section.
- 33.—Notices to be given under this law shall be in writing and shall be validly served if delivered at the residence or place of business of the person to whom they are addressed and shall in default of proof to the contrary be deemed to be delivered if sent through the post properly stamped and addressed. The services of His Majesty's Sergeant shall not be required in connection with the serving of such notices.
- Rights and privileges of H.M. Postmaster-General.
 Ordinances and Regulations. 34.—This law shall not operate in any respect prejudicial to the rights and privileges of His Majesty's Postmaster-General.
- 35.—The Royal Court may pass Ordinances from time to time to regulate the administration of this law and to give the same its full effect and also to regulate the conditions, standards and methods governing all works in connection with the supply and use of energy whether under this law or other-

wise. The Board may from time to time prepare regulations concerning the operation of the undertaking and matters incidental thereto and concerning the relations of the Board with consumers and with the public and may therein prescribe appropriate penalties for their enforcement and may submit such regulations to the Royal Court for approval. Regulations so prepared by the Board shall have no effect until they have received the sanction of the Royal Court, and under and by such sanction they shall have the force and effect of Ordinances of the Royal Court.

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36.—All or any of the acts and things done, performed or suffered by the States through their authorised representatives, including the Board, in relation to or concerning the undertaking on and after delivery thereof to the States and before the registration of the Order of His Majesty in Council sanctioning this law, being acts and things which the States by their said representatives might lawfully have done, performed or suffered if this law had been in force at the time of such delivery, shall have the same force, validity and effect as if this law had been in force at the time of such delivery, and Sections 2 and 11 of this Law and Section 37 of this law shall be deemed to have been in force as on and from the date of such delivery which date is determined by a declaration in writing made jointly by the States and the Company and lodged with His Majesty's Greffier on the 1st day of July, 1933.

Period
between
delivery of
undertaking
to States and
registration
of Order in
Council.

37.—The laws of 1898, 1917 and 1920 concerning the supply of electric light specified in the preamble to this law are hereby repealed. Provided that unless in this law the contrary appears, this repeal shall not :—

Repeal of
previous
laws.

- (a) revive anything not in force or existing at the time at which the repeal takes effect ; or

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- (b) affect the previous operation of any of the enactments so repealed or anything duly done or suffered thereunder ; or
- (c) affect any obligation or liability accrued or incurred under any of the enactments so repealed ; or
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any of the enactments so repealed ; or
- (e) affect any investigation, legal proceedings or remedy in respect of any such obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, legal proceedings or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this law had not been passed.
