

AUSTRALIAN CAPITAL TERRITORY ELECTRICITY SUPPLY.

No. 76 of 1962.

An Act to establish an Authority to Supply Electricity
in the Australian Capital Territory, and for
related purposes.

[Assented to 10th December, 1962.]

BE it enacted by the Queen's Most Excellent Majesty, the
Senate, and the House of Representatives of the
Commonwealth of Australia, as follows:—

PART I.—PRELIMINARY.

1. This Act may be cited as the *Australian Capital Territory Electricity Supply Act 1962*. Short title.

2. This Act shall come into operation on a date to be fixed
by Proclamation. Commence-
ment.

3. This Act is divided into Parts, as follows:—

Parts.

Part I.—Preliminary (Sections 1–4).

Part II.—The Australian Capital Territory Electricity
Authority.

Division 1.—Establishment and Constitution of the
Authority (Sections 5–16).

Division

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Division 2.—Functions and Powers of the Authority
(Sections 17–19).

Division 3.—Staff (Sections 20–22).

Division 4.—Finances of the Authority (Sections 23–31).

Division 5.—Reports (Sections 32–33).

Part III.—Transitional Provisions (Sections 34–35).

Part IV.—Miscellaneous (Sections 36–39).

Definitions.

4. In this Act, unless the contrary intention appears—

“ Acting Chairman ” means a person appointed to act in the place of the Chairman or to act in the office of Chairman during a vacancy in that office;

“ approved bank ” means the Reserve Bank of Australia or another bank approved by the Treasurer for the purposes of the provision in which the expression occurs;

“ Commonwealth land ” means land the property of the Commonwealth not comprised in a lease granted to any person;

“ financial year ” means the twelve months ending on the thirtieth day of June;

“ member ” means a member of the Authority, and includes the Chairman;

“ the Advisory Council ” means the Advisory Council for the Territory constituted under the *Advisory Council Ordinance* 1936–1961 of the Territory;

“ the Authority ” means the Australian Capital Territory Electricity Authority constituted under this Act;

“ the Chairman ” means the Chairman of the Authority, and includes an Acting Chairman;

“ the departmental member ” means the member appointed under sub-section (4.) of section six of this Act;

“ the elected member ” means the member elected under sub-section (3.) of section six of this Act;

“ the Territory ” means the Australian Capital Territory, but does not include the Territory accepted in pursuance of the *Jervis Bay Territory Acceptance Act* 1915–1955.

PART II.—THE AUSTRALIAN CAPITAL TERRITORY ELECTRICITY
AUTHORITY.

Division 1.—Establishment and Constitution of the Authority.

Establishment
of Authority.

5.—(1.) There shall be an authority of the Commonwealth by the name of the Australian Capital Territory Electricity Authority.

(2.) The Authority—

(a) is a body corporate, with perpetual succession;

(b) shall have a common seal;

(c) is

(c) is capable of acquiring, holding and disposing of real and personal property; and

(d) may sue and be sued in its corporate name.

(3.) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Authority affixed to a document and shall presume that it was duly affixed.

6.—(1.) The Authority shall consist of a Chairman and two other members. Constitution of
Authority.

(2.) The Chairman shall be a person appointed as the Chairman of the Authority by the Governor-General and shall, subject to this Act, hold office for such period, not exceeding six years, as the Governor-General specifies at the time of his appointment.

(3.) One member shall be a member of the Advisory Council elected by the members of the Council as a member of the Authority and shall, subject to this Act, hold office during the pleasure of the Council.

(4.) The remaining member shall be an officer of the Department of the Interior appointed as a member of the Authority by the Governor-General and shall, subject to this Act, hold office for such period, not exceeding three years, as the Governor-General specifies at the time of his appointment.

(5.) A member is eligible for re-appointment or re-election, as the case may be.

(6.) A person who has attained the age of sixty-five years is not eligible for appointment or election as a member of the Authority and a member who attains that age ceases to hold office.

(7.) The elected member ceases to hold office if he ceases to be a member of the Advisory Council.

(8.) For the purposes of the last preceding sub-section, an elected member of the Advisory Council shall be taken to cease to be a member of that Council at the expiration of the period for which he was elected as a member of that Council notwithstanding that he has been re-elected as such a member.

(9.) The departmental member ceases to hold office if he ceases to be an officer of the Department of the Interior.

(10.) An election for the purposes of sub-section (3.) of this section shall be held in such manner as the Advisory Council determines, and the right to vote at such an election may, if the Advisory Council so determines, be confined to the members of that Council who are present in person or by proxy at a meeting of that Council.

(11.) Upon the election of a member in accordance with sub-section (3.) of this section, the Chairman of the Advisory Council shall certify in writing to the Minister the name of the
person

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person elected, and the person specified in the certificate shall, for the purposes of this Act, be conclusively presumed to have been duly elected.

(12.) The exercise or performance of the functions or powers of the Authority is not affected by reason only of there being a vacancy in the office of a member.

**Appointment
of Deputy of
the Chairman.**

7.—(1.) The Authority shall appoint an officer of the Authority to be the Deputy of the Chairman.

(2.) The Deputy of the Chairman shall attend every meeting of the Authority at which the Chairman is not present (including a meeting held during a vacancy in the office of Chairman) and, when so attending, shall be deemed to be a member of the Authority.

(3.) Where the Authority has, under section sixteen of this Act, delegated any of its powers to the Chairman, the Deputy of the Chairman may, unless the Authority has otherwise directed in the instrument of delegation, exercise any of those powers but is, in the exercise of any of those powers, subject to any directions of the Chairman.

(4.) The Authority may, at any time, terminate the appointment of a person as Deputy of the Chairman and, in that event, shall appoint another officer of the Authority as Deputy of the Chairman.

**Oath or
affirmation of
allegiance.**

8. A member shall, before entering on his duties or exercising any power under this Act, make, before a Justice of the Peace or a Commissioner for taking Affidavits, an oath or affirmation of allegiance in accordance with the form in the Schedule to the Constitution.

**Leave of
absence.**

9. The Minister may grant leave of absence to a member upon such terms and conditions as to remuneration or otherwise as the Minister determines.

**Acting
appointments.**

10.—(1.) Where the Minister grants leave of absence to a member, or where there is a vacancy in the membership of the Authority, the Minister may, subject to this section, appoint a person to act in the place of the member, or to act in the vacant office, during the whole or a part of the period of absence on leave of the member, or of the period of the vacancy, as the case may be, and a person so appointed has all the powers, functions and duties of a member.

(2.) Where the Authority grants leave of absence to the Deputy of the Chairman, or where there is a vacancy in the office of Deputy of the Chairman, the Authority may appoint an officer of the Authority to act in the place of the Deputy of the

Chairman

Chairman or in the office of Deputy of the Chairman, during the whole or a part of the period of absence on leave of the Deputy of the Chairman or of the period of the vacancy, as the case may be, and an officer so appointed has all the powers, functions and duties conferred by this Act on the Deputy of the Chairman.

(3.) A person appointed to act in the place of the elected member, or in the vacant office of the elected member, shall be a member of the Advisory Council.

(4.) A person appointed to act in the place of the departmental member, or in the vacant office of the departmental member, shall be an officer of the Department of the Interior.

(5.) The Minister may, at any time, terminate the appointment of a person appointed by the Minister under this section.

(6.) The Authority may, at any time, terminate the appointment of an officer appointed by the Authority under this section.

(7.) An appointment of a person under this section to act in the vacant office of a member shall not be made, and such an appointment shall not continue to have effect, if the vacancy has continued for more than six months.

11.—(1.) The Chairman shall be paid such remuneration and allowances as the Governor-General determines. Remuneration, allowances, &c.

(2.) An Acting Chairman shall be paid such remuneration and allowances as the Minister determines.

(3.) A member other than the Chairman, and a person appointed to act in the place of, or in the vacant office of, such a member, shall be paid, in respect of his attendance at a meeting of the Authority, a fee of such amount, if any, as is determined by the Minister and is entitled to be reimbursed such expenses as he reasonably incurs in performing his functions and exercising his powers under this Act.

12. The Governor-General may remove a member from office for inability, inefficiency or misbehaviour. Removal of members.

13.—(1.) A member may resign his office by writing under his hand addressed to the Governor-General. Resignation of members.

(2.) A resignation under this section does not have effect until accepted by the Governor-General.

14.—(1.) If a member—

(a) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit;

(b) is absent, except on leave granted by the Minister, from three consecutive meetings of the Authority;

(c) fails

Vacation of office.

- (c) fails to comply with his obligations under the next succeeding sub-section; or
- (d) being the Chairman, engages in paid employment outside the duties of his office otherwise than with the consent of the Minister,

the Governor-General shall, by notice published in the *Gazette*, remove the member from office.

(2.) A member who is directly or indirectly interested in a contract made or proposed to be made by the Authority, otherwise than as a member, and in common with the other members, of an incorporated company consisting of not less than twenty-five persons, shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Authority.

(3.) A disclosure under the last preceding sub-section shall be recorded in the minutes of the Authority and the member—

- (a) shall not take part after the disclosure in any deliberation or decision of the Authority with respect to that contract; and
- (b) shall be disregarded for the purpose of constituting a quorum of the Authority for any such deliberation or decision.

(4.) Sub-section (2.) of this section does not apply in relation to a contract for the supply of electricity by the Authority in the ordinary course of its business and upon usual terms and conditions.

(5.) This section applies in relation to a person appointed to act in the place of, or in the vacant office of, the Chairman or another member in like manner as if he were the Chairman or another member, as the case may be.

**Meetings of
Authority.**

15.—(1.) Subject to this section, the Chairman shall convene such meetings of the Authority as are, in his opinion, necessary for the efficient conduct of its affairs.

(2.) The Chairman shall not permit a period exceeding five weeks to elapse between a meeting of the Authority and the next meeting of the Authority.

(3.) The Chairman shall, on receipt of a written request signed by another member, convene a meeting of the Authority.

(4.) The Minister may at any time convene a meeting of the Authority.

(5.) The Chairman or the Deputy of the Chairman shall preside at all meetings of the Authority at which he is present.

(6.) At a meeting of the Authority—

- (a) the Chairman and one other member; or
- (b) the Deputy of the Chairman and one other member,

constitute a quorum.

(7.) A question

(7.) A question arising at a meeting of the Authority shall be decided by a majority of the votes of the members present.

(8.) If at a meeting of the Authority at which only two members are present the members cannot agree on a question, further consideration of the question shall be adjourned to the next meeting of the Authority and, if at that meeting only two members are present and they cannot agree on the question, the question shall be decided on the casting vote of the Chairman or the Deputy of the Chairman.

16.—(1.) The Authority may, either generally or in relation to a matter or class of matters, by writing under its seal, delegate all or any of its powers under this Act (except this power of delegation). Delegation by Authority.

(2.) A power so delegated may be exercised by the delegate in accordance with the instrument of delegation.

(3.) A delegation under this section is revocable at will and does not prevent the exercise of a power by the Authority.

Division 2.—Functions and Powers of the Authority.

17. The functions of the Authority are—

Functions of Authority.

- (a) to supply electricity in the Territory;
- (b) to promote the use of electricity in the Territory; and
- (c) such functions in relation to matters affecting or connected with the supply or use of electricity in the Territory as are conferred on the Authority by the laws of the Territory.

18.—(1.) The Authority has power to do all things necessary or convenient to be done in connexion with or as incidental to the performance of its functions and all such things related to the performance of its functions as the Authority is authorized to do by any law of the Territory. Powers of Authority.

(2.) Without limiting the generality of the last preceding sub-section, the Authority has power—

- (a) to purchase electricity from outside the Territory;
- (b) to generate electricity in the Territory;
- (c) to transmit and reticulate electricity in the Territory;
- (d) subject to any directions of the Minister, to supply, install, maintain or repair, in the Territory, electrical equipment (including street lighting equipment) required or used by the Commonwealth or by an authority or body established by a law of the Commonwealth;
- (e) in such cases as the Minister approves, or in cases of urgency, to supply, install, maintain or repair, in the Territory, electrical equipment required or used by a person other than the Commonwealth or an authority or body established by a law of the Commonwealth;
- (f) to

- (f) to hire out plant or equipment of the Authority that is not immediately needed for use by the Authority; and
- (g) to determine the conditions upon or subject to which any electricity will be supplied by the Authority.

(3.) The Commonwealth and the Authority may enter into arrangements with respect to any matter arising under or, as a result of, the *Snowy Mountains Hydro-electric Power Act* 1949–1958 or the agreements referred to in that Act, being a matter relating to supply of electricity for use in the Territory, and such an arrangement may authorize the Authority to act as agent of the Commonwealth in respect of any such matter.

(4.) Except as provided in section thirty-six of this Act, nothing in this Act shall be taken to authorize the Authority—

- (a) to do anything, or cause anything to be done, on Commonwealth land otherwise than with the consent of the department or authority of the Commonwealth having control of that land; or
- (b) to do anything, or cause anything to be done, on land other than Commonwealth land otherwise than in pursuance of rights conferred on the Authority by agreement or by the laws of the Territory.

Charges for
supply of
electricity.

19.—(1.) The Authority may, from time to time, make determinations fixing or varying the charges that are, subject to this section, to be payable to the Authority for or in connexion with the supply of electricity.

(2.) The Authority may determine different charges for or in connexion with the supply of electricity for different uses, in different localities or in different circumstances.

(3.) Where the Authority makes a determination under this section, it shall cause to be published in a newspaper published in the Territory a notice setting out particulars of the determination and specifying the date, not being earlier than the date of publication of the notice, on and from which the determination has effect.

(4.) Where some or all of the electricity supplied by the Authority to a person is passed through a meter for the purpose of ascertaining the quantity of electricity so supplied and, during the period between one reading of the meter on behalf of the Authority and the next such reading of the meter, a determination under this section affecting charges applicable to electricity passed through the meter commences to have effect, the quantity of electricity ascertained, by reference to the meter, as having
been

been supplied by the Authority to the person during that period shall be charged for—

- (a) as if the whole of that electricity had been supplied before the date on which the determination commenced to have effect; or
- (b) as if the whole of that electricity had been supplied on or after that date,

whichever results in the lower charge.

(5.) Subject to the next succeeding sub-section, a person to whom electricity is supplied by the Authority is liable to make payments to the Authority in accordance with the determinations of the Authority in force under this section.

(6.) Where the Minister, by reason of special circumstances, approves of its so doing, the Authority may make an agreement with a person for or in connexion with the supply of electricity to that person under which rates of charges in accordance with the agreement are payable in lieu of the charges applicable under the preceding provisions of this section.

(7.) In determining charges under this section, the Authority shall take into consideration the financial position of the Authority and the future requirements of the undertaking of the Authority, with a view to making those charges as low as practicable having regard to the revenue required for the maintenance of the affairs of the Authority on a sound commercial basis.

Division 3.—Staff.

20.—(1.) The Authority may appoint such officers and engage such employees as it thinks necessary for the purposes of this Act.

Officers and employees.

(2.) The terms and conditions of service of persons so appointed or engaged are such as are, subject to the approval of the Public Service Board, determined by the Authority.

(3.) The Authority may arrange with the Permanent Head of any Department of State of the Commonwealth for the services of officers or employees of the Department to be made available to the Authority.

21. Where the Chairman or an officer of the Authority was, immediately before his appointment, an officer of the Public Service of the Commonwealth—

Rights of public servants appointed under this Act.

- (a) he retains his existing and accruing rights;
- (b) for the purpose of determining those rights, his service under this Act shall be taken into account as if it were service in the Public Service of the Commonwealth; and
- (c) the *Officers' Rights Declaration Act 1928–1959* applies as if this Act and this section had been specified in the Schedule to that Act.

22. The

Compensation
to members,
officers and
employees.

22. The *Commonwealth Employees' Compensation Act* 1930-1959 applies to members, officers and employees of the Authority as if they were employees within the meaning of that Act and as if—

- (a) references in that Act to the Commonwealth were references to the Authority; and
- (b) members of the Authority were employed by the Authority.

Division 4.—Finances of the Authority.

Transfer to
Authority of
assets, and
assumption by
Authority of
liabilities, of
Canberra
Electric Supply.

23.—(1.) Upon the commencement of this Act—

- (a) the Minister may transfer or cause to be transferred to the Authority such of the assets owned by the Commonwealth and held or used in connexion with, or arising from the business of, the undertaking known as the Canberra Electric Supply as the Minister thinks fit; and
- (b) the Authority is, by force of this section, liable to pay, satisfy, observe, perform and discharge the debts, liabilities and obligations of the Commonwealth in connexion with, or arising from the business of, that undertaking, other than debts, liabilities or obligations in relation to assets referred to in the last preceding paragraph that are not transferred in pursuance of that paragraph.

(2.) The Authority shall indemnify the Commonwealth, and keep the Commonwealth indemnified, from and against all actions, claims, demands, proceedings, suits, damages, expenses and costs that may be brought against, or incurred by, the Commonwealth at any time for or in respect of a debt, liability or obligation that the Authority is liable to pay, satisfy, observe, perform or discharge under paragraph (b) of the last preceding sub-section.

(3.) In this section, “ assets ” includes—

- (a) plant, machinery, equipment, office furniture, fittings, motor vehicles and stock in trade;
- (b) book and other debts due to the Commonwealth and the benefit of any securities for those debts;
- (c) the benefit that is capable of assignment of any contract;
- (d) all other property, rights or interests to which the Commonwealth is entitled and which it may assign; and
- (e) all appropriate records maintained by the Commonwealth.

Capital of the
Authority.

24. The capital of the Authority at any time is an amount equal to the sum of—

(a) an

- (a) an amount equal to the value, as determined by the Treasurer on such basis as he thinks fit, of the assets transferred to the Authority under the last preceding section, less such amount, if any, as the Treasurer determines in respect of debts, liabilities and obligations to which paragraph (b) of sub-section (1.) of that section applies; and
 - (b) the amounts of the moneys from time to time appropriated by the Parliament for the purposes of the Authority and paid to the Authority,
- less the amount of any capital that has been repaid to the Commonwealth by the Authority.

25.—(1.) Interest is payable to the Commonwealth on the capital of the Authority at such rate and at such times as the Treasurer determines from time to time.

Payments to
Commonwealth
by Authority.

(2.) If at any time the Treasurer considers that the financial position of the Authority is such as to enable it to make a payment to the Commonwealth by way of repayment of capital, he may direct the Authority to make a payment accordingly.

(3.) Before giving a direction under the last preceding sub-section, the Treasurer shall—

- (a) consult the Minister; and
- (b) consider any advice that the Authority has furnished to the Minister in relation to the financial affairs of the Authority.

(4.) A determination or direction under this section shall be in writing signed by the Treasurer.

26.—(1.) The Authority may, with the consent of the Treasurer, borrow moneys for temporary purposes on overdraft from an approved bank.

Borrowing
by the
Authority.

(2.) The Treasurer may, out of moneys appropriated by the Parliament for the purpose, make advances to the Authority of such amounts and on such terms as he thinks fit.

(3.) The Authority may, with the consent of the Treasurer, borrow moneys, whether for a temporary purpose or not, otherwise than in accordance with the preceding provisions of this section.

(4.) The Authority shall not borrow moneys otherwise than in accordance with this section.

27.—(1.) The Authority may open an account or accounts with an approved bank or approved banks and shall maintain at all times at least one such account.

Bank
accounts.

(2.) The Authority shall pay all moneys received by it into an account referred to in this section.

28.—(1.) Subject

Application
of moneys by
Authority.

28.—(1.) Subject to this section, the moneys of the Authority shall be applied only—

- (a) in payment or discharge of the expenses, charges, obligations and liabilities incurred or undertaken by, or imposed by law on, the Authority in or in connexion with the performance of its functions;
- (b) in payment of any remuneration, allowances, fees or expenses payable under this Act to members of the Authority or to a person appointed to act in the place of, or in the vacant office of, a member; and
- (c) in making any other payments that the Authority is authorized or required to make under this Act.

(2.) Moneys of the Authority not immediately required for the purposes of the Authority may be invested on fixed deposit with an approved bank or in securities of the Commonwealth.

Profits of the
Authority.

29.—(1.) For the purposes of this Act, the Authority shall be taken to have made a profit for a financial year if the revenue received or receivable in respect of that financial year exceeds the expenditure properly chargeable against that revenue, and the amount of the profit shall be taken to be the amount of the excess.

(2.) For the purpose of the last preceding sub-section, the expenditure of the Authority properly chargeable against the revenue received or receivable in respect of a financial year includes—

- (a) interest payable in respect of that financial year on the capital of the Authority or on moneys borrowed by the Authority;
- (b) charges and expenses accrued in that year but not paid;
- (c) provision made in that year for obsolescence or depreciation of assets;
- (d) provision made in that year in lieu of insurance; and
- (e) provision made in that year for superannuation benefits or similar benefits or for long service leave

but does not include expenditure out of amounts provided from the revenue of previous years or expenditure in payment of charges and expenses accrued in a previous year.

(3.) The profits of the Authority for a financial year shall be applied in the first place in making any payment directed by the Treasurer under sub-section (2.) of section twenty-five of this Act and the balance (if any) shall be applied in such manner as the Authority determines.

Proper accounts
to be kept.

30. The Authority shall keep proper accounts and records in accordance with the accounting principles generally applied in

in commercial practice and shall do all things necessary to ensure that all payments out of its moneys are properly authorized and correctly made and that adequate control is maintained over its assets and the incurring by it of liabilities.

31.—(1.) The Auditor-General shall inspect and audit the accounts and records of financial transactions of the Authority, and shall forthwith draw the Minister's attention to any irregularity disclosed by the inspection and audit that, in the opinion of the Auditor-General, is of sufficient importance to justify his so doing. Audit.

(2.) The Auditor-General shall, at least once in each year, report to the Minister the result of the inspection and audit carried out under the last preceding sub-section.

(3.) The Auditor-General or an officer of the Public Service of the Commonwealth authorized by him is entitled at all reasonable times to full and free access to all accounts, records, documents and papers of the Authority relating directly or indirectly to the receipt or payment of moneys by the Authority or to the acquisition, receipt, custody or disposal of assets of the Authority.

(4.) The Auditor-General or an officer of the Public Service of the Commonwealth authorized by him may make copies of, or take extracts from, any such accounts, records, documents or papers.

(5.) The Auditor-General or an officer of the Public Service of the Commonwealth authorized by him may require a member, an officer or an employee of the Authority to furnish him with such information in the possession of the member, officer or employee or to which the member, officer or employee has access as the Auditor-General or authorized officer considers necessary for the purposes of an inspection or audit under this Act and the member, officer or employee shall comply with the requirement.

Division 5.—Reports.

32.—(1.) The Authority shall from time to time inform the Minister concerning the general conduct of its business. Authority to keep Minister informed.

(2.) The Authority shall furnish to the Minister such information relating to its operations as the Minister requires.

33.—(1.) The Authority shall, as soon as practicable after the end of each financial year, prepare and furnish to the Minister a report of its operations during that year, together with financial statements in respect of that year in such form as the Treasurer approves. Annual Report of Authority.

(2.) The financial statements shall show whether the Authority made a profit in the financial year.

(3.) Before

(3.) Before furnishing the financial statements to the Minister, the Authority shall submit them to the Auditor-General, who shall report to the Minister—

- (a) whether the statements are based on proper accounts and records;
- (b) whether the statements are in agreement with the accounts and records and show fairly the financial operations and the state of the affairs of the Authority;
- (c) whether the receipt, expenditure and investment of moneys, and the acquisition and disposal of assets, by the Authority during the year have been in accordance with this Act;
- (d) as to the adequacy of provision in the nature of reserves made in the accounts of the Authority; and
- (e) as to such other matters arising out of the statements as the Auditor-General considers should be reported to the Minister.

(4.) The Minister shall lay the report and financial statements of the Authority, together with the report of the Auditor-General, before each House of the Parliament within fifteen sitting days of that House after their receipt by the Minister.

PART III.—TRANSITIONAL PROVISIONS.

Charges.

34. The charges for the supply of electricity by the Commonwealth in the Territory in force immediately before the commencement of this Act under the law of the Territory shall apply in relation to the supply of electricity by the Authority until otherwise determined by the Authority.

Agreements.

35. Agreements in respect of the supply of electricity by the Commonwealth in the Territory in force immediately before the commencement of this Act shall continue in force as if—

- (a) each agreement were an agreement with the Authority in respect of the supply of electricity by the Authority at the charges applicable under this Act or, in the case of an agreement providing for charges at special rates, at those rates;
- (b) there were incorporated in each agreement the provisions (other than provisions fixing charges for the supply of electricity) of the Canberra and Jervis Bay Electric Supply Regulations as in force immediately before the commencement of this Act, so far as those provisions are applicable in relation to the agreement;
- (c) a reference in the provisions so incorporated to the proper authority were a reference to the Authority;
- (d) a reference

- (d) a reference in the provisions so incorporated to the electrical engineer were a reference to a person authorized by the Authority; and
- (e) a reference in the provisions so incorporated to an officer were a reference to an officer of the Authority.

PART IV.—MISCELLANEOUS.

36.—(1.) A person authorized by the Authority to act under this section may, at all reasonable times, enter upon any land or premises to which electricity is being or has been supplied by the Authority, or over which electricity of the Authority is being or has been conducted, for the purpose of inspecting, testing, obtaining information from, repairing, replacing or removing any apparatus, equipment or other thing, the property of the Authority.

Entry on
land.

(2.) A person who enters upon land or premises in pursuance of the last preceding sub-section is not authorized to remain on the land or premises if, on request by the occupier of the land or premises, he does not produce a certificate in writing under the hand of the Chairman or the Deputy of the Chairman stating that he is authorized by the Authority to act under this section.

(3.) A person shall not, without reasonable excuse, obstruct a person acting in accordance with this section.

Penalty: Fifty pounds.

37. In proceedings for the recovery of charges by the Authority, a certificate by the Chairman as to the quantity of electricity supplied by the Authority to a specified person or premises during a specified period is evidence of the matters so certified.

Certificate of
electricity
supplied.

38. A person shall not, without reasonable excuse, destroy damage or interfere with any apparatus, equipment or installation the property of the Authority.

Destruction,
&c., of
apparatus, &c.,
prohibited.

Penalty: One hundred pounds or imprisonment for six months.

39. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Regulations.