

THE ELECTRICITY (AMENDMENT) BILL 1988

(NAME OF BILL)

CONTENTS

Bill

Objects and Reasons
Notice of Presentation
Covering letter from Minister to Clerk to Parliament
~~(Authorisation from Minister of Finance under s 60 of Constitution)~~

- ✓ FROM: Attorney General's Chambers
- ✓ TO: Minister of Transport, Works and Utilities
(for signing Objects & Reasons, Notice of Presentation and covering letter to Clerk)
- TO: ~~Minister of Finance~~
~~(for signing of letter to Clerk signifying Cabinet approval under s 60 of Constitution)~~
- ✓ TO: Clerk to National Parliament
(for certificate by Speaker)
- TO: Attorney General's Chambers
(for printing)
- ✓ TO: Clerk to National Parliament
(for reference during 1st, 2nd and 3rd Readings)
(Date passed 2.2.88 Act No. 3)
- ✓ TO: Attorney General's Chambers
(for checking before Assent)
- ✓ TO: Governor-General
(for Assent)
- TO: Clerk to National Parliament
(for distribution: 2 copies Attorney General's Chambers
1 copy Ministry
1 copy Parliament Office
1 " Registrar of the High Court)



**THE ELECTRICITY
(AMENDMENT) ACT 1988**

(NO. 3 OF 1988)



THE ELECTRICITY (AMENDMENT) ACT 1988


(NO. 3 OF 1988)

Passed by the National Parliament this twenty-third day of March 1988.

This printed impression has been carefully compared by me with the Bill passed by Parliament and found by me to be a true and correct copy of the said Bill.


J.M. Tahaika
Clerk to the National Parliament

Assented to in Her Majesty's name and on Her Majesty's behalf this eleventh day of April 1988.


B. Devesi
Governor-General

Date of commencement: see section 1.

AN ACT to amend the Electricity Act (Cap. 16).

ENACTED by the National Parliament of Solomon Islands.

THE ELECTRICITY (AMENDMENT) ACT 1988

ARRANGEMENT OF SECTIONS

Section:

1. Short title and commencement.
2. Amendment of section 2, Cap. 16.
3. Substitution of "electricity" for "energy" and "electrical energy".
4. Amendment of section 4 of the principal Act.
5. Amendment of section 11 of the principal Act.
6. Repeal of section 13 of the principal Act.
7. Amendment of section 14 of the principal Act.
8. Amendment of section 16 of the principal Act.
9. Amendment of section 19 of the principal Act.
10. Replacement of section 22 of the principal Act.
11. Replacement of section 23 of the principal Act.
12. Amendment of section 24 of the principal Act.
13. Amendment of section 31 of the principal Act.
14. Amendment of section 32 of the principal Act.
15. Amendment of section 35 of the principal Act.
16. Amendment of section 36 of the principal Act.
17. Amendment of section 37 of the principal Act.
18. Amendment of section 38 of the principal Act.
19. Amendment of section 42 of the principal Act.
20. Amendment of section 43 of the principal Act.
21. Amendment of section 45 of the principal Act.
22. Replacement of section 46 of the principal Act.
23. Repeal of section 48 of the principal Act.
24. Amendment of section 49 of the principal Act.
25. Amendment of section 50 of the principal Act.
26. Addition of section 55A to the principal Act.
27. Amendment of section 56 of the principal Act.
28. Repeal of section 57 of the principal Act.
29. Savings.

1. This Act may be cited as the Electricity (Amendment) Act 1988 and shall come into operation on such day as the Minister may appoint by notice in the Gazette.

Short title
and
commencement.

2. Section 2 of the Electricity Act (hereinafter referred to as the principal Act) is amended as follows -

Amendment of
section 2,
Cap. 16.

- (a) by deleting the expression "Chief Inspector" and the meaning assigned to it;
- (b) by deleting the expression "energy" and the meaning assigned to it;
- (c) by deleting the expression "extra high voltage" and the meaning assigned to it;
- (d) by inserting immediately below the definition of "live" the following -
"low voltage" means voltage not exceeding two hundred and fifty volts between phase and neutral;"
- (e) by deleting the expression "main supply line" and the meaning assigned to it; and
- (f) by inserting immediately below the definition of "street" the following -
" "supplier" means the Authority and includes a licensee;"

3. The principal Act is amended by substituting the word "electricity" for the expressions "energy" and "electrical energy" wherever the expressions appear in the Act.

Substitution
of "electricity"
for "energy"
and "electrical
energy".

4. Section 4(1) of the principal Act is repealed and replaced by the following -

Amendment of
section 4 of
the principal
Act.

- “ 4. (1) The Authority shall consist of -
- (a) a Chairman; and
 - (b) not less than four members (not more than two of whom shall be public officers),
- who shall be appointed by the Minister; and
- (c) the General Manager, as ex-officio member.”.

5. Section 11 of the principal Act is amended as follows -

Amendment of
section 11
of the
principal
Act.

- (a) in subsection (1), -
 - (i) by substituting for the word "manager" the expression "General Manager"; and
 - (ii) by inserting immediately after the expression "secretary", the expression "a chief engineer", and

- (b) in subsection (2) by deleting the expression "a manager or managing agent appointed under subsection (1)" and substituting therefor the expression "the General Manager".

Repeal of section 13 of the principal Act.

Amendment of section 4 of the principal Act.

6. Section 13 of the principal Act is hereby repealed.

7. Section 14 of the principal Act is amended as follows -

(a) in subsection (1) -

- (i) by deleting paragraph "(a)" and the expression "in respect only of Supply Areas -" and by re-lettering subparagraphs "(i)", "(ii)" and "(iii)" as paragraphs "(a)", "(b)" and "(c)" respectively;
- (ii) by deleting paragraph "(b)" and the expression "throughout Solomon Islands -" and by re-lettering subparagraphs "(i)" and "(ii)" as paragraphs "(d)" and "(e)" respectively; and
- (iii) by inserting immediately below paragraph "(e)" the following -

"(f) to ensure standards of safety, efficiency and economy in respect of the production, transmission, distribution and use of electricity," and

(b) in subsection (2), by deleting the expression "in Supply Areas" wherever the expression appears in the subsection.

Amendment of section 16 of the principal Act.

8. Section 16 (1) of the principal Act is amended as follows -

- (a) by deleting the expression "in Supply Areas";
- (b) by substituting a colon for the fullstop at the end thereof; and
- (c) by adding immediately below the subsection the following proviso -

" Provided that where the supply of electricity to such person requires an extension or augmentation of the Authority's distribution or transmission system, the Authority may require such person to pay to the Authority all or part of the costs for the work done by the Authority in respect of the extension or augmentation; and

Provided further that where the Authority is satisfied that the supply of electricity through the extension or augmentation cannot be provided or maintained economically, the Authority may require such person to enter into an agreement with the Authority for the

payment of all or part of the costs of the work done by the Authority in maintaining the supply of electricity to such person through the extension or augmentation.”.

9. Section 19 of the principal Act is amended by inserting at the end thereof after the word “another” the expression “and making adequate allowance for any increase or decrease in the cost of replacing any property owned and used by the Authority”.

Amendment of section 19 of the principal Act.

10. Section 22 of the principal Act is repealed and the following substituted therefor -

Replacement of section 22 of the principal Act.

“Rates and scales of charges for energy. 22. The prices to be charged by the Authority for the supply of energy shall be in accordance with such tariffs as may, from time to time, be fixed by the Minister on the recommendation of the Authority.”.

11. Section 23 of the principal Act is repealed and replaced by the following -

Replacement of section 23 of the principal Act.

“Schemes for the benefit of employees. 23. The Authority may establish such schemes as it thinks necessary for the purpose of making payments, loans or advances to its officers or servants as part of their conditions of services: Provided that such payments, loans or advances may be made upon such terms as the Authority may consider reasonable.”.

12. Section 24(1) of the principal Act is amended as follows -

Amendment of section 24 of the principal Act.

- (a) by deleting paragraph (a);
(b) in paragraph (f), by substituting for the expression “and on any loan raised”, the expression “and the principal and interest on any loan raised”; and
(c) by re-lettering paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j), as paragraphs (a), (b), (c), (d), (e), (f), (g), (h), and (i) respectively.

13. Section 31 of the principal Act is amended as follows -

Amendment of section 31 of the principal Act.

- (a) in subsection (1), by deleting the expression “In Supply Areas, no” and substituting therefor the word, “No”;
(b) in subsection (2) -
(i) by substituting for the expression “two hundred” the expression “one thousand”; and
(ii) by substituting for the word “ten” the word “fifty”.

Amendment of
section 32
of the
principal Act.

14. Section 32(1) of the principal Act is amended by deleting the expression "or by-laws".

Amendment of
section 35
of the
principal
Act.

15. Section 35(1) of the principal Act is amended as follows -

(a) in paragraph (b) -

(i) by substituting for the expression "one hundred feet", the expression "fifteen metres";

(ii) by substituting for the semicolon after the word "works" a colon; and

(iii) by adding immediately below that paragraph the following proviso -

" Provided that the Authority or licensee as the case may be, may cut and remove any tree or any part thereof which is within one metre of a conductor without having to consult with the local authority or Town and Country Planning Board";

(b) in the proviso to paragraph (c), by deleting the expression "by the Authority" and substituting therefor the expression "by or at the expense of the Authority or licensee, as the case may be,"; and

(c) in the proviso to paragraph (d), by substituting for the word "three" the word "fourteen".

Amendment
of section 36
of the
principal Act.

16. Section 36 of the principal Act is amended -

(a) by substituting the expression "the Chairman or licensee" for the expression "the Chairman of licensee"; and

(b) by deleting the expression "in Supply Areas,".

Amendment of
section 37
of the
principal Act.

17. Section 37 of the principal Act is amended by deleting the expression "In Supply Areas, the" and substituting therefor the word "The".

Amendment of
section 38
of the
principal
Act.

18. Section 38(1) of the principal Act is amended by deleting the expression "In Supply Areas, the" and substituting therefor the word "The".

Amendment of
section 42
of the
principal Act.

19. Section 42 of the principal Act is amended as follows -

(a) in subsection (1), by deleting the expression "upon giving not less than twenty-four hours written notice thereof, in such form as may be prescribed.";

(b) in subsection (2), by deleting the expression "approval of the Authority endorsed upon the notice referred to in subsection (1)" and substituting therefor the expression

“approval of the Chairman, the General Manager or any member or employee of the Authority duly authorised for that purpose.”;

- (c) in subsection (3), by deleting all the words appearing after the word “reconnected” and substituting therefor the following expression -

“ until, -

- (a) in the case of the Authority, the Chairman or the General Manager or any member or employee of the Authority duly authorised for that purpose; or
 (b) in the case of a licensee, the licensee or his authorised employee,

gives permission for reconnection”;

- (d) in subsection (4), by deleting the proviso thereto; and

- (e) by deleting subsection (5) and replacing it with the following -

“ (5) No liability shall lie upon the Authority or the licensee or any officer, servant or employee of the Authority or licensee for any act done by the Authority or licensee or any of their officers, servants or employees in carrying out the provisions of this section.”.

20. Section 43 of the principal Act is amended as follows -

- (a) in subsection (1), by substituting for the expression “four hundred dollars” the expression “one thousand five hundred dollars”;
- (b) in subsection (2), by substituting for the expression “one hundred dollars” the expression “five hundred dollars”;
- (c) in subsection (3), by substituting for the expression “one hundred dollars” the expression “five hundred dollars”;
- (d) in subsection (4), by substituting for the expressions “two hundred dollars” and “twenty dollars” the expressions “five hundred dollars” and “fifty dollars” respectively;
- (e) in subsection (5), by substituting for the expression “fifty dollars” the expression “two hundred dollars”;
- (f) in subsection (6), by substituting for the expression “fifty dollars” the expression “two hundred dollars”;
- (g) in subsection (7), -
- (i) by deleting the expression “or by-laws” wherever the expression appears in that subsection; and
- (ii) by substituting for the expressions “fifty dollars” and “four dollars” the expressions “two hundred dollars” and “fifteen dollars” respectively; and

Amendment of
 section 43
 of the
 principal
 Act.

- (h) in subsections (8) and (9), by substituting for the expressions "fifty dollars" and "four dollars" the expressions "two hundred dollars" and "fifteen dollars" respectively.

Amendment of section 45 of the principal Act.

21. Section 45 (1) of the principal Act is amended by deleting the expression "In Supply Areas, any" and substituting therefor the word "Any".

Replacement of section 46 of the principal Act.

22. Section 46 of the principal Act is repealed and replaced by the following -

Appointment of inspectors. 46. (1) There shall be a Chief Inspector and such other inspectors as may be necessary for the purposes of giving effect to the provisions of this act.

(2) The Chief Inspector shall be the officer in-charge of electrical engineering within the Authority.

(3) The other inspectors shall, if the persons to be appointed are to be public officers, be appointed in accordance with the Constitution, but otherwise their appointments may be made by the Minister."

Amendment of section 48 of the principal Act.

23. Section 48 of the principal Act is repealed.

Amendment of section 49 of the principal Act.

24. Section 49(1) is amended by substituting -
- (a) the expression "other than" for the word "including"; and
 - (b) the expression "the Chief Inspector" for the expression "an inspector".

Amendment of section 50 of the principal Act.

25. Section 50 of the principal Act is amended by deleting the expression "or by-laws".

Addition of section 55A to the principal Act.

26. The principal Act is amended by adding immediately below section 55 the following -

"Exemption Orders. 55A. The Minister may, on recommendation by the Authority, exempt any installation or class of installation from all or any of the provisions of Part IV and Part VIII of this Act or any regulation made thereunder."

27. Section 56 of the principal Act is amended as follows -

- (a) in subsection (1), -
- (i) by deleting the expression "(1)"; and
 - (ii) by inserting immediately after the word "Minister" the expression "on the recommendation of the Authority,";
 - (iii) by inserting the word "or importation" immediately after the expression "the prohibition of the use" in paragraph (c); and
 - (iv) by deleting paragraph (j) and substituting therefor the following new paragraph -
 - "(j) the form and contents of and the conditions to be prescribed in licences and the conditions for suspension, extension and revocation of licences;".
- (b) in subsection (2), -
- (i) by deleting the expression "(2)" and the words "the Authority may make by-laws not inconsistent with the provisions of this Act -"; and
 - (ii) by substituting for the expressions "(a)", "(b)", "(c)", "(d)", and "(e)" the expressions "(v)", "(w)", "(x)", "(y)" and "(z)" respectively.

Amendment of section 56 of the principal Act.

28. Section 57 of the principal Act is hereby repealed.

Repeal of section 57 of the principal Act.

29. Notwithstanding the amendment of section 56 of the principal Act -

- (a) all regulations made by the Minister under that section; and
- (b) all by-laws made by the Authority under that section, shall continue valid and in force and shall be deemed to be regulations made by the Minister on the recommendation of the Authority under this Act.

Savings.

