



CHAPTER 3.

An Act to authorise the Central Electricity Board to make certain arrangements with authorised undertakers who are the owners of, or control, generating stations which are not selected stations; to authorise the Central Electricity Board to supply electricity directly to railway companies for certain purposes; to amend sections eleven and twelve of the Electricity (Supply) Act, 1926; and for purposes connected with the matters aforesaid. A.D. 1935.

[12th February 1935.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Notwithstanding anything in the Electricity (Supply) Act, 1926, the Central Electricity Board shall have power and shall be deemed always to have had power under that Act by agreement with any authorised undertakers who are the owners of or control a generating station which is not a selected station to enter into arrangements with them for regulating the manner in which and the purposes for which the station is to be operated and maintained or for securing that the station shall cease to be used as a generating station, and

Arrangements between Central Electricity Board and authorised undertakers.
16 & 17 Geo. 5. c. 51.

A.D. 1935. where arrangements are so entered into as aforesaid,
— the arrangements may provide—

- (a) for the supply of electricity—
 - (i) to the Board by the undertakers;
 - (ii) to the undertakers by the Board;
- (b) for the making of payments, of such amounts as may be agreed, to the Board by the undertakers, and to the undertakers by the Board, in respect of the matters provided for by the arrangements;
- (c) for any purposes incidental to the purposes aforesaid:

Provided that after the passing of this Act the Board shall not enter into any such arrangements except with the consent of the Electricity Commissioners, and the Commissioners shall not give their consent unless—

- (a) they are satisfied that the arrangements will not result in a financial loss to the Board; and
- (b) after giving to any authorised undertakers who are under contract to supply electricity to, or to take a supply of electricity from, the owners of the generating station in question, an opportunity of making representations with respect to the matter, they are satisfied that the arrangements will not result in any substantial prejudice to any such authorised undertakers.

(2) So soon as may be after the passing of this Act the Electricity Commissioners shall inquire into the working of any arrangements made before the passing of this Act to which subsection (1) of this section applies, and unless—

- (a) they are satisfied that the continuance of the arrangements will not result in a financial loss to the Board; and
- (b) after giving to any authorised undertakers who are or were when the arrangements were made under contract to supply electricity to or to take a supply of electricity from the owners of the generating station in question an opportunity of making representations with respect to the

matter, they are satisfied that the continuance of the arrangements will not result in any substantial prejudice to any such authorised undertakers;

A.D. 1935.

they shall direct that as from such date as may be specified in the direction the arrangements shall cease to operate and the said arrangements shall cease to operate accordingly, except as respects things done or omitted to be done before the said date.

(3) For the purposes of this section authorised undertakers shall be deemed to control a generating station if, and only if, they have, by agreement with the owners of that station or otherwise, power to regulate the manner in which and the purposes for which the station is to be operated and maintained, or, as the case may be, power to secure that the station shall cease to be used as a generating station.

(4) The provisions set out in the Fourth Schedule to the Electricity (Supply) Act, 1926 (which relates to compensation for deprivation of employment), shall apply and shall be deemed always to have applied in relation to every officer or servant of any authorised undertakers affected by the closing (permanent or temporary), or the imposition of restrictions on the working or use, of a generating station by or under any arrangements to which subsection (1) of this section applies.

(5) A generating station shall not be deemed to be a selected station by reason only that, by virtue of any arrangements to which subsection (1) of this section applies, electricity is generated thereat for the purposes of the Board.

(6) Nothing in this section shall empower the Board to supply electricity directly to any undertakers to whom they would not otherwise be entitled to supply electricity directly.

2.—(1) Notwithstanding anything in section eleven of the Electricity (Supply) Act, 1926, the Central Electricity Board shall have power and shall be deemed always to have had power to supply electricity to authorised undertakers at prices and on conditions other than those specified in the appropriate tariff fixed under that section, in cases where they are satisfied that special

Amendment
of s. 11 of
Electricity
(Supply)
Act, 1926.

A.D. 1935. — circumstances exist and that those undertakers, or other authorised undertakers who are supplied with electricity by those undertakers, will thereby be enabled to supply, to persons whose needs for electricity are of an exceptional nature (not being authorised undertakers), an amount of electricity corresponding to the amount of the electricity so supplied by the Board :

Provided that after the passing of this Act the Board shall not enter into any agreement for the supply as aforesaid of electricity to authorised undertakers at prices or on conditions other than those specified in the appropriate tariff, unless and until the Board have satisfied the Electricity Commissioners that the agreement will not result in a financial loss to the Board :

Provided also that any such agreements which have already been entered into by the Board shall not be extended beyond the original period for which these were made, unless the Electricity Commissioners are satisfied by the Board in accordance with the provisions of this subsection.

(2) So much of any tariff fixed under the said section eleven before the commencement of this Act as purports to reserve to the Board power in special circumstances to supply electricity at prices other than those specified in the tariff shall cease to have effect, but no such tariff shall be deemed to be invalid by reason only that it purported to reserve such a power.

(3) Nothing in this section shall empower the Board to supply electricity directly to any undertakers to whom they would not otherwise be entitled to supply electricity directly.

Amendment
of s. 12 of
Electricity
(Supply)
Act, 1926.

3.—(1) The price to be charged under section twelve of the Electricity (Supply) Act, 1926, by authorised undertakers for electricity supplied to a railway company for haulage or traction purposes shall include —

(a) an amount equal to such proportion of the contributions payable by the undertakers in respect of the expenses of the Electricity Commissioners as is properly attributable to the supply of that electricity to the railway company ; and

- (b) such charges and allowances in respect of any transmission line or part thereof used by the undertakers for the purpose of that supply as would be included if the supply were a supply in bulk to authorised undertakers. A.D. 1935.
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(2) If it is made to appear to the Electricity Commissioners by any authorised undertakers or railway company that it is in the general interest so to do, the Commissioners may direct that the charges and allowances to be included in the price to be charged for electricity under the said section twelve by the undertakers to whom the direction relates shall be computed—

- (a) as if all such electric lines used by the undertakers (for whatever purpose) as are specified in that behalf in the direction were transmission lines; and
(b) except in so far as may be otherwise provided by the direction, as if all those lines were used for all the purposes for which any of them were used;

and, unless and until the direction is revoked by the Commissioners, the said charges and allowances shall be computed accordingly:

Provided that the Commissioners shall not give any such direction as aforesaid without giving to all authorised undertakers and railway companies affected by the direction an opportunity of making representations with respect to the matter.

4.—(1) Subject to the provisions of this section, the Central Electricity Board may supply electricity directly to any railway company upon such terms and at such prices as may be agreed:

Provided that the Central Electricity Board shall not enter into any agreement with a railway company for a supply of electricity to that company under this section, unless and until the Board have satisfied the Electricity Commissioners that the supply of electricity to the company upon the terms and at the prices proposed to be provided for by the agreement will not result in a financial loss to the Board.

(2) Electricity supplied to a railway company under this section may be used for the haulage or traction of

Supply of
electricity
by Central
Electricity
Board to
railway
companies.

A.D. 1935.
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Short title,
citation,
interpreta-
tion and
extent.

5.—(1) This Act may be cited as the Electricity (Supply) Act, 1935, and shall be construed as one with the Electricity (Supply) Acts, 1882 to 1933, and those Acts and this Act may be cited together as the Electricity (Supply) Acts, 1882 to 1935.

(2) Unless the context otherwise requires, expressions to which a meaning is assigned for the purposes of the Electricity (Supply) Act, 1926, have the same meaning for the purposes of this Act.

(3) This Act shall not extend to Northern Ireland.

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