

**CHAPTER c.**

An Act to confer further powers upon the East Anglian Electric Supply Company Limited relative to the supply of electricity in Norfolk and Suffolk and for other purposes. A.D. 1927.

[29th July 1927.]

WHEREAS the East Anglian Electric Supply Company Limited (in this Act referred to as "the Company") were established under the Companies Acts 1908 to 1917 and are supplying electricity in various parts of the counties of Essex Norfolk and Suffolk :

And whereas by the East Anglian Electricity Special Order 1926 the Company were empowered to supply electricity for all public and private purposes within the area described in the first schedule to that Order comprising parts of the counties of Essex and Suffolk :

And whereas it is expedient that the powers contained in this Act with respect to the supply of electricity in the counties of Norfolk and Suffolk should be conferred upon the Company and that the other provisions contained in this Act should be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and 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

A.D. 1927. Parliament assembled and by the authority of the same as follows:—

Short title. 1. This Act may be cited as the East Anglian Electricity Act 1927.

Application of Electricity (Supply) Acts. 2. This Act shall be deemed a special Act within the meaning of the Electricity (Supply) Acts 1882 to 1926 and the Electric Lighting (Clauses) Act 1899 but sections 2 and 3 of the Electric Lighting Act 1888 shall not apply to the undertaking authorised by this Act or to the Company in respect thereof.

Incorporation of Acts. 3. The following Acts and parts of Acts so far as the same are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Act are incorporated with and form part of this Act (that is to say):—

(1) The Lands Clauses Acts (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement);

(2) The provisions of the schedule to the Electric Lighting (Clauses) Act 1899 as amended by subsequent Acts except the following provisions (that is to say):—

Section 2 (2) sections 3 to 5 7 to 9 21 to 29 section 30 (so far as regards a supply to authorised undertakers) and sections 31 to 37 41 to 60 63 to 68 subsection (3) of section 69 sections 75 78 81 83 and 84 which provisions shall not apply to the undertaking authorised by this Act or to the Company in respect thereof.

Interpretation. 4. In this Act the several words terms and expressions to which by the principal Acts or the Acts wholly or partially incorporated herewith meanings are assigned shall have the same respective meanings unless varied by this Act or unless there be something in the subject or context repugnant to that construction And—

“The Company” means the East Anglian Electric Supply Company Limited who shall for the purposes of this Act be the undertakers within the meaning of the principal Acts;

“ The area of supply ” means the counties of Norfolk and Suffolk; A.D. 1927.

“ The principal Acts ” means the Electricity (Supply) Acts 1882 to 1926 and the schedule to the Electric Lighting (Clauses) Act 1899 as varied by this Act;

“ The Minister ” means the Minister of Transport;

“ The Commissioners ” means the Electricity Commissioners;

“ Authorised distributors ” means any local authority company body or person authorised by Act of Parliament licence Provisional Order confirmed by Parliament or Special Order to supply electricity within any part of the area of supply;

“ Authorised undertakers ” means authorised distributors and any authority authorised by any Act of Parliament licence Provisional Order confirmed by Parliament or Special Order to undertake or contract for the lighting of streets bridges or public places within any part of the area of supply;

“ A supply of electricity for power ” means and includes a supply of electricity for any purpose other than a supply in bulk and a supply for lighting or general domestic purposes (including office purposes).

5.—(1) The area within which the Company may supply electricity under the powers of this Act which shall be the area of supply for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the counties of Norfolk and Suffolk and within that area the Company subject to the provisions of this Act may supply electricity for all public and private purposes and may supply electricity in bulk to authorised undertakers. Area of supply.

(2) As soon as practicable after the passing of this Act the Company shall deposit with the Commissioners a map of the area of supply.

6.—(1) The Company shall not either directly or indirectly supply electricity under the powers of this Act within or for use in any place which at the date of the passing of this Act shall be within the area of supply of any authorised distributors without the consent in writing of such distributors. Limitation on powers.

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(2) For the purposes of this section any area of supply (other than a district in which the Company were supplying electricity before the first day of May nineteen hundred and twenty-seven) which shall be granted to any authorised distributors in pursuance of an application made before the passing of this Act shall as from the date upon which it becomes the area of such authorised distributors be deemed to have been granted at the date of the passing of this Act.

(3) Provided that nothing in this section shall prevent the Company affording—

- (a) a supply of electricity in bulk to any authorised distributors by agreement with such distributors;
- (b) at any point outside the area of supply of any authorised distributors a supply of electricity to the owners or lessees of a railway tramway or canal undertaking for the purpose of haulage or traction or for lighting vehicles or vessels used on any part of the railway tramway or canal; or
- (c) any supply of electricity which the Company may be authorised to supply under section 47 of the Electricity (Supply) Act 1926.

As to route.

7.—(1) Subject to the provisions of this Act any electric lines laid down or placed in or along any street or public bridge by the Company under this Act shall be laid down or placed in such line or route and in such manner as may be agreed between the Company and the local authority or as failing agreement shall be settled by arbitration and the Company shall show on the plan of the works to be served on such local authority in accordance with the provisions of the Electric Lighting (Clauses) Act 1899 incorporated with this Act the route proposed to be taken and the manner in which the electric lines are to be laid or placed:

Provided that where the local authority objects to any proposed line or route on the ground that it would traverse a principal thoroughfare or busy street or is otherwise inconvenient and indicates an alternative route or deviation within the district of the local authority which the Company are willing to adopt or which is reasonably practicable and does not involve undue increase of expenditure such alternative route or deviation shall be adopted.

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(2) The reasonable and proper costs charges and expenses incurred by any local authority in relation to any reference to arbitration under this section shall in any case in which the arbitrator shall certify that the action of the local authority in the matter has not been unreasonable be paid by the Company.

(3) Nothing in this section shall take away or prejudicially affect the rights of the Postmaster-General or the local authority under section 14 of the schedule to the Electric Lighting (Clauses) Act 1899.

(4) In the application of this section to a street or a public bridge not within a county borough which is repairable by the county council a reference to the county council shall be substituted for a reference to the local authority.

8. The Company shall not lay down or construct any electric line or other works in any place referred to in subsection (1) of the section of this Act of which the marginal note is "Limitation on powers" except along such route as the authorised distributors for the area of supply comprising such place may approve but such approval shall not be unreasonably withheld and if any question shall arise as to whether such approval is unreasonably withheld such question shall be referred to and determined by arbitration.

As to works
in other
undertakers'
areas.

9.—(1) The Company may (subject to the provisions of the section of this Act of which the marginal note is "Limitation on powers") upon the application of the owner or occupier of any premises within the area of supply abutting on or being erected in any street laid out but not dedicated to public use or if so dedicated not repairable by the inhabitants at large supply such premises with electricity and may erect and lay down take up alter re-lay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the provisions of the principal Acts so far as they are applicable for the purposes of this section shall extend and apply to and for such purposes and to any works constructed or executed by the Company under the powers of this section.

Laying
mains &c.
in private
streets.

(2) The Company shall not exercise their powers under this section with respect to any street or road

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belonging to a railway company or forming the approach to any station or depôt of such railway company except with the consent of such railway company which consent shall not be unreasonably withheld and in carrying out any works authorised by this section the Company shall not unreasonably obstruct or interfere with the convenient access to any such street or road.

(3) Before the Company break up any street (other than a street or road belonging to a railway company) under the powers of this section the Company shall (except in cases of emergency) give twenty-one clear days' notice to the local authority of the district in which the street is situate of their intention so to do and the Company shall in carrying out any works in such street and in reinstating the same conform to all reasonable requirements made by the local authority. Any difference arising between the Company and the local authority under this subsection shall be settled by arbitration.

As to rail-
ways and
tramways.

10. The provisions of section 13 of the Electric Lighting Act 1882 and of section 12 of the schedule to the Electric Lighting (Clauses) Act 1899 shall apply to tramways or railways within the area of supply as if the Company were specially authorised to break up or interfere with the same by special powers inserted in this Act.

Supply to
authorised
undertakers.

11.—(1) The Company shall upon being required to do so by any authorised undertakers give and continue to give at such point or points within the area of supply as the authorised undertakers may reasonably require a supply of electricity in bulk at rates not exceeding those stated in Section I of the schedule to this Act and shall furnish and lay such electric lines as may be necessary for the purpose of supplying to such authorised undertakers at such point or points the maximum power with which such authorised undertakers may be entitled to be supplied under this Act subject to the conditions following (that is to say):—

Any such authorised undertakers requiring a supply of electricity shall—

(a) serve a notice upon the Company specifying the point or points at which such electricity is required to be supplied and the maximum power

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—

required to be supplied and the day upon which such supply is required to commence (not being an earlier day than a reasonable time after the date of the service of such notice having regard to the situation of the point or points at which such supply is required to be given and to the length of electric line required to be laid and plant required to be provided for affording such supply); and

- (b) enter into a written contract with the Company (if required by them so to do) to receive and to continue to receive and pay for a supply of electricity for a period of at least seven years of such an amount that the payment to be made for the same shall not be less than twenty per centum per annum on the outlay incurred by the Company in making provision for such supply.

(2) Provided that any authorised undertakers so requiring a supply of electricity shall give to the Company (if required by them so to do) security for the payment of all moneys which may become due to the Company under such contract.

(3) Provided further that the Company shall grant to any authorised undertakers as favourable terms and conditions for the supply of electricity as those granted by the Company to any other authorised undertakers whose circumstances are similar.

(4) Any difference which arises under this section shall be determined by arbitration.

12. The Company shall (subject to the provisions of the section of this Act of which the marginal note is "Limitation on powers") give a supply of electricity for power to any person within the area of supply (except authorised undertakers or any company body or person owning or working an undertaking being a railway light railway tramway tramroad waterworks harbour dock canal or navigation) upon that person entering into a binding contract to receive and to continue to receive and pay for a supply of electricity upon such terms and conditions as failing agreement shall be fixed by the Commissioners and in fixing such terms and conditions (including a minimum annual sum to be paid to the

Supply to
other than
authorised
undertakers.

A.D. 1927. Company) the Commissioners shall have regard to the following amongst other considerations:—

- (1) The period for which the person to whom the supply is to be given is prepared to bind himself to take such electricity:
- (2) The amount of electricity and the maximum power required:
- (3) The hours during which the Company can be called upon to give the supply:
- (4) The capital expenditure in connection with the supply:
- (5) How far capital expended in connection with the supply may become unproductive to the Company upon the discontinuance of the supply:

Provided that any person so requiring a supply of electricity shall give to the Company (if required by them so to do) security for the payment of all moneys which may become due to the Company under such contract.

Limitation
of demand
for maxi-
mum power.

13.—(1) The maximum power with which any authorised undertakers company body or person shall be entitled to be supplied shall be of such amount as they or he may require to be supplied with not exceeding what may be reasonably anticipated as their or his maximum consumption.

(2) Any difference which arises between any such undertakers company body or person and the Company as to what may be reasonably anticipated as their or his maximum consumption shall be determined by arbitration.

Stated
price.

14.—(1) Subject to the provisions of this Act the rates to be charged by the Company for electricity supplied by them under the powers of this Act shall not exceed those respectively stated in that behalf in the schedule to this Act:

Provided that—

- (a) any consumer taking a supply for lighting or general domestic purposes (including office purposes) and not being a consumer taking a supply of electricity in bulk or for power shall be entitled to be charged according to such one of the methods of charge referred to in Section II of the said schedule as he may elect;

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(b) Any such consumer who has elected to be or is being charged according to one of the said methods of charge and who desires to be charged according to another of such methods shall not be entitled to be so charged unless he shall have intimated such desire to the Company by not less than three months' notice in writing expiring at the end of one of the quarters mentioned in paragraph 2 of the said Section II.

(2) Nothing in this Act or in the principal Acts shall prevent the Company from making any agreements as provided by this Act and at such prices and on such terms and conditions as may be agreed.

15. If electricity supplied by the Company to any consumer (other than authorised distributors) is used partly for the purposes mentioned in Section II of the schedule to this Act or any of them and partly for other purposes the Company may require that the electricity used for such first-mentioned purposes or any of them shall be measured by a separate meter and paid for as electricity to which the said Section II applies.

Separate
meters in
certain
cases.

16.—(1) The local authority of any district within the area of supply or any authorised undertakers supplied by the Company or such number of consumers in any such district not being less than twenty as the Minister considers sufficient having regard to the population of the district or the Company may at any time after the expiration of three years after the passing of this Act make a representation to the Minister that the rates or methods of charge for a supply of electricity authorised by this Act ought to be altered as regards such district or undertakers and on any such representation being made the Minister after such inquiry as he may think fit may make an order varying such rates or methods of charge or substituting other rates or methods of charge and the rates or methods of charge so varied or substituted shall as regards such district or undertakers have effect on and after such day as may be mentioned in the order as if they had been stated in this Act.

Revision
of prices.

(2) The rates and methods of charge for the time being in force may be altered in like manner at any time after the expiration of any or every period of three years after they were last altered.

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(3) Provided that the rates and methods of charge for a supply of electricity for lighting and general domestic purposes within the area specified in any order made by the Commissioners under subsection (3) of the section of this Act of which the marginal note is "Proposals for development of supply" shall not be altered under this section before the expiration of three years from the date prescribed by the Commissioners in the order.

Liability
for failure
to supply.

17. Whenever the Company make default in supplying electricity to any authorised undertakers to whom they may be and are required to supply electricity in accordance with the provisions of this Act they shall be liable to such undertakers in the same penalties as those for which such undertakers under the provisions of their Acts or Orders are liable and the amount of any penalty to be paid by the Company in the case of any such default shall not exceed the amount of any statutory penalties which have been found due and paid by such undertakers in consequence of such default and such undertakers shall have no claim against the Company in the event of the default of the Company arising by reason of accidents which could not have been avoided by reasonable foresight or care or owing to fire flood storm tempest breakdown of machinery or other casualty or force majeure or labour disputes whether between employers and workmen or otherwise or in respect of any default of so slight or unimportant a character as not materially to affect the value of the supply or any other cause for which the Company cannot reasonably be held to be responsible.

Notice of
discontinu-
ance of
supply.

18.—(1) Any authorised undertakers company body or person supplied with electricity by the Company under this Act who desire or desires that the Company shall cease to give to them or him such supply shall in the case of a supply for lighting or general domestic purposes (including office purposes) give to the Company one month's notice in writing expiring on one of the usual quarter days and in all other cases shall give to the Company twelve months' notice in writing so expiring to cease giving such supply. Such notice shall not be given so as to expire before the end of the period for which the authorised undertakers company body or person giving the notice have contracted to receive and pay for such supply.

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(2) No such notice shall be of any effect unless it be in writing signed by or on behalf of the consumer and left with or sent by post to the Company. Notice of the effect of this subsection shall be endorsed upon any demand note of the Company for charges for electricity.

19. If any authorised undertakers company body or person uses or deals with the electricity supplied to them or him by the Company in such manner as to interfere unduly or improperly with the efficient supply of electricity to any other authorised undertakers company body or person by the Company the Company may if they think fit cease to supply electricity to the first-mentioned authorised undertakers company body or person.

For prevention of improper use.

20. The Company on the one hand and any authorised undertakers or any company body or person to whom the Company are entitled to give a supply of electricity on the other hand may enter into and carry into effect agreements and arrangements for and with respect to the construction laying down maintenance or repair by any such undertakers company body or person on behalf of the Company or by the Company on behalf of any such undertakers company body or person of electric lines or other works or apparatus connected therewith for the supply or use of electricity or the exercise by either party to any such agreement or arrangement of any powers of the other of them in reference to the matters aforesaid :

Agreements for exercise of works &c.

Provided that the execution or exercise of any such works or powers shall be subject to any statutory provisions or regulations which would have related to the execution or exercise thereof by such undertakers company body or person or by the Company as the case may be.

21. Notwithstanding anything contained in the principal Acts or this Act the Company on the one hand and any authority company body or person to whom the Company are under this Act authorised to supply electricity on the other hand may enter into and carry into effect vary and rescind contracts or agreements for or with respect to the supply of electricity by the Company to such authority company or person and at such price

Agreements for supply of electricity.

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Provided that—

(1) The Company shall not in making any such contract or agreement show any undue preference to any such authority company body or person;

(2) In its application to an agreement for the supply of electricity to authorised distributors to which section 12 (Price of indirect supply in bulk) of the Electricity (Supply) Act 1926 applies the provisions of this section shall be subject to the provisions of the said section 12.

Supply of
electricity
by agree-
ment.

22. A consumer (other than any authorised undertakers) supplied with electricity by the Company under the terms of any agreement shall be deemed to be a person to whom the Company may be and are required to supply electricity within the meaning of section 30 of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Company under such agreement unless the provisions of that section are expressly excluded from application in the agreement and if the Company fail to supply electricity to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Company.

Agreements
with
Government
depart-
ments and
others.

23. Subject to the provisions of this Act the Company on the one hand and any Government department or person interested in any river stream canal or navigation within the area of supply or any of them on the other hand may from time to time enter into and carry into effect contracts agreements and arrangements for and with respect to the construction laying down alteration maintenance repair and use of electric lines pipes works appliances and apparatus for the purposes of this Act on the bed banks and foreshore of any such river stream canal or navigation.

Agreements
with railway
companies
for works.

24. The Company on the one hand and any railway company whose railway or any part thereof is situate within the area of supply on the other hand may enter into and carry into effect agreements for and in relation

to the construction laying down alteration maintenance repair and use elsewhere than in the county of Essex of works and electric lines for the purposes of this Act upon across or affecting railways bridges or other property of any such railway company.

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25. Section 22 subsections (4) and (5) of the Electricity (Supply) Act 1919 shall so far as applicable extend and apply to any works executed under any contract agreement or arrangement made in pursuance of the last two preceding sections of this Act.

For protection of Postmaster-General.

26.—(1) The Company shall cause a map to be made showing the line and depth below the surface of the ground of all electric lines laid down under the powers of this Act and shall once in every year cause such map to be duly corrected so as to show the then existing lines. The Company shall also if so required by the Commissioners or the Postmaster-General cause to be made sections showing the level of all such electric lines. The said map and sections shall be made on such scale or scales as the Commissioners shall prescribe.

Map of electric lines.

(2) Every map and section so made or corrected or a copy thereof marked with the date when it was so made or last corrected shall be kept by the Company at their principal office and shall at all reasonable times be open to the inspection of all applicants and such applicants may take copies of the same or any part thereof. The Company may demand and take from every such applicant as aforesaid such fee not exceeding one shilling for each inspection of such map section or copy and such further fee as they may prescribe not exceeding five shillings for each copy of the same or of any part thereof taken by such applicant.

(3) The Company shall if so required by the Commissioners or the Postmaster-General or by the county council or local authority supply to them or him a copy of such map or section or if the request is from a county council or local authority a copy of so much thereof as relates to the county or district of such council or authority and when so required cause such copy to be duly corrected so as to agree with the original or originals thereof as kept for the time being at the office of the Company.

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(4) If the Company fail to comply with any of the requirements of this section with respect to maps and sections they shall for every such offence be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding two pounds for each day on which such offence is continued after conviction therefor.

Supply in
specified
areas.

27.—(1) The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 except sections 81 83 and 84 shall be incorporated with and form part of this Act in its application to the areas mentioned in subsection (2) of this section and for the purposes of such incorporation “the area of supply” means each of those areas.

(2) The areas hereinbefore referred to are the urban district of Diss in the county of Norfolk and the borough of Beccles the urban district of Stowmarket the rural districts of East Stow and Bosmere and Claydon and the parish of Framlingham in the rural district of Plomesgate in the county of East Suffolk.

(3) Any distributing mains laid down by the Company in the areas mentioned in subsection (2) of this section before the passing of this Act shall for the purposes of the Electric Lighting (Clauses) Act 1899 be deemed to have been laid down in pursuance of that Act.

(4) The provisions of the sections of this Act of which the marginal notes respectively are “Limitation of demand for maximum power” and “Inspectors” shall not apply to a supply of electricity in the areas mentioned in subsection (2) of this section or to any mains used exclusively for the purpose of giving such a supply.

Proposals
for develop-
ment of
supply.

28.—(1) The Company may at any time and shall within one year from the passing of this Act and at such other times at intervals of not less than three years as they may be required to do so by the Commissioners submit to the Commissioners proposals for the development of the supply of electricity for lighting and general domestic purposes (including office purposes) in those parts of the area of supply where—

(a) there is a demand for a supply of electricity for those purposes; and

(b) there is a prospect of such a supply being made remunerative in a reasonable time; and A.D. 1927.

(c) there are no other authorised distributors empowered to provide a supply for those purposes.

(2) The Company shall when submitting any proposals to the Commissioners under subsection (1) of this section serve a copy thereof on every local authority whose district or any part of whose district is situate in the area to which the proposals relate and any such local authority shall be entitled to make to the Commissioners representations on the proposals within thirty days from such service.

(3) Any proposals submitted by the Company under subsection (1) of this section shall be subject to such modifications or additions as the Commissioners may require and after considering such proposals and any representations of any such local authority the Commissioners may by order declare that the area specified in the order (being an area which in the opinion of the Commissioners complies with the conditions (a) and (b) mentioned in subsection (1) of this section) shall be an area in which the Company shall within two years from the date prescribed by the order lay down distributing mains in the streets specified therein and be subject to all the obligations of the schedule to the Electric Lighting (Clauses) Act 1899 except sections 4 (3) 23 31 to 33 63 to 68 78 83 and 84 of that schedule and the provisions of the said schedule (except as aforesaid) shall be deemed to be incorporated with and form part of the order as if the order were a Special Order made under section 26 of the Electricity (Supply) Act 1919.

For the purposes of such incorporation the following expressions where used in the said provisions shall have the following respective meanings (namely):—

“ the undertakers ” shall mean the Company;

“ the Special Order ” shall mean the said order of the Commissioners;

“ the area of supply ” shall mean the area named in the order;

“ the commencement of the Special Order ” shall mean such date as may be prescribed by the Commissioners in the order;

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“general supply” shall mean a general supply for lighting and general domestic purposes (including office purposes);

“a supply of energy” and any like expression shall mean a supply of electricity for lighting and general domestic purposes (including office purposes).

(4) The provisions of the sections of this Act of which the marginal notes respectively are “Limitation of demand for maximum power” and “Inspectors” shall not apply to a supply of electricity for lighting and general domestic purposes (including office purposes) in the area specified in any order made by the Commissioners under subsection (3) of this section or to any mains used exclusively for the purposes of giving such a supply.

(5) If the Company make default in laying down any distributing mains in accordance with the provisions of any order made by the Commissioners under subsection (3) of this section they shall be liable for each default to a penalty not exceeding five pounds for each day during which the default continues and if the Minister is of opinion in any case that the default is wilful and unreasonably prolonged he may after considering any representations of the local authority concerned revoke the powers of the Company to supply electricity for lighting and general domestic purposes (including office purposes) in the area specified in the order or any part thereof.

(6) When submitting to the Commissioners proposals in accordance with subsection (1) of this section within one year from the passing of this Act the Company shall also submit to the Commissioners—

(a) a general statement of the further proposals to be submitted by them in pursuance of this section for the development of the supply of electricity in those parts of the area of supply in which the Company are empowered to distribute electricity; and

(b) a scheme for the laying down of transmission lines in the area of supply.

The Company shall when submitting any scheme to the Commissioners under paragraph (b) of this

subsection serve a copy thereof on the corporations of Norwich Ipswich Great Yarmouth and King's Lynn and such corporations shall be entitled to make to the Commissioners representations on the scheme within thirty days from such service.

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(7) The proposals to be submitted in pursuance of this section shall be so framed as to provide to the satisfaction of the Commissioners for an adequate supply of electricity being furnished within a reasonable time in those parts of the area of supply within which the Company are empowered to distribute electricity and the scheme to be submitted in pursuance of this section shall be so framed as to provide to the satisfaction of the Commissioners for transmission lines to be laid down throughout the area of supply as defined in section 5 of this Act and the said proposals and scheme shall be on such a scale that the estimated cost of carrying them into effect will be not less than five hundred thousand pounds.

(8) When the said scheme has been approved by the Commissioners with or without modification it shall be the duty of the Company to carry the same into effect within such reasonable time as may be determined by the Commissioners.

29. The Company on the one hand and any local authority company body or person authorised to supply electricity within the area of supply for the time being of the Company or within any area adjoining the area of supply for the time being of the Company on the other hand may enter into and carry into effect agreements for the supply of electricity in bulk by or to the Company to or by such authority company body or person and the provisions of the respective Acts and orders under which such authority company body or person may be empowered to supply electricity shall so far as applicable have effect within the area of supply of such authority company body or person for the purposes of a supply to be afforded under this section :

Bulk
supplies.

Provided that except with the approval of the Commissioners (which approval the Commissioners are hereby authorised to give) no agreement shall be entered into under this section—

(a) with any authority company body or person not authorised to supply electricity within the

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area of supply for the time being of the Company; or

- (b) with any authority company body or person authorised to supply electricity within the area of supply for the time being of the Company if the agreement is for the supply of electricity in bulk to the Company for a period exceeding seven years.

For pro-
tection of
County of
London
Electric
Supply
Company
Limited.

30. If the Bill promoted by the County of London Electric Supply Company Limited (in this section referred to as "the county company") in the present session of Parliament under the title of the County of London Electric Supply Company Bill shall become an Act (in this section referred to as "the county company's Act") the following provisions shall have effect (that is to say):—

- (1) Notwithstanding anything contained in this Act—

(a) the Company shall not under the powers of the last preceding section of this Act supply electricity in bulk or otherwise; and

(b) electricity supplied by the Company under the powers of this Act whether in bulk or otherwise shall not be used

within or for use within any part of the county of Essex except with the consent in writing of the county company. Provided that nothing in this section shall prevent the Company affording at any point outside the county of Essex a supply of electricity to the owners or lessees of a railway tramway or canal undertaking for the purpose of haulage or traction or for lighting vehicles or vessels used on any part of the railway tramway or canal:

- (2) The provisions of this section shall cease to have effect in any part of the county of Essex in which the powers of the county company under the county company's Act have ceased to be exerciseable by virtue of an order made by the Minister under the provisions of subsection (3) of the section of the county company's Act of which the marginal note is

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- (3) Nothing in this section shall prejudice or affect the exercise by the Central Electricity Board of any powers which that Board could have exercised under the provisions of the Electricity (Supply) Act 1926 if this section had not been enacted.

31.—(1) Any person who shall hinder an officer appointed by the Company from entering any premises in pursuance of section 24 (Power to enter lands or premises for ascertaining quantities of electricity consumed or to remove fittings) of the Electric Lighting Act 1882 or of that section as extended by section 16 of the Electric Lighting Act 1909 or from exercising the powers contained in those sections shall be liable to a penalty not exceeding forty shillings. Entry upon premises.

(2) Where any premises which the Company or their officers are entitled to enter in pursuance of the said sections or either of them are unoccupied the Company or their officers may after giving not less than forty-eight hours' notice to the owner thereof or if he or his address is unknown to the Company and cannot be ascertained after diligent inquiry after affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

32.—(1) The Minister on the application of any authorised undertakers or persons supplied with electricity by the Company under the powers of this Act may appoint and keep appointed one or more competent and impartial person or persons to be electrical inspectors under this Act and the Minister may prescribe the fees to be taken by any such inspector and the mode of application thereof and those fees shall be accounted for and applied as may be directed by the Minister. Inspectors.

(2) The Company shall whenever reasonably required by any local authority through whose district any trunk main is laid test and furnish a record of the testing of any main of the Company passing through their district or if necessary that portion of the main within their district and if the Company fail to comply with the provisions of this subsection any such local authority may apply to the Minister to appoint an inspector for

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the purpose of testing such main and the foregoing provisions of this section shall apply to the appointment of such inspector and the Company shall pay the cost of such testing.

Transfer of undertakings of local authorities and others to Company.

33.—(1) The Company may by agreement (but not otherwise) acquire from any authorised distributors to whom a Provisional Order or a Special or other Order under the principal Acts or any of those Acts shall have been or may be granted relating to a district or place within or partly within or adjoining the area of supply or any area of supply in which the Company are giving or are authorised to give a supply of electricity the undertaking authorised by such Order and the powers rights authorities and privileges of the undertakers thereunder and the undertakers under any such Order which shall have been made or confirmed prior to the passing of this Act may with the approval of the Commissioners by deed approved by the Commissioners (which approval the Commissioners are hereby authorised to give) transfer such undertaking powers rights authorities and privileges to the Company subject to such exceptions and modifications (if any) and on such terms and conditions as may be specified in the deed and in the event of the Company so acquiring any such undertaking they shall subject to such modifications and exceptions as aforesaid be deemed to be the undertakers for all the purposes of the Provisional Order or Special or other Order the powers of which are so transferred Provided that—

- (a) This section shall not apply to any undertaking or to any part of an undertaking situate in the county of Essex;
- (b) In the case of any such Provisional Order granted prior to the year nineteen hundred the provisions of the schedule to the Electric Lighting (Clauses) Act 1899 shall from and after such transfer be deemed to have been incorporated with such Order and shall control and supersede such of the provisions of that Order as are at variance or inconsistent therewith;
- (c) In the event of any such undertaking being acquired by the Company under this section the provisions of the principal Acts shall subject to any modification of those Acts made by any

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—

such Order apply to that undertaking and when the undertakers are a local authority such undertaking shall be deemed to be subject to the provisions of section 2 of the Electric Lighting Act 1888 :

Provided that the periods at which the local authority may under the provisions of the said section re-purchase or purchase such undertaking or so much thereof as is within their jurisdiction shall be reckoned from the date of the acquisition thereof by the Company ;

- (d) None of the provisions of any such Order or of the principal Acts shall extend to authorise the purchase or re-purchase by any local authority of any generating station or other works of the Company which are not exclusively used or required for the purposes of supplying electricity under such Order within the area defined by such Order ;
- (e) The powers conferred by this section may be exercised in respect of part only of any such undertaking or part only of any such powers rights authorities and privileges as aforesaid.

(2) The consideration payable by the Company in respect of the transfer to them of any such undertaking powers rights authorities and privileges or part thereof may if the undertakers transferring the same and the Company so agree be discharged wholly or in part by the allotment to such undertakers of fully paid-up shares or stock of the Company or of debentures or debenture stock and all shares or stock issued for the purposes of this section shall for all purposes be deemed to be fully paid-up and any such undertakers may accept hold and dispose of such shares stock debentures or debenture stock.

(3) References in this section to a Provisional Order or a Special Order shall be deemed to include references to any Act or Acts of Parliament relating to the undertaking or powers rights authorities and privileges to be transferred.

(4) Any capital moneys received by any local authority in respect of any transfer under this section shall be applied by such authority in manner provided

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by subsection (2) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899.

As to
supplies by
Central
Electricity
Board.

34. Notwithstanding anything contained in this Act or the Electricity (Supply) Acts 1882 to 1926 the Central Electricity Board may supply electricity directly to any authorised undertakers.

Com-
missioners
may make
Special
Orders pro-
viding for
relation
between
charges and
dividends.

35. The Commissioners may at any time after the expiration of seven years from the date of the passing of this Act by a Special Order under section 26 of the Electricity (Supply) Act 1919 make provision as to the relation between the charges to be made by the Company for electricity supplied under this Act and the divisible profits on the capital of the Company and subsection (1) of section 32 of the Electricity (Supply) Act 1926 shall accordingly apply and have effect as if the Company were a company with respect to which the Commissioners are by that subsection empowered to make a Special Order.

Cesser of
powers.

36. The Minister may at any time after the expiration of two years from the passing of this Act by order direct that all or any of the powers of the Company under this Act shall cease as regards any part of the area of supply in which the Company shall not at the date of such order be affording or be prepared to afford an adequate supply of electricity for all purposes to the satisfaction of the Minister and on any such order being made such powers shall cease accordingly.

For pro-
tection of
applicants
for future
Special
Orders.

37.—(1) If—

(a) any local authority company or person shall at any time after the expiration of one year from the passing of this Act apply for a Special Order under the principal Acts to authorise them to supply electricity within any area situate in the area of supply (except the areas mentioned in the section of this Act whereof the marginal note is "Supply in specified areas") or to extend the limits of such applicants for the supply of electricity so as to include any area in the area of supply (except as aforesaid); and

- (b) the applicants are the local authority or a combination of the local authorities for the area or the application is made with the consent of the local authority or local authorities for the area; and
- (c) the Company are not at the date of the application under obligation to carry into effect proposals approved by the Commissioners under the section of this Act whereof the marginal note is "Proposals for development of supply" for the development of the supply of electricity in the area;

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the Company shall not be entitled to oppose the application except so far as may be necessary in order to secure the insertion in the Special Order of clauses or amendments for the protection of their electric lines and works in the area and with respect to the inclusion of provisions as to the taking over by the applicants of any electric lines and works of the Company in such area of supply or extended area of supply described in such Order (both of which are hereinafter in this section included in the expression "the distributors' area").

(2) Provisions may be made in any such Special Order as regards such taking over by the applicants of any such electric lines or works and as to the terms on which the same are to be taken over and the Company shall be subject to any such provisions. Such provisions shall not include the payment by the distributors of any sum in respect of compulsory purchase or of goodwill.

(3) Except so far as the Special Order may otherwise direct as from the taking over of such electric lines and works (if any) or if there be no such electric lines or works to be taken over then as from the coming into operation of the Special Order all powers of the Company to supply electricity in the applicants' area shall cease save as regards the powers of the Company to give such supplies as are specified in paragraphs (a) (b) and (c) of the proviso to the section of this Act of which the marginal note is "Limitation on powers."

(4) Nothing in this Act shall be deemed to authorise the Company to oppose any application which may be made by any authorised undertakers for any Pro-

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visional Special or other Order or any consent of any department or authority authorising or permitting such undertakers to break up streets or place and maintain electric lines and works in streets or to place electric lines above ground for the purpose of conveying electricity from one part of the area of supply of such undertakers to any other part thereof or for the purpose of enabling such undertakers to give a supply of electricity to or to receive a supply of electricity from any other authorised undertakers except so far as may be necessary in order to secure clauses or amendments in any such Order for the protection of works of the Company.

As to purchase of undertaking.

38. For the purposes of section 39 of the Electricity (Supply) Act 1926 this Act shall be deemed to be a Special Order made after the commencement of that Act and the times at which the purchasing authority under that section may give such notices as are referred to in paragraph (a) of subsection (1) of the said section shall be within six months after the expiration of a period of fifty years from the date of the passing of this Act and within six months after the expiration of every subsequent period of ten years.

For protection of Felixstowe Urban District Council.

39. For the protection of the Felixstowe Urban District Council (in this section called "the council") the following provision shall notwithstanding anything contained in this Act and unless otherwise agreed between the council and the Company apply and have effect (that is to say) :—

The Company shall not under the powers of this Act either directly or indirectly supply electricity within or for use within any part of the area comprised within the circumference of a circle having a radius of six miles and drawn from the town hall of the council in Undercliff Road Felixstowe.

For protection of London and Home Counties Joint Electricity Authority.

40. Nothing in this Act shall authorise the Company except with the consent of the London and Home Counties Joint Electricity Authority to supply electricity in bulk to any authorised undertakers whose areas of supply are situate in the electricity district of that authority and to whom the authority are authorised to supply electricity.

41. Unless and except so far as may be otherwise agreed between any county council (in this section referred to as "the county council") and the Company the following provisions shall have effect (that is to say) :—

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Protection
of county
bridges.

- (a) Nothing in this Act shall in any way limit or affect the powers of the county council to rebuild alter widen or repair the structure of any bridge upon which any work by this Act authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of this Act :
- (b) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking by this Act authorised they shall prior to the commencement of such works give the Company one month's notice in writing of their intention to carry out such works and if in order to avoid interruption to the supply by the Company of electrical energy it is in the opinion of the county council necessary temporarily to remove the mains and other electrical appliances belonging to the Company from such bridge then the Company shall (and they are hereby authorised so to do) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereon in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council :
- (c) When the rebuilding altering widening or repairing of such bridge shall have been completed the Company shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out :
- (d) If any dispute arises between the county council and the Company with regard to this section the same shall be determined by arbitration.

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Application
of section 15
of Elec-
tricity
(Supply)
Act 1926.

42. Nothing in this Act shall prejudice or affect any right or interest of any officer or servant of any authorised undertakers under the provisions of section 15 of the Electricity (Supply) Act 1926 and the enactments and schedule therein referred to and the said provisions shall extend and apply to any officer or servant of any authorised undertakers affected by the closing (permanent or temporary) or alteration in the working or use of a generating station under or in consequence of any contract or agreement entered into by the Company under the provisions of this Act with any authority company or person and the provisions of the said section 15 and the enactments and schedule therein referred to shall apply and have effect as if such closing took place under or in consequence of the said Act of 1926 and such alteration were a restriction imposed by or under a scheme under that Act.

Works
below high-
water mark
not to be
constructed
without
consent of
Board of
Trade.

43. The Company shall not under the powers of this Act construct on over or under the shore or bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of in writing under hand as last aforesaid and where any such work may have been constructed the Company shall not at any time alter or extend the same without obtaining previously to making any alteration or extension the like consent or approval. If any work be commenced altered extended or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown and shall be recoverable as a Crown debt or summarily.

For pro-
tection of
certain
railway
companies.

44. For the protection of the London and North Eastern Railway Company the Midland and Great Northern Railways Joint Committee and the Norfolk and Suffolk Joint Railways Committee (each of whom

is in this section referred to as "the railway company") the following provisions shall unless otherwise agreed between the Company and the railway company have effect (that is to say) :—

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- (1) Section 20 of the schedule to the Electric Lighting (Clauses) Act 1899 shall in its application to the Company have effect as if after the words "electric signalling communication" wherever they occur there were inserted the words "or electrical control of railways of a railway company" :
- (2) If having regard to the proposed position of any electric lines of the Company in relation to the position of the works of the railway company at any point where electric lines of the Company will be constructed over or under any railway of the railway company it becomes advisable in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal wires or apparatus of the railway company should be altered the railway company may execute any works reasonably necessary for such alteration and the reasonable expense of executing those works shall be borne by the Company :
- (3) If the railway company at any time or times hereafter require (of which they shall be the sole judges) to widen alter reconstruct or repair their existing works or to construct any additional or other works in or upon or in connection with the railway of the railway company upon across over or under which any apparatus of the Company may have been constructed or laid under the powers of this Act or to adapt their railway or any part or parts thereof for working by electrical power or if at any time or times hereafter a bridge repairable in whole or in part by the railway company is constructed in substitution for a level crossing upon across or under which any apparatus of the Company may have been so constructed or laid the Company shall on receipt of fourteen days'

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notice in writing under the hand of the secretary to the railway company divert alter support or carry (so far only as may be reasonably necessary) such apparatus across over or under the railway of the railway company at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and to the reasonable satisfaction of the chief engineer of the railway company and the railway company shall not be liable to pay compensation in respect of such diversion alteration supporting carrying or dealing with such apparatus or other works Provided always that if the Company shall fail or neglect to carry out or complete the same to such satisfaction as aforesaid within a reasonable time the railway company may themselves carry out or may complete the same :

- (4) Any additional expense which the railway company may reasonably and properly incur in widening altering reconstructing or repairing their railway or in adapting their railway for working by electrical power by reason of the existence of any apparatus of the Company placed or laid under the powers of this Act upon across over or under the same or occasioned by any such failure neglect or delay as is referred to in subsection (3) of this section shall be paid by the Company :
- (5) The Company shall bear and on demand pay to the railway company all reasonable costs of watching lighting and protection of the railway of the railway company with reference to and during the construction and repair under the powers of this Act of any works of the Company affecting such railway :
- (6) The Company shall give to the railway company fourteen days' notice in writing of any application to be made by the Company to the Minister under section 10 (b) of the schedule to the Electric Lighting (Clauses) Act 1899 or under section 21 of the Electricity (Supply) Act 1919 or under this Act for the consent of the Minister

to the placing of any electric lines above ground over any street or over or under any bridge owned or repairable by the railway company : A.D. 1927.
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- (7) Any difference between the Company and the railway company arising under this section shall be referred to arbitration.

45. Where under this Act any question or dispute is to be referred to arbitration then unless other provision is made the reference shall be to an arbitrator agreed on between the parties or failing agreement appointed by the Minister. Reference to arbitration.

46. Save as is otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act may be prosecuted and recovered in a summary manner : Recovery of penalties &c.

Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

47. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action. Recovery of demands.

48.—(1) The Company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur a like penalty Every penalty under this section shall be recoverable summarily. Copy of Act to be registered.

(2) There shall be paid to the registrar by the Company on such copy being registered the like fee as

A.D. 1927. — is for the time being payable under the Companies (Consolidation) Act 1908 on registration of any document other than a memorandum of association or the abstract required to be filed with the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding-up in England.

Costs of
Act.

49. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

The SCHEDULE referred to in the
foregoing Act.

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In this schedule—

The expression “unit” means the electricity contained in a current of one thousand amperes flowing under an electro-motive force of one volt during one hour;

The expression “kilovolt ampere” means the current in amperes actually used multiplied by the declared pressure of supply in volts and divided by one thousand;

The expression “consumer” means any authorised undertakers local authority company body or person supplied by the Company with electricity under the powers of this Act.

SECTION I.

Maximum rates for a supply of electricity in bulk or for power—

- (a) A sum of six pounds per kilovolt ampere per annum of the maximum power required to be supplied to the consumer and in addition
- (b) A sum of three halfpence per unit for all units supplied to such consumer.

SECTION II.

Maximum rates for a supply of electricity for lighting or general domestic purposes (including office purposes)—

- (1) Where the Company do not charge in accordance with paragraph (2) or paragraph (3) of this section—
 - (a) A sum payable quarterly in advance of thirty pounds per kilowatt per annum based on (i) seventy per centum of the wattage of the lighting installation in the case of premises used only for private residence and (ii) on the total wattage of the lighting installation in the case of other premises and in addition
 - (b) A sum of twopence per unit for all units supplied to the consumer.
- (2) Where the Company charge any consumer by the actual amount of energy supplied to him the rate of one shilling per unit Provided that the Company may make

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the following minimum charges (exclusive of meter rental) if energy to the value of the following amounts is not actually consumed (that is to say) :—

(a) In respect of the quarters ending thirty-first March and thirty-first December fifteen shillings;

(b) In respect of the quarters ending thirtieth June and thirtieth September ten shillings.

- (3) Where the Company charge any consumer by the electrical quantity contained in the supply given to him they shall charge him according to the rates set forth in paragraph (2) of this section and the amount of energy supplied to him shall be taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Company under the regulations of the Electricity Commissioners.

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