

[26 GEO. 5. & *Grampian Electricity* [Ch. xxii.]
1 EDW. 8.] *Supply Order Confirmation Act, 1936.*



CHAPTER xxii.

An Act to confirm a Provisional Order under A.D. 1936.
the Private Legislation Procedure (Scotland) —
Acts 1899 and 1933 relating to Grampian
Electricity Supply. [21st May 1936.]

WHEREAS the Provisional Order set forth in the
schedule hereunto annexed has after inquiry held
before Commissioners been made by one of His Majesty's
Principal Secretaries of State under the provisions of the
Private Legislation Procedure (Scotland) Acts 1899 and 62 & 63 Vict.
1933 as read with the Secretaries of State Act 1926 and it c. 47.
is requisite that the said Order should be confirmed by 23 & 24
Parliament : Geo. 5. c. 37.
16 & 17

Be it therefore 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 :— Geo. 5. c. 18.

1. The Provisional Order contained in the schedule
hereunto annexed is hereby confirmed. Confirmation
of Order in
schedule.

2. This Act may be cited as the Grampian Electricity Short title.
Supply Order Confirmation Act 1936.

A.D. 1936.

SCHEDULE.

GRAMPIAN ELECTRICITY SUPPLY.

Provisional Order to authorise the Grampian Electricity Supply Company to abandon certain of the works authorised by the Grampian Electricity Supply Act 1922 and to construct new works in substitution therefor to extend the periods for the compulsory purchase of lands and for the completion of certain authorised works to increase the capital of the Company and for other purposes.

WHEREAS by the Grampian Electricity Supply Act 1922 (hereinafter called "the Act of 1922") the Grampian Electricity Supply Company (hereinafter called "the Company") were incorporated and were authorised to construct certain generating stations and works and for those purposes to acquire lands in the counties of Perth and Inverness and the Company were empowered to supply electricity in the counties of Perth Kinross and Forfar (now Angus) and parts of the counties of Inverness Argyll and Stirling comprised within the area of supply defined in the Act of 1922 :

And whereas by the Grampian Electricity Supply Act 1924 the Grampian Electricity Supply Order 1927 the Grampian Electricity Supply Order 1930 the Grampian Electricity Special Order 1931 the Grampian Electricity Supply Order 1933 and the Grampian Electricity Special Order 1934 further powers were conferred upon the Company :

And whereas the Company are authorised undertakers under the Scottish Highlands Electricity Special Order 1932 :

And whereas the Company were authorised by the Act of 1922 to raise share capital to the amount of one million seven hundred and fifty thousand pounds and it was provided that such capital may from time to time be increased to such extent up to but not exceeding four million pounds as may be authorised by a Special

[26 GEO. 5. & *Grampian Electricity* [Ch. xxii.]
1 EDW. 8.] *Supply Order Confirmation Act, 1936.*

Order made confirmed and approved in accordance with the provisions of the Electricity (Supply) Acts 1882 to 1935 : A.D. 1936.
—

And whereas by the said Orders of 1931 and 1934 the Company were authorised to raise additional share capital not exceeding in the whole two million two hundred and fifty thousand pounds nominal capital :

And whereas the Company are empowered to borrow on mortgage or raise by the creation and issue of debentures or debenture stock any sum or sums not exceeding in the whole one-half part of any share capital for the time being issued by the Company and in addition to exercising such power may with the consent of the Electricity Commissioners raise a further sum or sums not exceeding one-half part of such capital :

And whereas the Company have expended on capital account and incurred capital commitments for the purposes of and in connection with their undertaking a sum exceeding four million six hundred thousand pounds :

And whereas the Company have issued three million four hundred and fifty thousand shares of one pound each the whole of which are fully paid up and the Company have not exercised their borrowing powers :

And whereas the Works Nos. 1 2 3 4 8 30 31 and 35 and parts of Works Nos. 7 32 and 33 authorised by the Act of 1922 have been completed and the Works Nos. 16 18 19 and 20 and the remaining parts of Works Nos. 7 32 and 33 thereby authorised are in course of construction or about to be constructed by the Company :

And whereas it is expedient that the Company should be empowered to abandon Works Nos. 10 11 12 and 13 authorised by the Act of 1922 and in lieu of and in substitution for those works to construct and maintain the works authorised by this Order :

And whereas the period limited by the Act of 1922 as extended by the said Orders of 1927 1930 and 1933 for the compulsory purchase of lands for the purposes of that Act will expire on the fourth day of August one thousand nine hundred and thirty-six and the period limited by the Act of 1922 as extended by the said Order of 1930 for the completion of the works authorised by

[Ch. xxii.] *Grampian Electricity* [26 GEO. 5. &
Supply Order Confirmation Act, 1936. 1 EDW. 8.]

A.D. 1936. — that Act will expire on the fourth day of August one thousand nine hundred and thirty-seven :

And whereas it is expedient that the period for the compulsory purchase of the lands required for the purposes of Works Nos. 5 6 7 9 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 32 33 and 34 authorised by the Act of 1922 and of section 28 of that Act and the period for the completion of the said works should be further extended as by this Order provided :

And whereas it is expedient that the capital of the Company should be increased and that their powers to raise money by borrowing on mortgage or by the creation and issue of debentures or debenture stock should be extended :

And whereas it is expedient that further powers be conferred upon the Company as in this Order mentioned and that the other provisions of this Order be enacted :

And whereas plans and sections showing the lines situations and levels of the several works authorised by this Order and describing the lands and other property required or which may be taken or used compulsorily for the purposes or under the powers of this Order with a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands and other property were duly deposited with the sheriff clerk of the county of Inverness and such plans sections and book of reference are respectively referred to in this Order as the deposited plans sections and book of reference :

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Acts 1899 and 1933 :

Now therefore in pursuance of the powers contained in the last-mentioned Acts as read with the Secretaries of State Act 1926 the Secretary of State orders as follows :—

Short title. 1. This Order may be cited as the Grampian Electricity Supply Order 1936.

Citation. 2. The Grampian Electricity Supply Acts and Orders 1922 to 1934 and this Order may be cited together as the Grampian Electricity Supply Acts and Orders 1922 to 1936.

[26 GEO. 5. & *Grampian Electricity* [Ch. xxii.]
1 EDW. 8.] *Supply Order Confirmation Act, 1936.*

3. In this Order the several words terms and expressions to which by the Act of 1922 or the Acts wholly or partially incorporated therewith meanings are assigned shall have the same respective meanings unless varied by this Order or unless there be something in the subject or context repugnant to such construction And in this Order unless the context otherwise requires the following expressions shall have the respective meanings in this section applied to them (that is to say) :—

A.D. 1936.
—
Interpretation.

“ the Company ” means the Grampian Electricity Supply Company ;

“ the Act of 1922 ” “ the Act of 1924 ” “ the Order of 1927 ” “ the Order of 1930 ” “ the Order of 1931 ” “ the Order of 1933 ” and “ the Order of 1934 ” mean respectively the Grampian Electricity Supply Act 1922 the Grampian Electricity Supply Act 1924 the Grampian Electricity Supply Order 1927 the Grampian Electricity Supply Order 1930 the Grampian Electricity Special Order 1931 the Grampian Electricity Supply Order 1933 and the Grampian Electricity Special Order 1934 ;

“ the existing Acts and Orders ” means the Act of 1922 the Act of 1924 the Order of 1927 the Order of 1930 the Order of 1931 the Order of 1933 and the Order of 1934 ;

“ the undertaking ” means the undertaking of the Company for the time being authorised ;

“ the works authorised by this Order ” means the works described or referred to in the section of this Order the marginal note whereof is “ Works ” ;

“ the principal Acts ” means the Electricity (Supply) Acts 1882 to 1935 and the schedule to the Electric Lighting (Clauses) Act 1899 as varied by the existing Acts and Orders and this Order.

4. The Company shall abandon the construction of the Works Nos. 10 11 12 and 13 authorised by section 26 (Works) of the Act of 1922.

Abandonment of certain works authorised by Act of 1922.

5. The abandonment by the Company under the authority of this Order of the works authorised to be abandoned by this Order shall not prejudice or affect

Compensation for damage to land by

A.D. 1936.
—
entry &c.
for
purposes
of works
abandoned.

the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of work and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Act of 1922.

Compensa-
tion to be
made in
respect of
works
abandoned.

6. If before the passing of the Act confirming this Order any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the works authorised to be abandoned by this Order the Company shall (if the Company so desire) be released from all liability to purchase or to complete the purchase of any such land (so far as such land is not required for the purposes of the works authorised by this Order) but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall in case of dispute be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Works.

7. Subject to the provisions of this Order the Company may make construct lay down and maintain in the lines and situations and according to the levels shown on the deposited plans and sections the works hereinafter described with all proper embankments dams roads railways ropeways approaches ways pumping works tanks weirs sluices culverts tunnels aqueducts channels catchwaters sewers drains pipes electric lines telegraphs telephones engines turbines dynamos cables apparatus buildings works and conveniences connected with or auxiliary to the said works or any of them or necessary or convenient for constructing inspecting maintaining repairing cleansing managing and using the same and may enter upon take hold appropriate and acquire

and use such of the lands and properties shown on the deposited plans and described in the deposited book of reference as they may require for the purposes of the said works or some of them. A.D. 1936.

The works hereinbefore referred to are wholly situate in the county of Inverness and are the following (that is to say):—

Work No. 10 A catchwater aqueduct conduit line or lines of pipes in the parishes of Laggan and Kingussie and Insh commencing at a point in Work No. 8 authorised by the Act of 1922 fifteen yards or thereabouts measured in an easterly direction from the London Midland and Scottish Railway and terminating in Loch Cuaich at or near its junction with the river Allt Cuaich :

Work No. 10A A reservoir in the said parish of Kingussie and Insh (being an enlargement of Loch Cuaich) to be formed by a dam ninety yards or thereabouts in length across the river Allt Cuaich at a point one hundred and ten yards or thereabouts measured in a westerly direction from the junction of the river Allt Coire Chuaich with the river Allt Cuaich :

Work No 11 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Kingussie and Insh commencing at a point on the north-east shore of Loch Cuaich one hundred yards or thereabouts measured in a south-easterly direction from the junction of the river Feith na Braclaich with that loch and terminating in the river Tromie at a point six hundred yards or thereabouts measured along that river in a northerly direction from its junction with Loch an t Seilich :

Work No. 12 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Kingussie and Insh commencing at a point in the river Allt Bhran two thousand five hundred and thirty yards or thereabouts measured along that river in a south-easterly direction from its junction with the river Tromie and terminating in the river Tromie at or near the termination of Work No. 11 :

A.D. 1936.

Work No. 13 A reservoir in the said parish of Kingussie and Insh (being an enlargement of Loch an t Seilich) to be formed by a dam one hundred and ten yards or thereabouts in length across the river Tromie at or near the termination of Works Nos. 11 and 12.

Acquisition of servitudes &c.

8. The provisions of section 34 (Acquisition of servitudes &c.) of the Act of 1922 shall with the necessary modifications extend and apply for the purposes of this Order with the substitution of a reference to the properties described or referred to in the schedule to this Order for the properties described or referred to in the Fourth Schedule to the Act of 1922.

Period for compulsory purchase of lands.

9. The powers of the Company for the compulsory purchase of lands for the purposes of this Order shall cease after the expiration of five years from the fourth day of August one thousand nine hundred and thirty-six.

Period for completion of works.

10. If the works authorised by this Order are not completed within eight years from the fourth day of August one thousand nine hundred and thirty-six then on the expiration of that period the powers by this Order granted to the Company for executing any of such works not so completed or otherwise in relation thereto shall cease except as to so much thereof as is then completed but nothing herein contained shall restrict the Company from maintaining using extending enlarging altering replacing relaying increasing adding to or removing any of the said works at any time and from time to time as occasion requires.

Works &c. to form part of undertaking.

11. The works which the Company are by this Order authorised to construct and maintain and the undertaking authorised by this Order shall for all purposes form part of the works and the undertaking of the Company.

Application and amendment of certain provisions of existing Acts and Orders.

12.—(1) The following provisions of the existing Acts and Orders shall subject to the provisions of and as varied by this Order extend and apply to the works authorised by this Order and to the purposes of this Order as if those provisions were with the necessary modifications re-enacted in this Order (that is to say):—

The Act of 1922—

Section 2 (Application of Electricity (Supply) Acts);

[26 GEO. 5. & *Grampian Electricity* [Ch. xxii.]
1 EDW. 8.] *Supply Order Confirmation Act, 1936.*

- | | | |
|------------|---|------------|
| Section 3 | (Incorporation of Acts); | A.D. 1936. |
| Section 5 | (Railway and tramway crossings); | — |
| Section 18 | (Shares &c. may be issued in payment for land &c.); | |
| Section 27 | (For protection of scenery); | |
| Section 29 | (Power to deviate); | |
| Section 30 | (Correction of errors in deposited plans and book of reference); | |
| Section 31 | (Company may stop up footpaths &c.); | |
| Section 32 | (Subsidiary works); | |
| Section 40 | (Power to take servitudes &c. by agreement); | |
| Section 42 | (Temporary discharge of water into streams); | |
| Section 43 | (Power to take water); | |
| Section 44 | (For securing full development of water power); | |
| Section 45 | (As to abstraction of water from Rivers Truim and Tromie &c.); | |
| Section 49 | (Power to lay down pipes); | |
| Section 63 | (Agreements with Government departments and others); | |
| Section 64 | (Agreements with railway companies for works); | |
| Section 67 | (For further protection of Postmaster-General); | |
| Section 68 | (Dwelling-houses for employees); | |
| Section 70 | (Provision of fish ladders); | |
| Section 77 | (For protection of county authorities); | |
| Section 79 | (For protection of Inverness County Council and district committees thereof); | |
| Section 84 | (For protection of Highland Railway Company); | |
| Section 87 | (References to arbitration); | |
| Section 88 | (Payment of interest out of capital); | |
| Section 89 | (Interest on borrowed money out of capital); | |

- A.D. 1936. , Section 90 (Provision as to general Acts);
Section 91 (Accommodation for workmen &c.);
Section 93 (Recovery of penalties);
Section 94 (Recovery of demands);
Section 95 (Crown salmon fishings).

The Act of 1924—

- Section 25 (Purchase of undertaking).

The Order of 1930—

- Section 6 (Lands by agreement);
Section 21 (For protection of railway companies);
Section 22 (Works below high-water mark not to
be commenced without consent of
Board of Trade);
Section 23 (Abatement of work abandoned or
decayed).

The Order of 1933—

- Section 5 (Power to retain sell &c. lands).

(2) Section 45 (As to abstraction of water from rivers Truim and Tromie &c.) of the Act of 1922 shall be read and have effect as if the works authorised by this Order had been referred to therein in place of Works Nos. 10 11 12 and 13 authorised by the Act of 1922.

(3) Section 84 (For protection of Highland Railway Company) of the Act of 1922 shall be read and have effect as if the London Midland and Scottish Railway Company had been mentioned therein in place of the Highland Railway Company.

Extending
period for
compulsory
purchase
of lands
and com-
pletion of
certain
works
authorised
by Act of
1922.

13.—(1) The powers granted by the Act of 1922 as extended by the Order of 1927 the Order of 1930 and the Order of 1933 for the compulsory purchase of lands for the purposes of Works Nos. 5 6 7 9 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 32 33 and 34 authorised by the Act of 1922 and of section 28 (Additional lands for accesses to works) of that Act are hereby further extended and shall continue in force and may be exercised by the Company in respect of Works Nos. 7 16 18 19 20 32 and 33 for the period of three years from the fourth day of August one thousand nine hundred and thirty-six and in respect of Works Nos. 5 6 9 14 15 17 21 22 23 24 25

[26 GEO. 5. & *Grampian Electricity* [Ch. xxii.]
1 EDW. 8.] *Supply Order Confirmation Act, 1936.*

26 27 28 29 and 34 and of the lands referred to in section 28 of the Act of 1922 for the period of five years from the fourth day of August one thousand nine hundred and thirty-six and on the expiration of the aforesaid respective periods of three and five years these powers shall cease. A.D. 1936.

(2) The powers granted by the Act of 1922 as extended by the Order of 1930 for the construction of Works Nos. 5 6 7 9 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 32 33 and 34 authorised by the Act of 1922 are hereby further extended and may be exercised by the Company in respect of Works Nos. 7 16 18 19 20 32 and 33 for the period of three years from the fourth day of August one thousand nine hundred and thirty-seven and in respect of Works Nos. 5 6 9 14 15 17 21 22 23 24 25 26 27 28 29 and 34 for the period of seven years from the fourth day of August one thousand nine hundred and thirty-seven and the aforesaid respective periods of three years and seven years shall for all purposes be deemed to be the period originally limited for the completion of the said works.

14. The Company may apply to the purposes of this Order and of any Provisional Order or Special or other Order made under the Electricity (Supply) Acts 1882 to 1935 or any of those Acts in respect of which the Company are for the time being the authorised undertakers and to which capital is properly applicable any moneys which they have raised or may hereafter raise under the authority of the existing Acts and Orders and this Order. Application of moneys.

15. The Company may from time to time raise additional capital not exceeding in the whole two million pounds nominal capital and the provisions of the existing Acts and Orders (including the provisions of section 10 of the Act of 1922 and of sections 7 8 and 9 of the Order of 1933) shall apply in all respects to such additional capital. Power to raise additional capital.

16. The powers conferred on the Company by sections 88 (Payment of interest out of capital) and 89 (Interest on borrowed money out of capital) of the Act of 1922 of paying out of capital moneys or charging to capital account interest on any shares or stock or borrowed money shall notwithstanding anything contained in the said sections continue in force until the Interest out of capital.

A.D. 1936. — expiration of the period limited by this Order for the completion of the works authorised by this Order and of the works referred to in the section of this Order of which the marginal note is “ Extending period for compulsory purchase of lands and completion of certain works authorised by Act of 1922.”

Repeal of rating provisions.

17. Section 24 (As to rating of certain property of Company) of the Act of 1924 shall cease to have effect as from the fifteenth day of May one thousand nine hundred and thirty-six.

Power to construct sub-stations under streets.

18. The Company may subject to the provisions of the Electricity (Supply) Acts 1882 to 1935 and such of the provisions of the schedule to the Electric Lighting (Clauses) Act 1899 as are incorporated with the existing Acts and Orders and this Order construct and maintain in or under any street being a public highway within the area of supply sub-stations transforming stations and other works in connection with or forming part of the undertaking and may in any such street provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient :

Provided that the Company shall not construct any such sub-station transforming station or work (a) in or upon any bridge carrying a street over a railway or under any bridge carrying a railway over a street or within fifteen feet of any portion of any abutment or wing wall of any such bridge without the consent of the railway company concerned but such consent shall not be unreasonably withheld or (b) so as to interfere with or render less convenient the access to or exit from any station or depot of a railway company and if any difference arises as to whether such consent is unreasonably withheld such difference shall be referred to arbitration.

Power to break up private streets.

19. If the owner or occupier of any premises erected or in process of erection within—

- (i) the area of supply ; or
- (ii) the area of supply in relation to any undertaking transferred to the Company under the powers of the existing Acts and Orders and this Order or authorised by a Special Order granted to the Company ;

on land abutting on any street not maintainable by the local authority applies to the Company for a supply of electricity to those premises (being a supply which the Company are authorised to give) then—

A.D. 1936.
—

- (a) so much of any Act or Order applying to the Company as requires the consent of the person by whom the street is repairable to the breaking up by the Company of the street shall not have effect in relation to the street;
- (b) the Gasworks Clauses Act 1847 in its application to the Company shall have effect in relation to the land comprised in that street as if section 7 thereof had been excepted from incorporation with the enactments applying to the Company; and
- (c) except in the case of such streets as are referred to in the proviso to this section the local authority shall have the like rights under section 15 of the schedule to the Electric Lighting (Clauses) Act 1899 as are thereby conferred on the person by whom the street is repairable :

Provided that nothing in this section shall empower the Company to break up any private street belonging to a railway company without the consent of the railway company which consent shall not be unreasonably withheld and if any difference arises as to whether such consent is unreasonably withheld such difference shall be referred to arbitration.

20.—(1) The Company may with the consent in writing of the owner and occupier of any house building or land within the area of supply attach to such house or building or erect or place on under or across such land such posts standards poles supports conductors wires tubes mains plates cables boxes and apparatus as may be necessary or convenient for conveying transmitting or supplying electricity under the powers of the existing Acts and Orders and this Order.

Erection of
posts &c.

(2) The Company may with the like consent and with the consent of the local authority for such consideration and upon and subject to such terms and conditions as they may think fit permit any other

A.D. 1936.

company or any body or person to use for any purposes of or connected with any undertaking or business of such other company body or person any posts standards poles or other works or apparatus erected or constructed by the Company.

(3) Nothing in this section shall derogate from or affect any rights of the Company under the principal Acts or under any other provisions of the existing Acts and Orders and this Order.

(4) Subsections (4) and (5) of section 22 of the Electricity (Supply) Act 1919 shall so far as applicable extend and apply to the execution of any works under this section or any contract agreement or arrangement made in pursuance of any of those provisions.

Power to
erect
telephones
&c.

21. The provisions of the existing Acts and Orders and this Order and the Acts incorporated therewith shall so far as applicable to the purposes of this section and subject to the necessary modifications apply to the construction laying down erection and maintenance in any streets or roads in the area of supply of any telephone or telegraph posts wires conductors or apparatus which the Company may and which they are hereby authorised to erect or lay down for the purposes of the undertaking but no posts wires conductors or apparatus shall be erected under this section in any street or road without the consent of the road authority which consent shall not be unreasonably withheld and any question whether or not any such consent has been unreasonably withheld shall be determined by the Electricity Commissioners :

Provided that the Company shall not exercise the powers of this section in through across or under any road bridge or approach of a railway company except with the consent in writing of such company (which consent shall not be unreasonably withheld) and under the superintendence if given and to the reasonable satisfaction of the engineer of such company and if any difference arises as to whether such consent is unreasonably withheld or whether the requirements of the said engineer are reasonable or otherwise such difference shall be referred to arbitration.

For pro-
tection of
Postmaster-
General.

22. Any telegraphs or telephones posts wires conductors or apparatus constructed erected or laid down under the provisions of this Order shall not be used for

the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869 and shall be so constructed maintained and used as to prevent any interference with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line. A.D. 1936.
—

23. 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 (Penalty for failure to supply) of the schedule to the Electric Lighting (Clauses) Act 1899 and— Supply of
electricity
by agree-
ment.

- (a) the provisions of that section shall apply to the supply afforded by the Company under such agreement;
- (b) any failure on the part of the Company to supply electricity to such consumer under the agreement shall not render them 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:

Provided that—

- (i) nothing in this section shall apply in relation to any agreement which expressly excludes the application of this section; and
- (ii) the provisions of this section shall not operate to deprive any consumer of electricity supplied by the Company under the terms of any agreement existing at the commencement of this Order of any right to which he would be entitled but for the said provisions.

24. Whenever the Company make default in supplying electricity to any authorised undertakers to whom they may be required to supply electricity in accordance with the provisions of the existing Acts and Orders and this Order they shall be liable to those undertakers in the same penalties as those for which the undertakers Liability
for failure
to supply.

A.D. 1936. — are liable under the provisions of their Acts or Orders 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 the default and such undertakers shall have no claim against the Company if the default of the Company arises by reason of accidents which could not have been avoided by reasonable foresight or care or by reason of fire flood storm tempest breakdown of machinery or other casualty or force majeure or labour disputes or any other cause for which the Company cannot reasonably be held to be responsible or if the default is of so slight or unimportant a character as not materially to affect the value of the supply.

Notice of
discon-
tinuance of
supply.

25.—(1) Any authorised undertakers company body or person supplied with electricity by the Company under the existing Acts and Orders and this Order who desire or desires that the Company shall cease to give to them or him such supply shall (unless it is otherwise provided in any agreement whether existing at the passing of the Act confirming this Order or thereafter entered into between any such undertakers company body or person and the Company or unless such agreement is for a fixed term) give to the Company in the case of a supply for lighting or general domestic purposes one month's notice in writing expiring on the thirty-first day of March the thirtieth day of June the thirtieth day of September or the thirty-first day of December and in all other cases 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 the supply.

(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 at the principal office or any recognised local office of the Company Notice of the effect of this section shall be endorsed upon any demand note of the Company for charges for electricity.

[26 GEO. 5. & *Grampian Electricity* [Ch. xxii.]
1 EDW. 8.] *Supply Order Confirmation Act, 1936.*

26.—(1) Any person who shall hinder an officer of the Company from entering any premises which they are entitled to enter 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.

A.D. 1936.
—
Entry upon
premises.

(2) The Company shall not have any power of entry into any such premises except through an officer duly authorised by the Company who shall if so required produce his authority.

27.—(1) The Company may provide sell let for hire or dispose of on terms of payment by instalments and fix maintain and remove electric lines fittings lamps and standards apparatus or appliances for lighting (whether for public lighting or otherwise) heating and motive power and for all other purposes for which electricity can or may be used and may provide all materials and work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed Provided that nothing in this section shall authorise the Company to manufacture any such electric lines fittings apparatus or appliances.

Power to
deal in
apparatus.

(2) The Company may provide and carry on shops or showrooms for the exhibition or sale of any fittings apparatus or appliances referred to in this section but such shops or showrooms shall not be regarded as part of the undertaking of the Company for the purposes of valuation.

(3) Sections 24 and 25 of the Electric Lighting Act 1882 and section 16 of the Electric Lighting Act 1909 shall apply to all articles and things let for hire or supplied by the Company or disposed of on terms of payment by instalments under the provisions of this section.

28. Where a separate transformer is provided at the expense of the Company for the purpose of affording a supply of electricity to any consumer the Company may subject to the provisions of the agreement under which the transformer was provided use such transformer for the

Use of
trans-
formers.

A.D. 1936. purpose of affording a supply of electricity to other consumers so long as such use does not prejudice or interfere with the supply for which such transformer was originally provided so however that the powers conferred by this section shall not enable the Company to extend the transformer so provided beyond the limits of the original site thereof.

For protection of corporations of Glasgow and Perth. 29. Section 80 (For protection of corporation of city of Glasgow) and subsections (1) and (4) of section 82 (For protection of burgh of Perth) of the Act of 1922 shall apply to the powers conferred upon the Company by this Order as if such powers had been included among the powers conferred upon the Company by the Act of 1922.

For protection of city of Dundee. 30. Section 81 (For protection of city of Dundee and Dundee Gas Commissioners) of the Act of 1922 shall apply for the protection of the lord provost magistrates and councillors of the city and royal burgh of Dundee as such and as successors to the Dundee Gas Commissioners to the powers conferred upon the Company by this Order as if such powers had been included among the powers conferred upon the Company by the Act of 1922.

Crown rights. 31. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the Crown or shall subject to the provisions of this Order any lands buildings or works vested in or occupied by the Crown or any department of His Majesty's Government except to such extent as His Majesty or such department may voluntarily agree.

Repeal. 32. The following provisions of the Act of 1922 are hereby repealed (namely) :—

Section 54 (Penalty for failure to supply);

Section 57 (Notice of discontinuance of supply).

Costs of Order. 33. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Order and the confirming Act or otherwise in relation thereto shall be paid by the Company.

The SCHEDULE referred to in the foregoing Order. A.D. 1936

PROPERTIES IN RESPECT OF WHICH SERVITUDES ONLY
MAY BE TAKEN COMPULSORILY.

Parish.	Nos. on deposited plans.
Laggan - - -	69 70 71 72 73 and 74.
Kingussie and Insh -	17 21 22 23 27 28 29 30 31 33 34 35 36 37 38 39 40 42 43 44 45 46 48 52 53 54 and 55.

Printed by EYRE AND SPOTTISWOODE LIMITED
FOR
SIR WILLIAM RICHARD CODLING, C.B., C.V.O., C.B.E., the King's Printer of
Acts of Parliament

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Adastral House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;
York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;
80 Chichester Street, Belfast;
or through any Bookseller