

SCHEDULES

FIRST SCHEDULE

Sections 5, 43.

CONSULTATIVE COUNCILS

PART I

Consultative Councils in England and Wales— Amendments of Section 7 of Electricity Act, 1947

1 The following provisions shall be substituted for subsection (2) of section seven of the principal Act (which relates to the constitution of Consultative Councils):—

“(2) Each of the said Councils shall consist of a chairman appointed by the Minister and of not less than twenty or more than thirty other persons so appointed of whom—

- (a) not less than two-fifths or more than three-fifths shall be appointed from a panel of persons nominated by such associations as appear to the Minister to represent local authorities in the area;
- (b) the remainder shall be appointed, after consultation with such bodies as the Minister thinks fit, to represent agriculture, commerce, industry, labour, and the general interests of consumers of electricity and other persons or organisations interested in the development of electricity in the area.

(2A) In the appointment of any person under paragraph (a) of the last foregoing subsection the Minister shall have particular regard to his ability to exercise a wide and impartial judgment on the matters to be dealt with by the Council generally; and in making appointments under paragraph (b) of that subsection the Minister shall have particular regard to any nominations made to him, by the bodies mentioned in that paragraph, of persons who are recommended by them as having both adequate knowledge of the requirements of the interests to be represented and also the ability to exercise a wide and impartial judgment on the matters to be dealt with by the Council generally”.

2 After paragraph (b) of subsection (4) of the said section seven (which relates to the duties of Consultative Councils) the following paragraphs shall be added:—

“(c) of considering any matter affecting the variation of any tariff regulating the charges for the provision of bulk supplies of electricity by the Generating Board for distribution in the area, being a matter which is either the subject of a representation made to them by consumers or other persons requiring supplies of electricity in the area, or which appears to them to be a matter to which consideration ought to be given apart from any such representation, and, where after consultation with the Area Board action appears to them to be

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requisite as to any such matter, of notifying their conclusions to the Generating Board;

- (d) of considering and reporting to the Generating Board on any such matter as is mentioned in the last foregoing paragraph which may be referred to them by the Generating Board”.

3 The following provisions shall be substituted for subsections (6) to (8) of the said section seven (which relate to action consequential upon conclusions, reports or representations notified or made by a Consultative Council):—

“(6) The Area Board or the Generating Board, as the case may be, shall consider any conclusions, reports or representations notified or made to them by a Consultative Council under subsection (4) or subsection (5) of this section; and the Council may, after consultation with the Area Board, and, in the case of any conclusion or report notified or made to the Generating Board, after consultation with that Board also, make representations to the Electricity Council on matters arising thereout.

(7) Where representations have been made to the Electricity Council under the last foregoing subsection with respect to one of the Electricity Boards, and it appears to that Council, after consultation with the Board in question and with the Consultative Council making the representations, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of their functions, the Electricity Council may give to that Board such advice as they think fit for remedying the defect.

(8) A Consultative Council may, after consultation with the Electricity Council, make representations to the Minister on any matters arising out of representations made by them under subsection (6) of this section with respect to one of the Electricity Boards; and if it appears to the Minister, after consultation with that Board and with the Consultative Council making the representations, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of their functions, he may give such directions to the Board as he thinks necessary for remedying the defect.

(8A) Where representations, relating to any such matter as is mentioned in paragraph (a) or paragraph (c) of subsection (4) of this section, have been made to a Consultative Council, and the Consultative Council do not consider any action to be requisite with respect thereto, the Council shall notify their conclusions to the person making the representations; and if that person submits those representations to the Electricity Council, then—

- (a) if it appears to the Electricity Council, after consultation with the Electricity Board to whom the representations relate and with the Consultative Council, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of their functions, the Electricity Council may give to that Board such advice as they think fit for remedying the defect;
- (b) the Electricity Council may make representations to the Minister on any matters arising out of advice given by them to an Electricity Board under the foregoing paragraph; and
- (c) if it appears to the Minister, after consultation with the Board and with the Electricity Council, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of

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their functions, he may give such directions to the Board as he thinks necessary for remedying the defect.”

4 The Electricity Council shall be substituted for the Central Authority as the body required to pay the allowances and remuneration referred to in subsection (10) of the said section seven (which relates to the appointment of officers of Consultative Councils and to the allowances and remuneration of members and officers of such Councils); and accordingly in that subsection, for the words " Central Authority ", there shall be substituted the words " Electricity Council ".

5 After subsection (11) of the said section seven there shall be inserted the following subsection:—

“(11A) In respect of matters not falling within subsection (10) or subsection (11) of this section, a Consultative Council may, within such limits as the Minister with the approval of the Treasury may from time to time determine, incur such expenditure as the Council may consider requisite for the exercise and performance of their functions; and any such expenditure shall be repaid to the Consultative Council by the Electricity Council.”

6 The following subsection shall be substituted for subsection (13) of the said section seven:—

“(13) The Minister may make provision by regulations in relation to Consultative Councils in England and Wales for any matters for which provision may be made by regulations under section three of this Act in relation to Area Boards, and for the appointment of persons to act in the place of the chairmen of such Councils.

Subject to the provisions of any such regulations, the said Councils shall have power to regulate their own procedure.”

PART II

Consultative Councils in Scotland—New Section 7A

“7A Consultative Councils in Scotland.

- (1) The provisions of this section shall apply to Consultative Councils established for the districts of Scottish Electricity Boards.
- (2) Each of the said Councils shall consist of a chairman appointed by the Secretary of State and of not less than twenty or more than thirty other persons so appointed of whom—
 - (a) not less than two-fifths or more than three-fifths shall be appointed from a panel of persons nominated by such associations as appear to the Secretary of State to represent local authorities in the district;
 - (b) the remainder shall be appointed, after consultation with such bodies as the Secretary of State thinks fit, to represent agriculture, commerce, industry, labour, and the general interests of consumers of electricity and other persons or organisations interested in the development of electricity in the district.
- (3) In the appointment of any person under paragraph (a) of the last foregoing subsection the Secretary of State shall have particular regard to his ability to exercise a wide and impartial judgment on the matters to be dealt with by the Council generally; and in

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making appointments under paragraph (b) of that subsection the Secretary of State shall have particular regard to any nominations made to him, by the bodies mentioned in that paragraph, of persons who are recommended by them as having both adequate knowledge of the requirements of the interests to be represented and also the ability to exercise a wide and impartial judgment on the matters to be dealt with by the Council generally.

- (4) Each of the said Councils shall be charged with the duties—
- (a) of considering any matter affecting the distribution of electricity in the district, including the variation of tariffs and the provision of new or improved services and facilities within the district, being a matter which is the subject of a representation made to them by consumers or other persons requiring supplies of electricity in that district, or which appears to them to be a matter to which consideration ought to be given apart from any such representation, and where action appears to them to be requisite as to any such matter, of notifying their conclusions to the Board; and
 - (b) of considering and reporting to the Board on any such matter which may be referred to them by that Board.
- (5) Each of the said Councils shall be informed by the Board of that Board's general plans and arrangements for exercising and performing their functions under the Electricity (Scotland) Acts, 1943 to 1957, and may make representations thereon to that Board.
- (6) The Board shall consider any conclusion, reports and representations notified or made to them by the Council for their district under the two last foregoing subsections and the Council may, after consultation with the Board, make representations to the Secretary of State on matters arising thereout.
- (7) Where representations have been so made to the Secretary of State and it appears to him, after consultation with the Board and with the Council, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of their functions under the Electricity (Scotland) Acts, 1943 to 1957, the Secretary of State may give to the Board such directions as he thinks fit for remedying the defect.
- (8) Each Consultative Council shall prepare and submit to the Secretary of State a scheme for the appointment by them of committees or individuals to be local representatives of the Council in such localities as may be specified in the scheme, and it shall be the duty of such committees and individuals to consider the particular circumstances and requirements of those localities with respect to the distribution of electricity and to make representations to the Council thereon, and to be available for receiving on behalf of the Council representations from consumers in those localities; and, if the scheme is approved by the Secretary of State, the Consultative Council shall put it into effect.
- A member of a Consultative Council shall be eligible for appointment under such a scheme, either as a member of a committee or as an individual, but membership of the Council shall not be a necessary qualification for such an appointment.
- (9) A Consultative Council may, subject to the approval of the Secretary of State as to numbers, appoint such officers as appear to the Council to be requisite for the proper exercise and performance of their functions (including functions of any committee or individual appointed under the last foregoing subsection), and there shall be paid by the Boards—
- (a) to the members of the Councils for their respective districts or of any such committee or to any such individual such allowances in respect of any loss of

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- remunerative time and such travelling allowances and allowances in respect of their out-of-pocket expenses; and
- (b) to the officers of the said Councils such remuneration (whether by way of salary or fees) and such allowances,
- as the Secretary of State may with the approval of the Treasury determine.
- (10) Each Consultative Council shall be furnished by the Board concerned with such office accommodation as appears to the Board to be requisite for the proper exercise and performance of their functions (including the functions of any such committee or individual as aforesaid) or as may be directed by the Secretary of State.
- (11) In respect of matters not falling within subsections (9) and (10) of this section each Consultative Council may, within such limits as the Secretary of State with the approval of the Treasury may from time to time determine, incur such expenditure as the Council may consider requisite for the exercise and performance of their functions and such expenditure shall be repaid to the Council by the Board concerned.
- (12) The Secretary of State may make regulations with respect to—
- (a) the appointment of, and the tenure and vacation of office by, the members of a Consultative Council and the appointment of a person to act in the place of the chairman of such a Council;
- (b) the quorum, proceedings, meetings and determinations of a Consultative Council;
- (c) any other matters supplementary or incidental to the matters aforesaid for which provision appears to the Secretary of State to be necessary or expedient.
- (13) Subject to the provisions of any regulations made under the last foregoing subsection, a Consultative Council shall have power to regulate their own procedure."''

SECOND SCHEDULE

Section 34.

SUPPLEMENTARY PROVISIONS AS TO PUBLIC INQUIRIES

- 1 In the case of an application for the consent or authorisation of the Minister under paragraph (b) of section ten of the Schedule of 1899, where in accordance with any of the provisions of section thirty-four of this Act a public inquiry is to be held, and the application relates to land in the areas of two or more local planning authorities.
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- (a) the application shall not be the subject of a public inquiry in so far as it relates to land in the area of a local planning authority who have not notified the Minister that they object to the application, unless the Minister otherwise directs having regard to objections by other persons of which he has notice;
- (b) in so far as the application is to be the subject of a public inquiry in relation to land in the areas of two or more local planning authorities, the Minister may direct that separate public inquiries shall be held in the area of each of those authorities;
- and, where the Minister gives any such directions, the provisions of the said section thirty-four shall apply with the necessary modifications:

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- Provided that for the purposes of sub-paragraph (a) of this paragraph a local planning authority who have notified the Minister that they object to the application shall be treated as not having done so if the Minister proposes to accede to the application subject to such modifications or conditions as will give effect to the objection.
- 2 Subsection (2) of section sixty-six of the principal Act (which relates to inquiries under that Act) shall apply in relation to inquiries held in pursuance of section thirty-four of this Act as it applies in relation to inquiries held in pursuance of the said section sixty-six.
- 3 For the purposes of section thirty-four of this Act the Minister may make regulations limiting the time within which notification of objections may be made to the Minister by local planning authorities, and providing that objections which are not notified within the time so limited may be disregarded for those purposes.
- 4 Any power to make regulations under section thirty-four of this Act, or under this Schedule, shall be exercisable by statutory instrument, and any instrument containing such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament; and different provision may be made by any such regulations in relation to different classes of applications or otherwise in relation to different classes of cases.
- 5 Where any regulations made under section thirty-four of this Act, or under this Schedule, are for the time being in force, any rules made under section thirty-four of the Electricity (Supply) Act, 1919, in so far as they relate to applications to which the regulations apply, shall have effect subject to those regulations.
- 6 In the application of this Schedule to Scotland, for any reference to the Minister there shall be substituted a reference to the Secretary of State.
- 7 In this Schedule " local planning authority" has the same meaning as in section thirty-four of this Act.

THIRD SCHEDULE

Section 41.

TRANSITIONAL PROVISIONS

Consultative Councils

- 1 (1) Any person holding office as a member of a Consultative Council, or as chairman or deputy chairman of a Consultative Council, by virtue of an appointment made before the vesting date, shall continue to hold that office on and after that date, notwithstanding that his appointment—
- (a) in the case of any of the Consultative Councils in England and Wales, was not in accordance with the provisions of section seven of the principal Act as amended by section five of, and Part I of the First Schedule to, this Act, or
 - (b) in the case of either of the Consultative Councils in Scotland, was not in accordance with the provisions of the new section seven A inserted in the principal Act by section five of, and Part II of the First Schedule to, this Act,
- until the time when he would have ceased to hold that office by virtue of that appointment if section five of this Act had not been enacted.

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- (2) Any regulations made by virtue of the said section seven which are in force immediately before the vesting date, in so far as they relate to matters for which provision could be made by regulations under that section as amended by this Act, or under the said new section seven A, as the case may be, shall continue to have effect after that date, until revoked, as if they had been made under the said section seven as so amended, or under the said section seven A, as the case may be.

Machinery for settling employment conditions

- 2 (1) This paragraph applies to any agreement entered into by the Central Authority under section fifty-three of the principal Act (which made provision for purposes similar to those of section twelve of this Act), being an agreement which is in force immediately before the vesting date.
- (2) Any such agreement relating to employed persons generally or to any class of employed persons—
- (a) shall continue in operation on and after the vesting date until it is superseded by an agreement made in relation to employed persons generally or to that class of employed persons, as the case may be, under the corresponding provisions of section twelve of this Act, and
 - (b) while it so continues in operation, shall, subject to the following provisions of this paragraph, have effect, in relation to any time on or after the vesting date, as if the Electricity Council had been a party to the agreement and as if, in the provisions of the agreement, references (however expressed) to the Central Authority were references to the Electricity Council or to the Generating Board or to both of them, as the case may require.
- (3) In so far as any agreement to which this paragraph applies provides for the constitution of a national organisation (that is to say, a council or other organisation whose functions under the agreement extend to the whole of Great Britain or the whole of England and Wales), the agreement shall have effect, in relation to any time on or after the vesting date, subject to the following provisions, that is to say—
- (a) any power for the Central Authority to appoint members of the organisation to represent the Authority generally shall be construed as a power for the Electricity Council to appoint members to represent the Council; and any member of the organisation so appointed by the Central Authority shall be treated as if he had been appointed by the Electricity Council to represent the Council;
 - (b) any other power for the Central Authority to appoint a member of the organisation shall be construed as if it were a power for the Electricity Council to appoint such a member, and as if any reference in that power to a division of the Authority were a reference to the corresponding division of the Generating Board; and any member of the organisation appointed by the Central Authority in the exercise of such a power shall be treated as if he had been appointed by the Electricity Council in the exercise of that power as modified by this provision.
- (4) In so far as any agreement to which this paragraph applies provides for the constitution of an organisation other than a national organisation, the agreement shall have effect, in relation to any time on or after the vesting date, subject to the following provisions, that is to say,—

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- (a) any power for the Central Authority, or a division of the Central Authority, to appoint any members of the organisation shall be construed as a power for the Generating Board, or the corresponding division of the Generating Board, as the case may be, to appoint those members;
 - (b) any members of the organisation appointed by the Central Authority, or a division of the Central Authority, shall be treated as if they had been appointed by the Generating Board, or the corresponding division of the Generating Board, as the case may be.
- (5) It shall be the duty of the Generating Board and of each of the Area Boards to comply with any agreement to which this paragraph applies, while it continues in operation in accordance with this paragraph.
- (6) Subsection (1) of section twenty-six of this Act shall not apply to any agreement to which this paragraph applies.

Tariffs

- 3 (1) Any tariff fixed before the passing of this Act by the Central Authority, in accordance with subsections (1) and (2) of section thirty-seven of the principal Act, for regulating the prices to be charged by the Authority for the supply of electricity by them to Area Boards during the period of twelve months beginning on the first day of April, nineteen hundred and fifty-seven.—
- (a) shall apply to electricity supplied to Area Boards within that period by the Generating Board on or after the vesting date, as well as to electricity supplied to Area Boards within that period by the Central Authority before the vesting date, and
 - (b) shall have effect, and shall be deemed to have had effect as from the said first day of April, as if any reference therein to the Central Authority were a reference to the Central Authority or the Generating Board.
- (2) Subsection (2) of section twenty-six of this Act shall not apply to any such tariff as is mentioned in the preceding sub-paragraph.
- (3) Any charges payable under any such tariff in respect of electricity supplied to an Area Board before the vesting date, in so far as they are not paid to the Central Authority, shall be payable to the Generating Board.
- (4) Notwithstanding the amendment made by subsection (2) of section fourteen of this Act, the tariffs in force under subsection (3) of section thirty-seven of the principal Act immediately before the vesting date shall remain in force on and after that date, until varied or replaced by tariffs fixed in accordance with the said subsection (3) as so amended.
- (5) Nothing in subsection (2) of section fourteen of this Act shall be construed as affecting any agreement in force immediately before the vesting date, being an agreement entered into by an Area Board under the provisions of subsection (7) of section thirty-seven of the principal Act (under which Area Boards are empowered to enter into special agreements with consumers).

Liabilities in respect of British Electricity Stock and Exchequer advances

- 4 (1) In respect of British Electricity Stock issued before the vesting date, the Electricity Council shall prepare a scheme for determining, as between the Electricity Council,

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the Generating Board and the Area Boards, the shares in which the ultimate responsibility for meeting obligations in respect of that stock is to be borne, and for allocating to the Council, to the Generating Board, and to each of the Area Boards respectively, responsibility in respect of stock so issued in accordance with the shares determined under that scheme.

- (2) In paragraph (b) of subsection (2) of section eighteen of this Act, the reference to the proportions in which responsibility was allocated in respect of the stock to be redeemed or converted shall be construed, where the stock to be redeemed or converted is stock issued before the vesting date, as a reference to the proportions in which responsibility for that stock was allocated under the preceding sub-paragraph.
 - (3) Subsection (3) of section eighteen of this Act shall apply in relation to stock for which responsibility is allocated under this paragraph as it applies in relation to stock for which responsibility is allocated in accordance with that section.
- 5
- (1) The Electricity Council shall prepare a scheme for determining, as between the Electricity Council, the Generating Board and the Area Boards, the shares in which the ultimate responsibility is to be borne for meeting obligations in respect of Exchequer advances made to the Central Authority, and for allocating to the Council, to the Generating Board, and to each of the Area Boards respectively, responsibility in respect of such Exchequer advances in accordance with the shares determined under that scheme.
 - (2) Paragraph (b) of subsection (2) of section eighteen of this Act shall apply to British Electricity Stock issued by the Electricity Council for the purpose of repaying Exchequer advances made to the Central Authority, with the substitution, for the words " stock to be redeemed or converted " of the words " Exchequer advances to be repaid ".
 - (3) Subsection (3) of section eighteen of this Act shall apply in relation to payments in respect of interest on, or the repayment of, Exchequer advances made to the Central Authority as it applies in relation to payments in respect of interest on or the redemption of stock, as if any reference therein to responsibility, under that section were a reference to responsibility under a scheme made by virtue of this paragraph.
- 6
- Any scheme prepared by the Electricity Council under paragraph 4 or paragraph 5 of this Schedule shall not have effect until it has been settled by the Council with the Minister, after giving to the Generating Board and each of the Area Boards an opportunity to make representations thereon to him.

Central reserve fund

- 7
- (1) The central reserve fund shall be wound up as from the vesting date.
 - (2) The Electricity Council shall prepare a scheme for distributing the central reserve fund among the Generating Board and the Area Boards.
 - (3) A scheme prepared by the Electricity Council under the last preceding sub-paragraph shall not have effect until it has been settled by the Council with the Minister, after giving to the Generating Board and each of the Area Boards an opportunity to make representations thereon to him.
 - (4) Subject to the last preceding sub-paragraph, the central reserve fund shall be distributed in accordance with the scheme prepared and settled by the Electricity Council under this paragraph.

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Transfer of undertaking of Central Authority

- 8 (1) Any legal proceedings or applications to any authority pending on the vesting date by or against the Central Authority, in so far as they relate to any property, right, liability or obligation transferred to the Electricity Council or the Generating Board by virtue of this Act, or to any enactment applied to the Electricity Council or the Generating Board by virtue of this Act, may be continued on and after the vesting date by or against the Electricity Council or the Generating Board, as the case may be.
- (2) Any legal proceedings or applications to any authority pending on the vesting date by or against the Central Authority, in so far as they relate to any agreement or document which has effect in accordance with subsection (1) or subsection (2) of section twenty-six of this Act, may be continued on and after the vesting date by or against the appropriate transferees (as denoted by that section).
- (3) In this paragraph " obligation " has the same meaning as in section twenty-five of this Act.
- 9 (1) The Minister may direct the Central Authority to produce such books of account, records and documents, and to supply such other information, as may reasonably be required—
- (a) by the Electricity Council or the Generating Board for the purpose of assisting that Council or Board in taking over the property, rights, liabilities and obligations transferred to them by virtue of this Act, or
- (b) by the Minister, the Electricity Council or the Generating Board for any other purposes arising out of the provisions of this Act,
- and to provide facilities for the examination of any such books, records and documents, and the taking of copies thereof and extracts therefrom, and facilities for the verification of other information supplied under the directions.
- (2) Any such directions may make provision as to the manner, time and place in or at which any requirement of the directions is to be complied with.
- 10 (1) Notwithstanding the definition of " financial year " in subsection (1) of section sixty-seven of the principal Act, or any regulations made for the purposes of that definition.
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- (a) the period beginning with the first day of April, nineteen hundred and fifty-seven, and ending with the thirty-first day of December, nineteen hundred and fifty-seven (in this paragraph referred to as " the 1957 period "), shall, for all the purposes of the principal Act, be taken to be a financial year of the Central Authority and of each of the Area Boards; and
- (b) so much (if any) of the period beginning with the first day of January, nineteen hundred and fifty-eight, and ending with the thirty-first day of March, nineteen hundred and fifty-eight, as (apart from this paragraph) would not have been comprised in the first financial year of the Electricity Council, or of the Generating Board, or, in the case of any of the Area Boards, would not have been comprised in the first financial year of that Board beginning after the end of the 1957 period, shall, for all the purposes of the principal Act and of this Act, be treated as added to, and incorporated in, that first financial year.
- (2) The Electricity Council and the Generating Board shall be jointly responsible for the annual report of the Central Authority for the 1957 period (which, in accordance with the preceding sub-paragraph, will constitute a financial year of the Authority)

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and for the accounts and audit of the Central Authority for that period, but only so far as may be necessary—

- (a) for completing that report and submitting it to the Minister;
- (b) for completing those accounts; and
- (c) for sending to the Minister a copy of the statement of those accounts and of any report of the auditors thereon;

and the provisions of section ten of this Act and of section forty-six of the principal Act shall apply accordingly with the necessary modifications.

Pension rights

- 11 Notwithstanding any amendment of the principal Act having effect by virtue of this Act, in section fifty-four of that Act (which relates to pensions for former employees) any reference to an Electricity Board shall continue on and after the vesting date to include a reference to the Central Authority.
- 12 Notwithstanding any amendment by this Act of subsection (6) of section three of the principal Act (which relates to the remuneration and pensions of members of the Central Authority and of Area Boards),—
- (a) the provisions of that subsection (except so much of those provisions as requires the payments thereunder to be made by the Central Authority) shall continue on and after the vesting date to have effect in relation to persons who were members of the Central Authority at any time before the vesting date, other than persons to whom compensation becomes payable by virtue of subsection (1) of section twenty-seven of this Act;
 - (b) any liability arising by virtue of the said subsection (6) (in so far as that subsection has effect in accordance with the preceding sub-paragraph) to pay any pension on or after the vesting date to or in respect of persons who were members of the Central Authority shall be treated for the purposes of section twenty-six of this Act as if it had been a liability of the Central Authority subsisting immediately before the vesting date.

Activities and expenses of Electricity Council and Generating Board before vesting date

- 13 (1) Notwithstanding anything contained in subsection (3) of section forty-three of this Act, subsection (5) of section two of the principal Act and subsections (1), (6), (7) and (8) of section three of that Act, as amended respectively by Part I of the Fourth Schedule to this Act, shall have effect in relation to the Generating Board as from the establishment of that Board:
- Provided that nothing in this sub-paragraph shall affect the operation of those subsections in relation to the Central Authority.
- (2) In respect of any expenses incurred or to be incurred by the Electricity Council or the Generating Board before the vesting date, the Council or Board, as the case may be, may require the Central Authority to make such payments to them as the Council or Board may certify to be necessary for meeting any such expenses.
 - (3) All payments made by the Central Authority in accordance with the last preceding sub-paragraph shall be charged to the revenue account of the Authority for the financial year ending on the thirty-first day of December, nineteen hundred and fifty-seven.

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- (4) All expenses incurred by the Electricity Council or the Generating Board before the vesting date shall, for the purposes of the accounts of the Council or Board, be treated as expenses incurred in the first financial year of the Council or Board; and all sums received by the Electricity Council or the Generating Board by virtue of sub-paragraph (2) of this paragraph shall be treated for those purposes as receipts attributable to that financial year.

Applications for consent or authorisation made before vesting date

- 14 The following provisions of this Act, that is to say.—
- (a) sections thirty-two to thirty-four, and
 - (b) so much of the Fourth Schedule to this Act as amends section two of the Electric Lighting Act, 1909,
- shall not have effect in relation to the giving of any consent or authorisation for which application was made before the passing of this Act, or is made thereafter but before the vesting date.

FOURTH SCHEDULE

Section 42.

AMENDMENT AND ADAPTATION OF ENACTMENTS

PART I

AMENDMENTS OF ELECTRICITY ACT, 1947

<i>Section of Act</i>	<i>Amendment</i>
Section 1	In subsection (2), for the words " Central Electricity Authority " there shall be substituted the words " Generating Board "; in subsection (3), for the words " Central Authority", in the second place where they occur, there shall be substituted the words " Generating Board "; in subsection (4), in paragraphs (a) and (b), for the words "with the approval of the Central Authority" there shall be substituted the words " after consultation with the Generating Board ", and for the words " Central Authority", in the third and fourth places where they occur in that subsection, there shall be substituted the words " Electricity Council "; and in subsection (6), after the words " this Part of this Act" there shall be inserted the words " or under the Electricity Act, 1957 ".
Section 2	In subsection (2), for the words " Central Authority " there shall be substituted the words " Generating Board "; in

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<i>Section of Act</i>	<i>Amendment</i>
	subsection (5), for the words " Central Authority" there shall be substituted the words " Generating Board ", and for the words from " performance of their duties " to " any of their functions" there shall be substituted the words " exercise or performance of any of their functions under the foregoing section or the Electricity Act, 1957, or "; in subsection (8), after the words " Central Authority" there shall be inserted the words " or the Generating Board "; in subsection (8A), for the words " an Electricity Board in England" there shall be substituted the words " any of the Electricity Boards in England and Wales "; and in subsection (9), after the words " provisions of this Act" there shall be inserted the words " and the provisions of section two of the Electricity Act, 1957, as to the functions of the Generating Board ".
Section 3	In subsections (1), (6), (7) and (8) (in each place where the words occur) for the words "Central Authority" there shall be substituted the words " Generating Board ".
Section 4	In subsection (2), for the words "Central Authority" there shall be substituted the words " Electricity Council ".
Section 10	For the words " Central Authority " there shall be substituted the words " Electricity Council, the Generating Board ", and after the word " Parliament ", in the first place where it occurs, there shall be inserted the words " and the Electricity Council ".
Section 16	In subsection (2), after the words " functions under this Act " there shall be inserted the words " (or, in the case of the Generating Board, of their functions under this Act or under the Electricity Act, 1957) ".
Section 19	In subsection (1), for the words " England or Wales ", where they first occur, there shall be substituted the words " England and Wales ", and, in paragraph (a), for the words " Electricity Board in England or Wales " there shall be substituted the words " such Electricity Board ", and after the words " this Act " there shall be inserted the words " or the Electricity Act, 1957 "; in the proviso to that subsection and in subsection (2), for the words " Central Authority " there shall be

Status: This is the original version (as it was originally enacted).

<i>Section of Act</i>	<i>Amendment</i>
	substituted the words " Electricity Council "; and in subsection (3), for the words " an Electricity Board in England or Wales " there shall be substituted the words " any of the Electricity Boards in England and Wales ", and for the words " Central Authority" there shall be substituted the words " Electricity Council ".
Section 20	In subsection (1), for the words " Central Authority ", wherever they occur, there shall be substituted the words " Electricity Council ", and for the word " Authority", where it occurs without the word " Central", there shall be substituted the word " Council ".
Section 21	In subsection (3), for the words " Central Authority " there shall be substituted the words " Electricity Council ".
Section 33	In subsection (4), for the words " Central Authority " there shall be substituted the words " Electricity Council ".
Section 37	In subsection (2), for the words " Central Authority " there shall be substituted the words " Generating Board ".
Section 40	In subsection (3), for the words " Central Authority " there shall be substituted the words " Electricity Council ".
Section 45	In subsection (1), for the words " Central Authority " there shall be substituted the words " Generating Board ", and for the words from " to the central reserve fund " to " area reserve fund " there shall be substituted the words " in the case of the Generating Board, to the generating reserve fund, in the case of the South of Scotland Board, to the general reserve fund established under section eleven A of the Act of 1943, and, in the case of an Area Board, to the area reserve fund maintained by the Board "; and in subsection (2), in paragraph (b), for the words " said Act" there shall be substituted the words " Act of 1943 ".
Section 46	In subsection (1), for the words " Central Authority " there shall be substituted the words " Electricity Council, the Generating Board ", and for the word " Authority ", in the second place where it occurs, there shall be substituted the word " Council "; in subsection (3), for the words " Central

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<i>Section of Act</i>	<i>Amendment</i>
	Authority " there shall be substituted the words " Electricity Council, the Generating Board " ; and the following subsection shall be substituted for subsections (4) and (5):— “(4) The Electricity Council, the Generating Board and every Area Board shall, as soon as their accounts have been audited, send a copy of the statement thereof referred to in subsection (1) of this section to the Minister and (in the case of the Generating Board or an Area Board) to the Electricity Council, together with a copy of any report made by the auditors on that statement or on those accounts, and copies of those statements and of every such report shall be made available to the public at a reasonable price”.
Section 50	In subsection (1), for the words " the Central Authority " and " the Authority " there shall be substituted the words " every Electricity Board " .
Section 51	In subsection (3), for the words " Central Authority " there shall be substituted the words " Generating Board " .
Section 54	In paragraph (a) of subsection (1), after the words " Electricity Board", in both places where those words occur, there shall be inserted the words " or the Electricity Council " , and in paragraph (b) of that subsection, after the words " the like purposes " there shall be inserted the words " (whether the schemes in question came into existence before or after the vesting date) " ; in subsection (4), after the words " Electricity Board " there shall be inserted the words " or the Electricity Council " , after the word " Board " , in each other place where it occurs, there shall be inserted the words " or Council " , and after the words " provision of this Act" there shall be inserted the words " (including any such provision as applied to the Electricity Council by the Electricity Act, 1957) " ; and in subsection (8), after the words " Electricity Board " there shall be inserted the words " or the Electricity Council " .

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<i>Section of Act</i>	<i>Amendment</i>
Section 58	In subsection (2), for the words " Central Authority " there shall be substituted the words " Electricity Council ".
Section 60	In subsection (1), after the words " arising from " there shall be inserted the words " the supply or ".
Section 63	After the words " this Act ", in the second place where they occur, there shall be inserted the words " or the Electricity Act, 1957 ".
Section 66	In subsection (1), at the end there shall be inserted the words " or the Electricity Act, 1957 ".
Section 67	In subsection (1), in paragraph (b) of the definition of " financial year", after the words " Electricity Board " there shall be inserted the words " or to the Electricity Council ", and after the words " first financial year " there shall be inserted the words " (except in relation to the Electricity Council and the Generating Board) " and after the definition of " functions " there shall be inserted the words— <div style="text-align: center;"> <p>“ the Generating Board ' means the Central Electricity Generating Board constituted under the Electricity Act, 1957”.</p> </div>
Third Schedule	In paragraph 5 of Part I, and in paragraph 2, and sub-paragraph (1) of paragraph 5, of Part II, for the words " Central Authority", in each place where they occur, there shall be substituted the words " Electricity Council "; and in sub-paragraph (2) of paragraph 5 of Part II, the words " by the Central Authority" shall be omitted, and after the words " in respect of any securities " there shall be inserted the words " whether by the Central Authority or by the Electricity Council ".

PART II

AMENDMENTS AND ADAPTATIONS OF OTHER ENACTMENTS

General amendments and adaptations

Subject to any specific amendment or adaptation made by the following provisions of this Schedule, the words " Generating Board " shall be substituted for the words " Central Authority

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" , " Central Electricity Authority " or " British Electricity Authority " wherever those words occur in any enactment (including any local enactment) other than the Electricity Act, 1947, and the enactments relating to income tax and the profits tax.

In the provisions of the Electricity (Supply) Acts, 1882 to 1936, any reference to those Acts, or to one or more of those Acts, being a reference which by virtue of Part I of the Fourth Schedule to the principal Act is to be construed as including a reference to the principal Act, shall be construed as also including a reference to this Act.

Where any local enactment refers to any provisions of the principal Act which are amended by this Act, or, being provisions relating to the Central Authority, are re-enacted (with or without modifications) in this Act in the form of corresponding provisions relating to the Generating Board or the Electricity Council, the reference shall be construed as a reference to the provisions in question as amended by this Act, or to the corresponding provisions of this Act, as the case may be.

In any amendment made in any other enactment by the preceding provisions of this Part of this Schedule, or by the following provisions thereof, " the Generating Board " means the Central Electricity Generating Board constituted under this Act.

The Electric Lighting Act, 1882

In the provisions of section eighteen of the Gasworks Clauses Act, 1847, incorporated with the said Act of 1882 by virtue of section twelve thereof, the words from " or shall supply any other person " to the words " by the Undertakers ", and the words " or such supply furnished ", shall be omitted.

The Electric Lighting (Clauses) Act, 1899

In the Schedule, in section fifty-seven, for the words " shall also order " there shall be substituted the words " may also direct " ; and, in the Appendix, the provisions of section eighteen of the Gasworks Clauses Act, 1847, therein set out shall be modified in accordance with the last preceding provisions of this Part of this Schedule.

The Electric Lighting Act, 1909

In section two, for the words " Central Authority " there shall be substituted the words " Generating Board or any Area Board ", after the words " district in which the land is situate " there shall be inserted the words " to the local planning authority (within the meaning of the Town and Country Planning Act, 1947) in whose area that land is situate ", and after the words " such local authority " there shall be inserted the words " local planning authority " .

Subject to the provisions of the Act of 1943 relating to constructional schemes and with the substitution, for the reference to the Town and Country Planning Act, 1947, of a reference to the Town and Country Planning (Scotland) Act, 1947, the provisions of the said section two shall apply to the Scottish Electricity Boards as they apply to the Generating Board.

The Electricity (Supply) Act, 1919

In section eleven, for the words " Central Authority " there shall be substituted the words " Generating Board or any Area Board " .

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The Hydro-Electric Development (Scotland) Act, 1943

In section two the following subsection shall be substituted for subsection (4):—

- “(4) The Scottish Electricity Boards may provide bulk supplies of electricity—
- (a) for the Generating Board, and
 - (b) for any person or body of persons carrying on an electricity undertaking outside Great Britain”.

In section ten A, in subsection (1), for the words " Electricity Act, 1947 ", there shall be substituted the words " Electricity Act, 1957 ".

In section seventeen, for the words " and the Central Authority " there shall be substituted the words " the Electricity Council, the Generating Board and the Area Boards ".

The Local Government Act, 1948

In section eighty-five, in paragraph (b) of subsection (1), after the words " British Electricity Authority" there shall be inserted the words " the Electricity Council, the Generating Board " , and at the end of that subsection there shall be inserted the following proviso:—

“Provided that, in relation to the year 1958-59 and all subsequent years, the reference in this subsection to the making of payments by the British Electricity Authority shall be construed as a reference to the making of those payments by the Electricity Council”.

In section ninety-one, after the words " British Electricity Authority " there shall be inserted the words " the Electricity Council, the Generating Board ".

In section ninety-two, in subsection (1), the reference to the British Electricity Authority shall include a reference to the Electricity Council and the Generating Board, and, in relation to that Council and that Board, the reference to the first day of April, nineteen hundred and forty-eight, shall be construed as a reference to the first day of January, nineteen hundred and fifty-eight.

In section ninety-six, nothing in the preceding provisions of this Part of this Schedule shall affect the words " British Electricity Authority " in subsection (1), but the following subsection shall be inserted after that subsection:—

- “(1A) The preceding subsection shall not apply to the year 1958-59 or years subsequent thereto; but, with respect to that year, and subsequent years.—
- (a) the Electricity Council shall in each year make a payment for the benefit of local authorities in England and Wales; and
 - (b) the South of Scotland Electricity Board shall in each year make a payment for the benefit of local authorities in Scotland with areas outside the North of Scotland District”.

and in subsection (2) of that section, for the words " said payments " there shall be substituted the words " payments referred to in the preceding subsections " .

In section ninety-seven, in subsection (1), after the words " British Electricity Authority ", there shall be inserted the words " or the Electricity Council ".

In section ninety-eight, in subsection (3), after the words " Central Electricity Authority " there shall be inserted the words " or Electricity Council ", and in subsection (7), in paragraph (c), after the words " Electricity Act, 1947 " there shall be added the words " as modified by section two of the Electricity Act, 1957 " .

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In section ninety-nine, at the end of subsection (4), there shall be inserted the following proviso:

—
“Provided that, in relation to units supplied on or after the first day of January, nineteen hundred and fifty-eight, references in this subsection to the British Electricity Authority shall be construed as references to the Generating Board”.

In section one hundred and two, in subsection (1), after the words " British Electricity Authority" there shall be inserted the words " the Electricity Council " .

The Gas and Electricity (Borrowing Powers) Act, 1954

In section one, for the words " the said Acts " there shall be substituted the words " that Act " .

The Electricity Reorganisation (Scotland) Act, 1954

In section twelve, in subsection (1), after the words " transfer; and " there shall be inserted the words " subject to the next following subsection " and at the end of that subsection there shall be added the following subsection—

“(1A) Where any regulations made under subsection (1) of this section provide for appeals to be brought as mentioned in paragraph (b) of subsection (5) of the said section fifty-five, the referee or board of referees on any such appeal may, and if so directed by the Court of Session shall, state a case for the opinion of that Court on any question of law arising in the proceedings.”

The Finance Act, 1956

In section forty-two, in paragraph (a) of subsection (2), for the words " Central Electricity Authority" there shall be substituted the words " Electricity Council " .

The Rating and Valuation Act, 1957

In section two, after the words " Central Electricity Authority ", in each place where they occur, there shall be inserted the words " or the Electricity Council " ; and any reference in that section to any provisions of the Local Government Act, 1948, shall be construed as a reference to those provisions as amended by the preceding provisions of this Part of this Schedule.

The House of Commons Disqualification Act, 1957

In Part II of the First Schedule, for the words " The Central Electricity Authority " there shall be substituted the words " The Central Electricity Generating Board ", and after the words " The Electricity Board for Northern Ireland " there shall be inserted the words " The Electricity Council " .

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FIFTH SCHEDULE

Sections 42, 43.

ENACTMENTS REPEALED

PART I

REPEALS EXTENDING TO ENGLAND AND WALES AND SCOTLAND

Session and Chapter	Short Title	Extent of Repeal
62 & 63 Vict. c. 19.	The Electric Lighting (Clauses) Act, 1899.	In the Schedule, in section ten, in paragraph (b), the words from "and except" to the words " purpose of supply".
9 & 10 Geo. 5. c. 100.	The Electricity (Supply) Act, 1919.	In section twenty-nine, subsections (3) and (4).
10 & 11 Geo. 6. c. 54.	The Electricity Act, 1947.	In section one, in subsection (1), the words from " and it shall be the duty " to the end of the subsection; subsection (1A); and in subsection (2) the words " as from the vesting date ". In section seven, subsection (14). Sections seventeen and eighteen. Sections twenty-three to twenty-six. Sections twenty-nine and thirty. Section thirty-four. In section forty-five, paragraph (a) of subsection (2). In section forty-seven, subsections (1), (2) and (4). Section forty-eight. Section forty-nine. In section fifty, subsection (5). Section fifty-three. In section sixty-eight, subsection (6).

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Session and Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 26.	The Local Government Act, 1948.	Section one hundred and three.
2 & 3 Eliz. 2. c. 52.	The Gas and Electricity (Borrowing Powers) Act, 1954.	In section one, the words " the British Electricity Authority and Area Electricity Boards, and of", and paragraph (a)
2 & 3 Eliz. 2. c. 60.	The Electricity Reorganisation (Scotland) Act, 1954.	In section ten, subsection (1). In the First Schedule, in Part III, the adaptation of the Electric Lighting Act, 1909.

PART II

REPEALS EXTENDING TO ENGLAND AND WALES ONLY

Session and Chapter	Short Title	Extent of Repeal
10 & 11 Geo. 6. c. 54.	The Electricity Act, 1947.	In section two, subsections (1), (3) and (6). In section three, subsection (2); in paragraph (a) of subsection (3) the words " after consultation with the Central Authority "; and in subsection (5) the words from " appoint one or more of the members" to the words " after consultation with the Central Authority ". Sections five and six. Section eight. Section thirty-six. In section thirty-seven, subsections (5) and (6), paragraph (b) of the proviso to subsection (7), and in subsection (8) the words from " and the central Authority" to the end of the subsection. Section thirty-nine. In section forty, subsections (4), (2) and (4).

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Session and Chapter	Short Title	Extent of Repeal
		Sections forty-one to forty-four.

TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Gasworks Clauses Act, 1847	10 & 11 Vict. c. 15.
Local Loans Act, 1875	38 & 39 Vict. c. 83.
Telegraph Act, 1878	41 & 42 Vict. c. 76.
Electric Lighting Act, 1882	45 & 46 Vict. c. 56.
Finance Act, 1899	62 & 63 Vict. c. 9.
Electric Lighting (Clauses) Act, 1899	62 & 63 Vict. c. 19.
Electric Lighting Act, 1909	9 Edw. 7. c. 34.
Electricity (Supply) Act, 1919	9 & 10 Geo. 5. c. 100.
Supreme Court of Judicature (Consolidation) Act, 1925	15 & 16 Geo. 5. c. 49.
Electricity (Supply) Act, 1926	16 & 17 Geo. 5. c. 51.
Electric Supply (Meters) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 20.
Hydro-Electric Development (Scotland) Act, 1943	6 & 7 Geo. 6. c. 32.
Finance Act, 1946	9 & 10 Geo. 6. c. 64.
Finance Act, 1947	10 & 11 Geo. 6. c. 35.
Town and Country Planning Act, 1947	10 & 11 Geo. 6. c. 51.
Town and Country Planning (Scotland) Act, 1947	10 & 11 Geo. 6. c. 53.
Electricity Act, 1947	10 & 11 Geo. 6. c. 54.
Local Government Act, 1948	11, & 12 Geo. 6. c. 26.
Gas and Electricity (Borrowing Powers) Act, 1954	2 & 3 Eliz. 2. c. 52.
Electricity Reorganisation (Scotland) Act, 1954	2 & 3 Eliz. 2. c. 60.
Finance Act, 1956	4 & 5 Eliz. 2. c. 54.
Rating and Valuation Act, 1957	5 & 6 Eliz. 2. c. 17.
House of Commons Disqualification Act, 1957	5 & 6 Eliz. 2. c. 20.