

New Zealand.



G A S - S U P P L Y .

1908, No. 69.

AN ACT to consolidate certain Enactments of the General Assembly relating to the Liability of Gas Companies and Consumers of Gas.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. (1.) The Short Title of this Act is “The Gas-supply Act, 1908.”

(2.) This Act is a consolidation of the enactments mentioned in the Schedule hereto, and with respect to those enactments the following provisions shall apply:—

(a.) All notices, deposits, instruments of security, and generally all acts of authority which originated under any of the said enactments, and are subsisting or in force on the coming into operation of this Act, shall enure for the purposes of this Act as fully and effectually as if they had originated under the corresponding provisions of this Act, and accordingly shall, where necessary, be deemed to have so originated.

(b.) All matters and proceedings commenced under any such enactment, and pending or in progress on the coming into operation of this Act, may be continued, completed, and enforced under this Act.

2. In this Act, if not inconsistent with the context,—

“Company” means any municipal corporation, company, person, or body of persons, whether incorporated or not, now or hereafter authorised by or under any Act or otherwise to manufacture and supply gas within New Zealand.

3. (1.) The company, upon being requested so to do by the owner or occupier of any premises situate within one hundred yards from any main of the company, shall give and continue to give a supply of gas for those premises, under such pressure as may be sufficient, and at the usual

Short Title.
Enactments
consolidated.

Savings.

Interpretation.
1882, No. 21, sec. 2

Gas company to
supply gas on
certain conditions.
Ibid, sec. 3

price for the time being charged by the company, and shall furnish and lay down any pipe necessary for the purpose, subject to the provisions of this Act.

(2.) The cost of so much of any service-pipe for the supply of gas to any owner or occupier as is laid down upon the property of such owner or in the possession of such occupier, and of so much of such pipe as is laid down for a greater distance than fifty feet from any main of the company, although not on such property, shall be defrayed by such owner or occupier :

Provided that the company shall in no case be required to lay down pipes beyond the boundary of the street, except at the cost of the consumer.

(3.) The owner or occupier of premises requiring a supply of gas shall— Customer to give notice, &c.

(a.) Serve a notice upon the company at its office, specifying the premises in respect of which such supply is required, and the day (being a reasonable time after the service of such notice) upon which such supply is to begin; and

(b.) Enter into a written contract with the company (if required so to do) to continue to receive and pay for a supply of gas for a period of at least twelve months; and

(c.) Give to the company (if required so to do) security for payment to the company of all moneys from time to time becoming due to it from such owner or occupier in respect of any pipe furnished and gas supplied by the company.

4. The company may, after it has given a supply of gas for any premises, by notice in writing require the owner or occupier of such premises, within seven days after the date of the service of such notice, to give security for the payment of all moneys which may from time to time become due to it in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid or is insufficient; and if any such owner or occupier fails to comply with the terms of such notice, the company may, if it pleases, discontinue the supply of gas from such premises for so long as such failure continues. Company may require security. 1882, No. 21, sec. 3

5. Where any premises are connected with the main of the company the company shall, upon being requested so to do by the owner or occupier of such premises, give and continue to give a supply of gas for such premises, subject to the conditions as to giving security (if required by the company) mentioned in this Act. Where premises connected with main. Ibid, sec. 4

6. (1.) Where an owner or occupier is required to give security to the company such security may be by way of deposit or otherwise, and of such amount as may be agreed upon between him and the company, or as, in default of agreement, may be determined, on the application of either party, by a Magistrate or two Justices. How security to be given. Ibid, sec. 5

(2.) The decision of the Magistrate or Justices shall be final and binding on all parties.

(3.) The cost of such application shall be in the discretion of the Court.

7. Where a consumer of gas supplied by the company leaves the premises at which such gas has been supplied to him without paying the gas-rent or meter-rent due from him, the company shall not be entitled to require from the next incoming tenant of such premises the arrears left How far incoming tenant liable for arrears of gas-rent Ibid, sec. 6

unpaid by the outgoing tenant, if such incoming tenant before consuming gas gives to the company twenty-four hours' notice of his intention to consume gas :

Provided that the incoming tenant shall be liable to pay such arrears if he has undertaken to pay the same, or to relieve the outgoing tenant from liability to pay the same.

Partial repeal of
special Acts.
1882, No. 21, sec. 7

8. The foregoing provisions of this Act shall repeal and supersede such of the provisions of any special Act in force on the thirteenth day of September, one thousand eight hundred and eighty-two (being the date of the coming into operation of "The Gas Companies' and Consumers' Liability Act, 1882"), as are inconsistent with this Act.

Powers of company
as to storage and
conveyance of gas.
1907, No. 72, sec. 25

9. (1.) In any case in which a company is authorised by any statute or otherwise to supply gas to the inhabitants of any borough or other district, and has before or after the coming into operation of this Act erected in any neighbouring borough or district any works for the manufacture or storage of gas, it shall be lawful for the said company, with the consent of the Governor in Council, for the purpose of connecting such works with the first-mentioned borough or district, to open and break up the soil and pavements of any streets, roads, bridges, or thoroughfares in the borough or district in which the said works are situated, and to alter any drains or water-pipes thereunder to such extent as may be necessary, and to lay down, retain, and from time to time repair or renew such mains or pipes thereunder as may be required for the conveyance of gas from and to the said works.

(2.) In the execution of the powers hereby conferred the company shall do as little damage as may be, and shall make compensation for any damage done.

SCHEDULE.

ENACTMENTS CONSOLIDATED.

1882, No. 21.—"The Gas Companies' and Consumers' Liability Act, 1882."
1907, No. 72.—"The Reserves and other Lands Disposal and Public Bodies Empowering Act, 1907": Section 25.