

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Limitation of amount of Chairman's allowance. 3. Modifying conditions on which ratepayers may obtain partial exemption from general rates on ground that supply of electricity is not available to them. 4. Section 64 of principal Act (as to supply of electricity to value of separate rate) amended. | <ol style="list-style-type: none"> 5. Amended provisions as to accounts and financial statements. 6. Where Board in exercise of powers conferred by principal Act acquires electric works from a local authority it may undertake the loan or other liabilities of that local authority in respect of such works. 7. Restricting application of section 119 of principal Act. Repeal. |
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1928, No. 41.

AN ACT to amend the Electric-power Boards Act, 1925.

Title.

[9th October, 1928.]

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

1. This Act may be cited as the Electric-power Boards Amendment Act, 1928, and shall be read together with and deemed part of the Electric-power Boards Act, 1925 (hereinafter referred to as the principal Act).

Short Title.

2. Section twenty-seven of the principal Act is hereby amended by inserting, after the words "such annual allowance" in subsection one, the words "not exceeding three hundred pounds in any case."

Limitation of amount of Chairman's allowance.

3. Section fifty-six of the principal Act, as amended by section eight of the Electric-power Boards Amendment Act, 1927, is hereby further amended as follows:—

Modifying conditions on which ratepayers may obtain partial exemption from general rates on ground that supply of electricity is not available to them.

(a) By inserting, in subsection three after the words "such portion only of the rate as may be fixed by the special order shall," the words "subject to the provisions of the next succeeding subsection."

(b) By inserting, after subsection three, the following subsections:—

“(3A) No ratepayer shall be entitled to claim a reduction of rates in terms of any special order made under the last preceding subsection unless within ninety days after

the receipt by him of a demand for any such rates he has given to the local authority by which the demand was issued a notice in writing claiming such reduction. For the purposes of this subsection a demand for rates posted to a ratepayer by any local authority and addressed to him at his usual or last known place of business or abode shall be deemed to have been received by him in due course of post.

“(3B) Every demand for rates with respect to which a special order under subsection three hereof has been made shall have conspicuously printed or stamped on the face thereof the following words, or words to the like effect: ‘No reduction of the Electric-power Board rate on the ground that electricity is not available to the ratepayer will be allowed unless written application for such reduction is made by the ratepayer within ninety days after receipt of this demand.’”

- (c) By omitting from subsection four the words “on the last day of each month,” and substituting the words “forthwith after the expiry of the time allowed to ratepayers for making application for a reduction of any such rate”; and by omitting from the same subsection the words “during that month claimed that in accordance with the provisions of this section they are liable for portion only of the rate,” and substituting the words “duly applied for a reduction of such rate in accordance with this section.”

4. Section sixty-four of the principal Act is hereby amended as follows:—

- (a) By inserting, in subsection six after the words “every person liable to pay a rate under this section shall,” the words “during the financial year for which such rate is levied”;
- (b) By inserting, after the words “the total amount of such rate” in the same subsection, the words “paid in that year”;
- (c) By adding the following subsection:—

“(8) If with respect to any property liable to a separate rate under this section the Board is satisfied that the occupier (if any) or, if there is no occupier, the owner is unable to take advantage of the supply of electricity with reasonable benefit to himself or to the property, the Board may at any time remit such rate in whole or in part in so far as it affects such property, or may refund the whole or any part of such rate paid in respect of such property.”

5. Section seventy-five of the principal Act is hereby amended by inserting, after subsection two, the following subsections:—

“(2A) The statement and account prepared by the Board in terms of this section for the year commencing on the first day of April, nineteen hundred and twenty-nine, and for each year thereafter, shall show as a separate account its income and expenditure in respect of each public trading undertaking controlled by it.

“(2B) If the Audit Office considers that any separate account prepared in terms of the last preceding subsection does not properly and fairly disclose the financial results and position of the public trading undertaking to which it relates, and the profit or loss resulting from the

Section 64 of principal Act (as to supply of electricity to value of separate rate) amended.

Amended provisions as to accounts and financial statements.

operation of the undertaking, then the Board shall make such alterations in its statement and account as are in the opinion of the Audit Office necessary so to disclose such financial results and position and the profit or loss of the undertaking.

“(2C) The Board shall, not later than one month after the audit of any statement and account as aforesaid has been completed, make copies of such statement and account available for inspection at its office to any member of the public, and may, if it thinks fit, demand for any such inspection a fee not exceeding one shilling. Any person having the custody of any such statement or account who refuses to permit the inspection thereof by any person entitled to inspect the same, or who interferes with or obstructs any person in the exercise of his right of inspection, commits an offence and is liable to a fine of five pounds.”

6. Where any Board has, whether before or after the passing of this Act, been empowered by the Governor-General, acting under section seventy-six of the principal Act, to acquire any electric works the property of a local authority, the Board may, with the consent of and subject to conditions approved by the Local Government Loans Board, and without further authority, assume the whole or any part of the outstanding liability of that local authority in respect of loans or otherwise in relation to such electric works. The power conferred by this section may be exercised notwithstanding that the powers of the Board to borrow money by way of bank overdraft may thereby be exceeded.

Where Board in exercise of powers conferred by principal Act acquires electric works from a local authority it may undertake the loan or other liabilities of that local authority in respect of such works.

7. (1) Notwithstanding anything to the contrary in section one hundred and nineteen of the principal Act, where the cost of any fittings and equipment installed by the Board on any land or in any building thereon, together with the cost of installation, exceeds thirty pounds, the amount payable to the Board in respect of such cost, or as rent for the use of any such fittings or equipment, shall not be a charge on the land or recoverable as a rate unless prior to such installation consent in writing is given thereto by or on behalf of the owner of such land, and, where the land is subject to any duly registered mortgage, is also given by or on behalf of the mortgagee or mortgagees.

Restricting application of section 119 of principal Act.

(2) This section is in substitution for section seventeen of the Electric-power Boards Amendment Act, 1927, and that section is hereby accordingly repealed.

Repeal.