

New Zealand.



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1891, No. 5.—*Private.*

Title.

AN ACT to authorise the New Zealand Electrical Syndicate (Limited) to break up or cross over Streets, Roads, Rivers, and Bridges, and to place Mains, Service-lines, and Distributing-mains either above or below Ground, and to lay down and place Pipes, Conduits, and Service-pipes, and to erect Pillars, Arches, and Poles, and to make, construct, and do other Works and Things for supplying the City of Auckland and Suburbs with Electrical Energy.
[25th September, 1891.]

Preamble.

WHEREAS a company with limited liability has been incorporated under the provisions of the Companies Acts, 1862 to 1890, of the Imperial Parliament, by the name of the New Zealand Electrical Syndicate (Limited), having for its objects the production of electricity and electrical energy, and supplying the same for lighting purposes and as a motive power: And whereas it is expedient that power should be given to enable the said company to carry out the objects for which it has been so established in and over the area of supply described in clause six of this Act, and specified in the Schedule hereto:

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

Short Title.

1. The Short Title of this Act is "The Auckland Electric Lighting Act, 1891."

Interpretation.

2. In this Act, if not inconsistent with the context hereof, and unless there are words to exclude or restrict such meaning, the words and expressions following shall severally have the meanings hereinafter assigned to them, that is to say,—

The expression "electricity" means electricity, electric current, or any like agency:

The expression "energy" means electrical energy, and for the purposes of this Act electrical energy shall be deemed to be an agency within the meaning of electricity as defined by this Act:

The expression "the company" means the New Zealand Electrical Syndicate (Limited) :

The expression "public purpose" refers to the supply of electricity to or in any street, or any place belonging to or subject to the control of a local authority, or any hall, public theatre, or building belonging to, or subject to the control of, any public authority, but shall not include any other purpose to which electricity may be applied :

The expression "private purpose" refers to any purpose whatever to which electricity may for the time being be applicable, not being public purposes, but shall not include the transmission of any telegram.

3. Subject and without prejudice to "The Electric Lines Act, 1884," "The Municipal Corporations Act, 1886," and "The Municipal Corporations Act Amendment Act, 1887," the company may supply energy for public and private purposes within the whole or any part of the area of supply as defined by this Act, and for the purposes aforesaid may break up or cross over streets, roads, rivers, and bridges, and place mains, service-lines, and distributing-mains either above or below ground, and lay down and place pipes, conduits, and service-pipes, and erect pillars, arches, and poles, and make, construct, and do other works and things for supplying energy within such area of supply, or any part thereof, upon such terms and conditions, for such period or periods, and subject to such regulations and provisions for securing the safety of the public, as may be agreed between the company and the local authority or authorities having jurisdiction within such area of supply.

Empowering company to supply electricity.

4. A copy of every agreement made between the company and any local authority shall be deposited at the office of the local authority; and notice that such agreement has been previously made, and that a copy thereof is open for inspection, shall be advertised in some newspaper published in the City of Auckland at least once in each of four successive weeks after such deposit.

Agreement to be referred to rate-payers.

The Mayor or Chairman of such local authority shall call a meeting of the burgesses or ratepayers of such local authority for a day, not less than ten days after the last publication of such advertisement, to consider such agreement, and, if present, shall preside at such meeting. If the Mayor or Chairman of the local authority be not present, then a chairman of the meeting may be appointed at the meeting.

A copy of such agreement shall be produced at such meeting, and the terms thereof may be then discussed and considered. Any amendments or alterations in such agreements suggested at such meeting may, if the local authority and the company agree thereto, be made, and the agreement so amended or altered shall be deemed to be the same agreement as that originally deposited and advertised.

After such meeting, and on such day as the Mayor or Chairman of the local authority shall appoint, a poll of the burgesses or ratepayers shall be held, at which the question shall be submitted whether such agreement shall be confirmed.

Such poll shall be taken and held in the manner provided by section one hundred and eighty-one of the "The Municipal Corporations

Act, 1886." If a majority of the votes polled shall be in favour of confirming such agreement, then such agreement shall be valid and effectual as from the day of the declaration of such poll, and if a majority of the votes polled shall be against the confirmation of such agreement, then such agreement shall be null and void.

5. The company shall not be entitled to exercise any of the powers hereby conferred until such agreement is entered into and confirmed. If such agreement is not entered into and confirmed within one year from the date hereof, the powers and authorities hereby conferred shall cease. Nothing herein contained shall be deemed in any way to pledge or bind any local authority to enter into any such agreement, or to prevent such local authority from entering into any other agreement with any other company, person, or syndicate for supplying electricity within such area, or from itself supplying the same.

6. The area of supply shall be the whole of the area included in the Schedule hereto.

If agreement not made within one year, powers hereby conferred shall cease.

Area of supply.

Schedule.

SCHEDULE.

THE City of Auckland, and so much of the Parishes of Titirangi, Waitemata, and Takapuna as are included in a radius of five miles from the centre of the Auckland City Market.