



ORDINANCE NO. 13 OF 1959.  
GEORGETOWN ELECTRIC SUPPLY (CONTROL) ORDINANCE,  
1959.



I assent.

*P. A. Denison*

Governor.

18<sup>th</sup> June, 1959.

## BRITISH GUIANA

Arrangement of Sections.

### Section

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AN ORDINANCE to provide for the control and equitable distribution of supply of electricity in the city of Georgetown and its environs.

Enacted by the Legislature of British Guiana :—

A.D. 1959

Short title.

1. This Ordinance may be cited as the Georgetown Electric Supply (Control) Ordinance, 1959.

Interpretation

2. In this Ordinance, unless the context otherwise requires —  
“the area” means the area within which the Company is authorised to supply electricity for public and private purposes by the Order;

Cap. 239.

“the Company” means the Demerara Electric Company, Limited, a company incorporated by the Demerara Electric Company Ordinance, its successors and assigns, and includes any person who may become entitled to carry on the undertaking authorised by the Order;

“the Controller” means the Controller of Electricity appointed under section 3 of this Ordinance;

“the Order” means the Georgetown Electric Supply Order;

“person” includes the Government;

“premises” includes premises belonging to or under the control of the Government;

“the prescribed day” means such date as the Governor in Council may by order appoint for the purpose of section 5 of this Ordinance and any such order may from time to time be varied by a subsequent order of the Governor in Council; “the regulations” means any regulations made under this Ordinance.

Appointment of Controller.

3. The Governor shall appoint a fit and proper person to be the Controller of Electricity for the purposes of this Ordinance and may from time to time revoke any such appointment.

Appointment of Inspectors.

4. (1) The Governor may, from time to time, appoint fit and proper persons to be Inspectors for the purposes of this Ordinance and revoke any such appointment.

(2) Inspectors shall perform such duties as may be assigned to them by the Controller or by the regulations.

Regulations for controlling the supply of electricity.

5. (1) The Controller may, from time to time until the prescribed day, with the approval of the Governor in Council, make regulations relating to all or any of the following matters, that is to say—

- (a) for prohibiting, restricting, requiring or regulating, in such manner and subject to such conditions or exceptions as the regulations or the Controller acting in pursuance thereof may prescribe, the supply of electricity by the Company to any person or premises or the whole or any part of the area;
- (b) for prohibiting, restricting or regulating as aforesaid the use by any person, or in any premises, or in the whole or any part of the area, of electricity supplied by the Company;

- (c) for directing, subject as aforesaid, the Company to discontinue the supply of electricity to any premises where breach of the regulations has taken place;
- (d) for providing, in such manner and subject as aforesaid, for the inspection of premises or anything thereon by Inspectors on any week-day between the hours of eight in the forenoon and four in the afternoon for the purpose of enforcing or implementing the regulations;
- (e) for providing as aforesaid for the installation and maintenance in any premises or the whole or any part of the area, or for the removal therefrom, of any electrical lines, wiring, works or other equipment the installation, maintenance or removal of which the Controller considers advisable for the said purpose;
- (f) for prescribing the duties of Inspectors;
- (g) (without prejudice to the force or generality of any provision in this section contained) for prohibiting, without the Controller's prior approval, any increased or other supply of electricity by the Company to any person or premises not previously receiving such supply; and
- (h) any other matter incidental to the matters hereinafore mentioned.

(2) To any regulation made under this section there may be annexed a penalty not exceeding five hundred dollars on summary conviction for any breach of the regulation or, in the case of a continuing breach, not exceeding one hundred dollars for every day during which the breach continues.

(3) The costs of the installation, maintenance or removal of any electrical lines, wiring, works or other equipment as aforesaid, or of any organisational or other measures adopted (whether in compliance with the express provisions of the regulations or otherwise) within the Company's undertaking for enforcing or implementing the regulations, shall be borne by the Company :

Provided that where the Company is required to supply electricity under the provisions of paragraph (a) of subsection (1) of this section, the charge therefor shall be calculated at the most appropriate rate or tariff prevailing in the area in respect of the supply of electricity by the Company.

(4) Where the Company fails to instal, maintain or remove any electrical lines, wiring, works or other equipment in accordance with the regulations, the Controller may serve by registered post on the Company a notice pointing out such default and requiring the Company to remedy the same within a stipulated time and, if such default be not remedied within the time stipulated, any Inspector duly authorised in writing by the Controller in that behalf may do all things necessary to remedy such default and for that purpose may enter any

premises with engineers or other workmen on any week-day between the hours of eight in the forenoon and four in the afternoon.

(5) Any expenses incurred in remedying any default in pursuance of subsection (4) of this section, shall be repaid to the Controller by the Company and may, irrespective of the amount, be recovered as a civil debt under the Summary Jurisdiction (Petty Debt) Ordinance, without prejudice to any other liability incurred by the Company by way of penalty for breach of the regulations.

Cap. 16.

6. All rights conferred by paragraph (a) of subsection (2) of section 5 of the Georgetown Electric Supply Ordinance shall extend to the Government and to any local authority within the area prescribed in the first schedule to the Georgetown Electric Supply Order.

7. (1) No prosecution under or in pursuance of this Ordinance or the regulations shall be instituted without the consent of the Attorney General.

(2) An Inspector if so authorised in writing by the Controller may, although he is not a barrister or solicitor, institute, prosecute, conduct or defend before any court of summary jurisdiction any information, complaint or other proceeding arising under or in pursuance of this Ordinance or the regulations.

Right of the Government to generate electricity for its own use. Cap. 238.

Special rules as to the making of complaints for offences.

Powers of the Controller.

8. (1) The Controller may—

- (a) at any time enter any premises, or otherwise gain access to any installations, belonging to or under the control of the Company for the purpose of examining any electrical lines, wiring, works or other equipment of the Company;
- (b) require the Company to furnish him with any information regarding its undertaking to enable or facilitate the exercise or performance of any powers or duties under this Ordinance or the regulations; and
- (c) exercise any power exercisable, with or without his authority, by an Inspector under this Ordinance or the regulations.

(2) If upon being required in writing in pursuance of subsection (1) of this section to furnish the Controller with any information in its possession, the Company fails to furnish the Controller with the information, the Company and every officer or servant thereof who authorised the default shall be liable on summary conviction to a fine not exceeding five hundred dollars.

(3) Where in any proceedings under subsection (2) of this section it is proved that the Controller required the Company in writing to furnish him with any information in pursuance of subsection (1) of this section, such information shall be deemed to have been in the possession of the Company when required as aforesaid unless the contrary is proved.

9. Any person who assaults, resists, obstructs or wilfully delays the Controller or any Inspector in the performance of his duty or the exercise of any power conferred upon him by this Ordinance or the regulations shall be liable on summary conviction to a fine not exceeding two hundred and fifty dollars. Offence.

10. (1) The regulations shall be laid before the Legislative Council within fourteen days next after they are made if the Council is sitting on the last day as aforesaid, and if the Council is not then sitting or constituted within fourteen days after the commencement of the next ensuing sitting. Regulations to be laid before Legislative Council.

(2) If, within twenty-one days after the regulations are laid before the Legislative Council, a resolution is passed by the Legislative Council that the regulations or any part of them be annulled, they shall thereby be annulled to the extent set forth in the resolution, and the regulations, or part thereof, so annulled shall thenceforth become void and of no effect but without prejudice to the validity of any action in the meantime taken under the regulations, or part thereof, as the case may be.

(3) Any regulations, or any part thereof, which have not, within the period of twenty-one days after they are laid before the Legislative Council, been annulled by resolution of the Legislative Council, shall have effect as if enacted in this Ordinance.

11. This Ordinance shall have effect for a period of not more than one year from the date of its coming into force, and may be extended by resolution of the Legislative Council. Duration of Ordinance.

*Passed by the Legislative Council this eleventh day of June, nineteen hundred and fifty-nine.*

*Harain.*

*Acting Assistant Clerk of the Legislature.*

(C.W. 253 VIII).  
(Leg. Bill No. 18/1959).