

No. 544

BILL No. 18 of 1959.

GEORGETOWN ELECTRIC SUPPLY (CONTROL).
BILL, 1959.

ARRANGEMENT OF SECTIONS.

Section

1. Short title.
2. Interpretation.
3. Appointment of Controller.
4. Appointment of Inspectors.
5. Regulations for controlling the supply of electricity.
6. Right of the Government to generate electricity for its own use.
7. Special rules as to the making of complaints for offences.
8. Powers of the Controller.
9. Offence.
10. Regulations to be laid before Legislative Council.

A BILL

Intituled

AN ORDINANCE TO PROVIDE FOR THE CONTROL AND
EQUITABLE DISTRIBUTION OF SUPPLY OF ELECTRI-
CITY IN THE CITY OF GEORGETOWN AND ITS
ENVIRONS.

Enacted by the Legislature of British Guiana :—

1. This Ordinance may be cited as the Georgetown Electric Supply (Control) Ordinance, 1959. Short title.
2. In this Ordinance, unless the context otherwise requires — Interpretation.
“the area” means the area within which the Company is authorised to supply electricity for public and private purposes by the Order;
“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; Cap. 239.

“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 hereinbefore mentioned.

(2) To any regulation made under this section there may be annexed a penalty not exceeding two 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 sub-paragraph (a) of paragraph (2) of section 5 of the Georgetown Electric Supply Ordinance shall extend to the Government.

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

7. (1) No prosecution under or in pursuance of this Ordinance or the regulations shall be instituted against the Company without the consent of the Attorney General, or against any other person without the consent of the Controller.

Special rules as to the making of complaints. for offences.

(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 judisdiction any information, complaint or other proceeding arising under or in pursuance of this Ordinance or the regulations.

8. The Controller may exercise any power exercisable, with or without his authority, by an Inspector in pursuance of this Ordinance or the regulations.

Powers of the Controller.

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 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.

OBJECTS AND REASONS.

The capacity of the generating equipment of the Demerara Electric Company Limited, may, until the necessary plant can be put into operation, be insufficient to meet the demand for electricity within the area of the Company's franchise, particularly in the event of a breakdown of one of the main generators. It is therefore advisable, for the maintenance of the supply of electricity as efficiently as existing circumstances permit and for the equitable distribution of such supply in view of the increasing demand therefor, that a Controller be appointed to regulate and, in effect, to ration the distribution of the available supply of electricity for as long as the insufficiency of electrical generating capacity may continue.

2. This Bill seeks to make provision accordingly.

RAM KARRAN,
Minister of Communications and Works.

(M.P. No. CW 253 VIII).

(Leg. Bill / כצ).