

Bill No. 35 of 1960

PUBLISHED 17TH DECEMBER, 1960.

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NEW AMSTERDAM ELECTRIC LIGHTING ORDER (EXTENSION) BILL, 1960.

ARRANGEMENT OF SECTIONS.

Section

1. Short title.
2. Interpretation.
3. Extension of the New Amsterdam Electric Lighting Order, 1900.
4. Amendment of the New Amsterdam Electric Lighting Order, 1900.

A BILL

Intituled

AN ORDINANCE TO EXTEND FURTHER THE DURATION OF THE NEW AMSTERDAM ELECTRIC LIGHTING ORDER, 1900, AND TO AMEND THE SAID ORDER.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the New Amsterdam Electric Lighting Order (Extension) Ordinance, 1960.

Short title.

2. In this Ordinance—

Interpretation.

“the Order” means the New Amsterdam Electric Lighting Order, 1900;

“the Principal Ordinance” means the Electric Lighting Ordinance.

Cap. 237.

3.(1) Notwithstanding the provisions of paragraph (e) of section 5 of the Principal Ordinance, the Order, as amended and extended from time to time, up to and including the 31st December, 1959, shall continue to have effect and shall be deemed always to have continued to have effect as though an extension of the Order as amended had been granted by the Governor in Council in accordance with the provisions of paragraph (e) of section 5 of the Principal Ordinance for a period of three years commencing on the 1st January, 1960.

Extension of the New Amsterdam Electric Lighting Order, 1900.

(2) The Order may, prior to its expiration, be extended by resolution of the Legislative Council for a further period not exceeding one year from the date of that expiration, and may from time to time, prior to the expiration of that or any further extension, be extended for a further period not exceeding one year.

4.(1) The Order is hereby amended —

Amendment of the New Amsterdam Electric Lighting Order, 1900.

(a) by the repeal of section 62 thereof, and the substitution therefor of the following section —

“Penalty for injuring meters, etc.

62.(1) Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any pipes, meter, or fittings belonging to the Undertakers, or alters the index to any meter, or prevents any meter from duly registering the quantity of energy supplied, or fraudulently abstracts, consumes, or uses energy of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding twenty-five dollars, and shall be liable to a penalty not exceeding fifty dollars and to a further penalty not exceeding ten dollars for every day after the first day during which such offence continues, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipes, meter, or fittings belonging to the Undertakers, or altered the index

to any meter, or prevented any meter from duly registering the quantity of energy supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of energy to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such alteration or prevention, or for abstracting, consuming or using energy of Undertakers, when such meter is under the custody or control of the consumer, shall be *prima facie* evidence that such alteration, prevention, abstraction, or consumption, as the case may be, has been fraudulently, knowingly and wilfully caused by the consumer using such meter.

(2) Every consumer upon whose premises is found any device or artificial means so placed as to be capable of causing alteration of any meter or preventing any meter from duly registering the quantity of energy supplied, or by means of which energy might be fraudulently abstracted, consumed, or diverted, shall be liable to a penalty of twenty-five dollars, and to a further penalty not exceeding five dollars for every day after the first day during which the said offence continues, and the Undertakers may, in addition thereto, recover from such consumer the amount of any damage by them sustained.” ;

(b) “Satisfaction for accidentally damaging pipes, etc.

by the insertion after section 62 of the following section—
62A.(1) Where expenses have been incurred by the Undertakers in repairing any pipe, pillar, post, lamp or fitting belonging to them or under their control, by reason of damage caused by anyone carelessly or accidentally breaking or throwing down such pipe, pillar, post, lamp or fitting, such expenses so incurred may be recovered by the Undertakers from the person responsible for such damage.

(2) If the Undertakers agree with any person liable for damage to such pipe, pillar, post, lamp or fitting, to accept a fixed sum for and in respect of such damage, and such person shall pay such sum, then and in such case such person shall not be subject to any proceedings under this section.”

(2) The amendments to the Order effected by the preceding subsection shall for all purposes be deemed to be and have effect as part of the Order.

OBJECTS AND REASONS

This Bill seeks to extend the life of the New Amsterdam Electric Lighting Order, 1900, for a period of three years from the 1st January, 1960, and clause 4 seeks to amend the New Amsterdam Electric Lighting Order, 1900, to give effect to certain requests by the New Amsterdam Town Council.

RAM KARRAN,
Minister of Communications and Works.

(M.P. C.W. 59/6 III).
(Leg. Bill No. 35/1960).