

**CHAPTER 238.****GEORGETOWN ELECTRIC SUPPLY.****GEORGETOWN ELECTRIC SUPPLY ORDER.**

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## CLAUSE.

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**ORDER IN COUNCIL**

*made on the 27th May, 1927, issued and delivered on the 30th August, 1927, and amended on the 11th August, 1941.*

O. in C.  
27th May,  
1927.  
31 of 1941.

**ORDER TO GENERATE AND SUPPLY ELECTRICITY.**

**PRELIMINARY.**

1. This order may be cited as the Georgetown Electric Supply Order. Short title.

2. The several expressions to which by the Ordinance meanings are assigned have in this order the same respective meanings: Interpretation.

Provided that in this order the following expressions shall have the meanings hereby assigned to them:

“ the Ordinance ” means the Georgetown Electric Supply Ordinance, and includes the Electric Lighting Ordinance, as incorporated with the Georgetown Electric Supply Ordinance; Cap. 237.

“ energy ” means electric energy and for the purposes of applying the provisions of the Ordinance to this order electric energy shall have the same meaning as “ electricity ” as defined in the Electric Lighting Ordinance;

“ power ” means electrical power or the rate per unit of time at which energy is supplied;

“ main ” means an electric line which may be laid down or erected by the Undertakers in over along across or under any street or public place and through which energy may be supplied or intended to be supplied by the Undertakers for the purposes of general supply;

“ service line ” means any electric line through which energy may be supplied or intended to be supplied by the Undertakers to a consumer either from any main or directly from the premises of the Undertakers;

“ telegraph line ” includes any electric line used for telephonic or electric signalling communication;

“ distributing main ” means the portion of any main which is used for the purpose of giving origin to the service lines for the purposes of general supply;



“ general supply ” means the general supply of energy to ordinary consumers but shall not include the supply of energy to any one or more particular consumers under special agreement;

“ consumer ” means any body or person supplied or entitled to be supplied with energy by the Undertakers;

“ consumer’s terminals ” means the ends of the electric lines situate upon any consumer’s premises and belonging to him at which the supply of energy is delivered from the service lines;

“ plan ” means a plan drawn to a horizontal scale of at least six inches to one mile;

“ first schedule ” “ second schedule ” and “ third schedule ” mean the first, second and third schedules to this order annexed respectively.

Commence-  
ment of  
the order

3. This order shall come into force and have effect upon the day when the same is issued and delivered by the Governor in Council to the Undertakers which date is in this order referred to as “ the commencement of this order.”

The  
Undertakers.

4. “ The Undertakers ” or “ the Company ” means the Demerara Electric Company, Limited, its successors and assigns and shall include any person, local authority or body which may become entitled to carry on this undertaking under this order.

#### AREA.

Area of  
supply.  
First  
schedule.

5. Subject to the provisions of this order the area shall be the whole of the area included in the first schedule.

Prohibition  
of supply  
beyond area  
of supply.

6. The Undertakers shall not at any time after the commencement of this order supply power or energy or except for the purposes of this order erect or lay down any electric lines or works beyond the area of supply otherwise than under the authority of the Governor in Council.

#### NATURE AND MODE OF SUPPLY.

Duration of  
order.

7. (1) The duration of this order shall be fifty years from the date thereof, but subject nevertheless to the conditions contained in section 4 of the Georgetown Electric Supply Ordinance.

Systems and  
mode of  
supply.

(2) Energy shall be generated for all purposes whatsoever only by means of the three-phase alternating system or the direct current system and the generating of such energy shall be subject

to any regulations and conditions for securing the safety of the public and for ensuring a proper supply of energy as may from time to time be imposed by the proper authority. Provided that during the period of two years from the commencement of this order the Undertakers shall be entitled to continue the use of the existing single-phase system.

(3) The Undertakers shall not permit any part of any circuit to be connected with the earth except so far as may be necessary for carrying out of the provisions of any such regulations or conditions as aforesaid unless such connection is approved of by the inspector and is made in accordance with the conditions if any of such approval, and

(4) The Undertakers shall construct their mains and other works of all descriptions and shall work their undertaking in all respects with due regard to other at present existing electric circuits used for the purpose of telegraphic, telephonic or electric signalling communication or the currents in such circuits and shall use every reasonable means in the construction of their mains and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such electric circuits or the currents in such circuits. If any dispute arises as to whether the Undertakers have constructed their mains or other works or worked their undertaking in contravention of this sub-clause such dispute shall be determined by arbitration the arbitrators being engineers appointed by the Undertakers and the owners of such electric circuit and the Undertakers shall make any alterations in or additions to their system which may be directed by the arbitrators:

Provided that nothing in this sub-clause shall be held to deprive the owners of such electric circuits of any existing rights to proceed against the Undertakers by indictment action or otherwise in relation to any of the matters aforesaid.

#### WORKS.

8. (1) Subject to the provisions of this order and of the Ordinance the Undertakers may from time to time exercise all or any of the powers conferred upon them by this order and the Ordinance and may break up such streets not repairable by the local authority and such railways if any as are specified in the second schedule so far as such streets and railways may for the time being be included in the area or be upon land dedicated to public use:

Power for execution of works.

Second schedule.



Provided however as respects any such railway that the powers hereby granted shall extend only to such parts thereof as pass across or along any highway on the level.

(2) Nothing in this order shall authorise or empower the Undertakers in the execution of any works to break up or to interfere with any street or part of a street not repairable by the local authority or any railway except such streets or railways, if any, or such parts thereof as are specified in the said schedule without the consent of the authority company or person by whom such street or railway is repairable:

Provided that this restriction shall not apply to the execution of the repairs renewals or amendments of existing works of which the character and position are not altered.

9. Where the exercise of any of the powers of the Undertakers in relation to the execution of any works will involve the placing of any lamps or pillars or poles for stringing wires in under along over or across any road, street or bridge the Undertakers shall be subject to the regulations contained in section 12, subsections (2) and (3) of the Electric Lighting Ordinance, and in addition thereto the following provisions shall have effect:

(a) Two weeks before commencing the execution of such works (not being the repairs renewals or amendments of existing works of which the character and position are not altered) the Undertakers shall serve a notice upon the Postmaster General and the local authority describing the proposed works together with a plan of the works showing the mode and position in which such works are intended to be executed and the manner in which it is intended that such street or bridge or any drain therein or thereunder is to be interfered with and shall upon being required to do so by the Postmaster General or the local authority from time to time give him or them any such further information in relation thereto as he or they may desire.

(b) The Postmaster General or the local authority may in his or their discretion approve of any such works or plan subject to such amendments or conditions as may seem fit or may disapprove the same and may give notice of such approval or disapproval to the Undertakers:

(c) Where the Postmaster General or the local authority approves any such works or plan subject to any amendments or conditions with which the Undertakers are dissatisfied or disapprove altogether of any such works or plan the Undertakers may appeal to the Governor in Council and the

Notices of works with plan to be served on the Postmaster General.

Cap. 237.

Governor in Council may inquire into the matter and allow or disallow such appeal and approve any such works or plan subject to such amendments or conditions as may seem fit or may disapprove the same altogether.

(d) If the Postmaster General or the local authority fails to give any such notice of approval or disapproval to the Undertakers within two weeks after the service of the notice upon them he or they shall be deemed to have approved such works and plan.

(e) Notwithstanding anything in this order or in the Ordinance the Undertakers shall not be entitled to execute any such works as above specified except so far as the same may be of a description and in accordance with a plan which has been approved or is to be deemed to have been approved by the Postmaster General and by the local authority in manner hereinbefore mentioned: but where any such works description and plan are so approved or to be deemed approved the Undertakers may cause such works to be executed in accordance with such description and plan subject in all respects to the provisions of this order and of the Ordinance.

(f) Where it appears to the Postmaster General that any work of the Undertakers is intended to be used in such proximity to a telegraph line of the Postmaster General that such telegraph line is likely in his opinion to be damaged or injured during the construction of such work the Undertakers shall pay to the Postmaster General such reasonable expenses as he may incur in inspecting the execution of such work.

(g) If the Undertakers make default in complying with any of the requirements or restrictions of this section they shall (in addition to any other compensation which they may be liable to make under the provisions of this order or of the Ordinance) make full compensation to the Postmaster General and the local authority for any loss or damage which he or they may incur by reason thereof and in addition thereto they shall be liable to a penalty not exceeding twenty-four dollars for every such default and in the case of a continuing offence to a further penalty not exceeding five dollars for every day after the first day during which such default continues:

Provided that the Undertakers shall not be subject to any such penalties as aforesaid if the court having cognizance of the case shall be of opinion that the case was one of emergency and that the Undertakers complied with the requirements of this clause as far as was reasonable under the circumstances.



Provisions as to streets not repairable by local authority, railways and canals.

10. Where the exercise of the powers of the Undertakers in relation to the execution of any works which will involve the placing of any works in under along over or across any street or part of a street not repairable by the local authority or over or under any railway or canal the following provisions shall have effect unless otherwise agreed between the parties interested:

(1) Two weeks before commencing the execution of any such works (not being the repairs renewals or amendments of existing works of which the character and position are not altered) the Undertakers shall in addition to any other notices which they may be required to give under this order or the Ordinance serve a notice upon the body or person liable to repair such street or part of street or the body or person for the time being entitled to work such railway or canal (in this clause referred to as "owners") describing the proposed works and stating the amount of compensation if any proposed to be made in respect thereof and the manner in which such compensation is proposed to be paid or secured together with a plan of the works showing the mode and position in which such works are intended to be executed and placed and shall upon being required to do so by any such owners from time to time give them any such further information in relation thereto as they may desire:

(2) Every such notice shall contain a reference to this clause and direct the attention of the owners to whom it is given to the provisions thereof :

(3) Within two weeks after the service of any such notice and plan upon any owners such owners may if they think fit serve a requisition upon the Undertakers requiring that any question in relation to such works and any other question arising upon such notice or plan as aforesaid shall be settled by arbitration and thereupon such question unless settled by agreement shall be determined by arbitration accordingly :

(4) In settling any question under this clause an arbitrator shall have regard to any duties or obligations which the owners may be under in respect of such street, railway or canal and may if he thinks fit require the Undertakers to execute any temporary or other works so as to avoid any interference with any traffic so far as may be possible :

(5) Where no such requisition as is in this clause mentioned is served upon the Undertakers or where after any such requisition has been served upon them any question required to be settled by arbitration has been so settled the Undertakers may upon paying or securing any compensation which they may be

required to pay or secure in the manner proposed by them or settled by arbitration as aforesaid cause to be executed the work specified in such notice and plan as aforesaid and may from time to time repair renew and amend the same (provided that their character and position are not altered) but subject in all respects to the provisions of this order and of the Ordinance and only in accordance with the notice and plan so served by them as aforesaid or such modifications thereof respectively as may have been settled by arbitration as hereinbefore mentioned or as may be agreed upon between the parties :

(6) All works to be executed by the Undertakers under this clause shall be carried out to the reasonable satisfaction of the owners who shall have the right to be present during the execution of such works :

(7) Where the repairs, renewals or amendment of any existing works of which the character and position are not altered will involve any interference with the working of or traffic on any railway over or under which such works have been placed, the Undertakers shall unless otherwise agreed between the parties or in any case of emergency give to the owners not less than twenty-four hours' notice before commencing to effect such repairs renewals or amendment and the owners shall be entitled by their officer to superintend the work and the Undertakers shall conform to such reasonable requirements as may from time to time be made by the owners or such officer: and

(8) If the Undertakers make default in complying with any of the requirements or restrictions of this clause they shall in addition to any other compensation which they may be liable to make under the provisions of this order or of the Ordinance make full compensation to the owners affected thereby for any loss or damage which they may incur by reason thereof and in addition thereto they shall be liable to a penalty not exceeding twenty-four dollars for every such default and in the case of a continuing offence to a further penalty not exceeding five dollars for every day after the first day during which such default continues:

Provided that the Undertakers shall not be subject to any such penalties as aforesaid if the Court having cognizance of the case shall be of opinion that the case was one of emergency and that the Undertakers complied with the requirements of this clause as far as was reasonable under the circumstances.



Local authority, etc., may give notice of desire to break up streets, etc., on behalf of Undertakers.

11. The local authority and any body or person for the time being liable to repair any street or part of a street or entitled to work any railway which the Undertakers may be empowered to break up for the purpose of this order may if they think fit from time to time serve a notice upon the Undertakers stating that they desire to exercise or discharge all or any part of any of the powers or duties of the Undertakers as therein specified in relation to the breaking up filling in reinstating or making good any streets bridges drains or other works vested in or under the control or management of the local authority or other body or person as the case may be and may from time to time amend or revoke any such notice by another notice similarly served. Where the local authority or any such body or person as aforesaid (in this clause referred to as "the givers of the notice") have or has given notice that they or he desire or desires to exercise or discharge any such specified powers and duties of the Undertakers then so long as such notice remains in force the following provisions shall have effect unless otherwise agreed between the parties interested:

(1) The Undertakers shall not be entitled to proceed themselves to exercise or discharge any such specified powers or duties as aforesaid except where they have required the givers of the notice to exercise or discharge such powers or duties and the givers of the notice have refused or neglected to comply with such requisition as hereinafter provided or in cases of emergency:

(2) In addition to any other notices which they may be required to give under the provisions of this order or of the Ordinance the Undertakers shall not less than two days and not more than four days before the exercise or discharge of any such powers or duties so specified as aforesaid is required to be commenced serve a requisition upon the givers of the notice stating the time when such exercise or discharge is required to be commenced and the manner in which any such powers or duties are required to be exercised or discharged:

(3) Upon receipt of any such requisition as last aforesaid the givers of the notice may proceed to exercise or discharge any such powers or duties as required by the Undertakers subject to the like restrictions and conditions as the Undertakers would themselves be subject to in such exercise or discharge so far as the same may be applicable:

(4) If the givers of the notice decline or for twenty-four hours after the time when any such exercise or discharge of any powers or duties is by any requisition required to be commenced neglect



to comply with such requisition the Undertakers may themselves proceed to exercise or discharge the powers or duties therein specified in like manner as they might have done if such notice as aforesaid had not been given to them by the givers of the notice:

(5) In any case of emergency the Undertakers may themselves proceed to at once exercise or discharge so much of any specified powers or duties as aforesaid as may be necessary for the actual remedying of any defect from which the emergency arises without serving any requisition on the givers of the notice but in such case the Undertakers shall within twelve hours after they begin to exercise or discharge such powers or duties as aforesaid give information thereof in writing to the givers of the notice:

(6) If the Undertakers exercise or discharge any such specified powers or duties as aforesaid otherwise than in accordance with the provisions of this clause they shall be liable to a penalty not exceeding twenty-four dollars for every such offence and in the case of a continuing offence to a further penalty not exceeding five dollars for every day after the first day during which such offence continues:

Provided that the Undertakers shall not be subject to any such penalties as aforesaid if the Court having cognizance of the case shall be of opinion that the case was one of emergency and that the Undertakers had complied with the requirements of this clause as far as was reasonable under the circumstances:

(7) All expenses properly incurred by the givers of the notice in complying with any requisition of the Undertakers under this clause shall be repaid to them by the Undertakers and may be recovered summarily before a magistrate who shall have power to determine the amount thereof in accordance with the procedure prescribed by the Summary Jurisdiction (Petty Debt) Ordinance, notwithstanding that the amount of such expenses claimed shall exceed the sum of one hundred dollars: and Cap. 16.

(8) The givers of the notice may from time to time if they think fit require the Undertakers to give them such security for the repayment to them of any expenses incurred or to be incurred by them under this clause as may be determined in manner provided by this order. If the Undertakers fail to give such security within seven days after being required to do so the amount and form of such security shall be decided upon by a magistrate sitting in the civil jurisdiction of the magistrate's

court and or in case of default after the amount and form of security have been determined by a magistrate the Undertakers shall not be entitled to serve any further requisition upon such givers of the notice requiring them to exercise or discharge any powers or duties under this clause until such security has been given in accordance with the decision of such magistrate:

Provided that nothing in this or the last preceding clause shall in any way affect the rights of the Undertakers to exercise or discharge any powers or duties conferred or imposed upon them by this order or the Ordinance in relation to the execution of any works actual breaking up beyond the filling in reinstating or making good any such street or part of a street or any such bridges drains or other works or railway as in this clause mentioned.

Protection of  
telegraph and  
telephone  
wires.

12. (1) Seven days before commencing to construct any electric line or to supply energy through any electric line (except through existing lines of which the character and position are not altered) in any manner whereby the work of telegraphic or telephonic or electric signalling communication through any wires or lines lawfully laid down or placed in any position may be injuriously affected the Undertakers shall unless otherwise agreed between the parties interested give to the Postmaster General or other body or person for the time being entitled to such wires or lines notice in writing specifying the course nature and gauge of such electric lines and the amount and nature of the currents intended to be sent along the same and the extent to and manner in which (if at all) earth returns are proposed to be used and the Undertakers shall conform with such reasonable requirements as may from time to time be made by the Postmaster General or such body or person as aforesaid for the purpose of preventing the communication through such wires or lines from being injuriously affected as aforesaid:

Provided that nothing in this clause shall be held to give to anybody or person other than the Postmaster General any right of action or complaint against the Undertakers in respect of or to protect any electric wire line or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken by such body or person to prevent injurious affection therewith and with the currents therein by and from other electrical currents:



Provided also that nothing in this clause shall apply to repairs or renewals of any existing electric line so long as the course nature and gauge of such electric line and the amount and nature of the current sent along the same are not altered.

(2) If any difference arises between the Postmaster General or any such body or person and the Undertakers with respect to the reasonableness of any requirements so made such difference shall be determined by arbitration.

(3) If the Undertakers make default in complying with any of the requirements or restrictions of this clause they shall make full compensation to the Postmaster General or other body or person entitled to any such wire or line for any loss or damage which they may incur by reason thereof and in addition thereto they shall be liable to a penalty not exceeding five dollars for every such default and in the case of a continuing offence to a further penalty not exceeding one dollar for every day after the first day during which such default continues:

Provided that the Undertakers shall not be subject to any such penalties as aforesaid if the court having cognizance of the case shall be of opinion that the case was one of emergency and that the Undertakers complied with the requirements and restrictions of this clause as far as was reasonable under the circumstances or that the default in question was due to the fact that the Undertakers were ignorant of the position of the wire or lines affected thereby and that such ignorance was not due to any negligence on the part of the Undertakers.

13. If it appears to the Governor in Council on the representation of the Postmaster General or any other body or person affected thereby that any works of the Undertakers have been or are in course of being executed otherwise than according to the provisions of this order and of the Ordinance the Governor in Council may if he think fit by order require the Undertakers to discontinue or remove such works until such provisions have been complied with or permit them to continue the same subject to such conditions for the due protection of the party making the representation or other party affected as the Governor in Council may impose and may in case the Undertakers make default in complying with any such order if he is of the opinion that such default is wilful or unreasonably prolonged temporarily suspend the operation of this order as to any part of the area in which the said works have been or are in course of being executed.

Works  
improperly  
executed  
by Under-  
takers.



## COMPULSORY WORKS.

Mains, etc.,  
to be con-  
structed  
in streets  
specified  
and in  
remainder  
of area.

14. (1) The Undertakers shall at all times during the continuance of this order maintain suitable and sufficient distributing mains for the purposes of general supply of electric power and energy throughout every street or part of a street in which distributing mains shall be existing at the commencement of this order.

(2) In addition to the mains hereinbefore specified the Undertakers shall at any time after the expiration of one year after the commencement of this order construct suitable and sufficient distributing mains for the purposes of general supply of electric power and energy throughout every other street or part of a street within the area upon being required to do so in manner by this order provided.

(3) All such mains as last above mentioned (except already constructed) shall be constructed by the Undertakers within six months after any requisition in that behalf served upon them in accordance with the provisions of this order has become binding upon them or such further time as may in any case be approved of by the Governor in Council.

Placing of  
electric line  
under special  
agreement.

15. Twenty-eight days at the least before commencing to place in under along over or across any street any electric line (not being the repairs renewals or amendments of existing lines of which the character and position are not altered) which is intended for supplying energy to any particular consumer and not for the purposes of general supply the Undertakers shall serve upon the local authority a notice stating that the Undertakers intend to lay such electric line and if within the said period any two or more of such owners or occupiers require in accordance with the provisions of this order that a supply shall be given to their premises the necessary distributing main shall be laid by the Undertakers at the same time as the electric line intended for such particular consumer.

Failure of  
Undertakers  
to place  
down mains.

16. If the Undertakers make default in placing any distributing mains in accordance with the provisions of this order within the periods prescribed in that behalf respectively they shall be liable to a penalty not exceeding five dollars in respect of every such default for each day during which such default continues and if such default is wilful and unreasonably prolonged the Governor in Council may in any case after considering any representation of the local authority temporarily suspend the operation of this order as to any part of the area throughout

which the Undertakers shall have been required to place such distributing mains in manner by this order provided or if the Undertakers so desire may after having given an opportunity to the local authority to make representations and objections with reference thereto suffer the same to remain in force as to any such part thereof subject to such conditions as they may think fit to impose and any conditions so imposed shall be binding on and observed by the Undertakers and shall be of the like force and effect in every respect as though they were contained in this order.

17. (1) Any requisition requiring the Undertakers to place distributing mains for the purposes of general supply throughout any street or part of a street may be made by six or more owners or occupiers of premises along such street or part of street or where the local authority has control and management of the public lamps in such street or part of a street by the local authority.

Manner in which requisition is to be made.

(2) Every such requisition shall be signed by the persons making the same or by the local authority as the case may be and shall be served upon the Undertakers.

(3) Forms of requisition shall be kept by the Undertakers at their office and a copy shall be supplied free of charge to any owner or occupier of premises within the area and to the local authority on application for the same and any requisition so supplied shall be deemed valid in point of form.

18. (1) Where any such requisition is made by any such owners or occupiers as aforesaid the Undertakers may if they think fit within one month after the service of the requisition upon them serve a notice on all the persons by whom such requisition is signed stating that they decline to be bound by such requisition unless such persons or some of them will bind themselves to take or will guarantee that there shall be taken a supply of energy for three years of such amount in the aggregate (to be specified by the Undertakers in such notice) as will at the rates of charge for the time being charged by the Undertakers for the supply of energy from distributing mains to ordinary consumers within the area produce annually such reasonable sum as shall be specified by the Undertakers in such notice:

Requisition by owners or occupiers.

Provided that in such notice the Undertakers shall not specify any sum exceeding thirty *per centum* upon the expense of providing and placing the required distributing mains and any



other mains or additions to existing mains which may be necessary for the purpose of connecting such distributing mains with the nearest available source of supply.

(2) Where such notice is served the requisition shall not be binding on the Undertakers unless within one month after service of such notice on all the persons signing the requisition has been effected or in case of difference the delivery of the arbitrators award there is tendered to the Undertakers an agreement severally executed by such persons or some of them binding them to take or guaranteeing that there shall be taken for a period of three years at the least such specified amounts of energy respectively as will in the aggregate at the rates of charges above specified produce an annual sum amounting to the sum specified in the notice or determined by arbitration under this clause or unless sufficient security for the payment to the Undertakers of all moneys which may become due to them from such persons under such agreement is offered to the Undertakers (if required by them by such notice as aforesaid) within the period limited for the tender of the agreement as aforesaid.

(3) If any difference arises between the Undertakers and any persons signing any such requisition as to any such notice or agreement such difference shall be determined by arbitration.

Requisition  
by local  
authority.

19. Where any such requisition is made by the local authority it shall not be binding on the Undertakers unless at the time such service is effected or within one month thereafter there is tendered to the Undertakers an agreement executed by the local authority and binding them to take for a period of three years at least a supply of energy for lighting such public lamps in the street or part of a street in respect of which such requisition is made as may be under their management or control.

Furnishing  
of supply  
of energy to  
owners and  
occupiers  
within area.

20. (1) The Undertakers shall upon being required to do so by the owner or occupier of any premises situate within fifty yards from any distributing main of the Undertakers in which they are for the time being required to maintain or are maintaining a supply of energy for the purposes of general supply to private consumers under this order or under any regulations and conditions subject to which they are authorised to supply energy under this order give and continue to give a supply of energy for such premises in accordance with the provisions of this order and of all such regulations and conditions as aforesaid and they shall furnish and lay any electric lines that may



be necessary for the purposes of supplying the maximum power with which any such owner or occupier may be entitled to be supplied under this order subject to the conditions following—

(a) The cost of so much of any electric line for the supply of energy to any owner or occupier as may be constructed upon the property of such owner or in the possession of such occupier and of so much of any such electric lines as it may be necessary to construct for a greater distance than sixty feet from any distributing main of the Undertakers although not on such property shall if the Undertakers so require be defrayed by such owner or occupier, and

(b) Every owner or occupier of premises requiring a supply of energy shall—

(i) Serve a notice upon the Undertakers specifying the premises in respect of which such supply is required and the maximum power required to be supplied and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence:

(ii) Enter into a written contract with the Undertakers if required by them to do so to continue to receive and pay for a supply of energy for a period of at least three years of such an amount that the payment to be made for the same at the rate of charge for the time being charged by the Undertakers for a supply of energy to ordinary consumers within the area shall not be less than thirty *per centum per annum* on the outlay incurred by the Undertakers in providing any electric lines required under this clause to be provided by them for the purpose of such supply, and

(iii) Give to the Undertakers if required by them to do so security for the payment to them of all moneys which may from time to time become due to them by such owner or occupier in respect of any electric lines to be furnished by the Undertakers and in respect of energy to be supplied by them:

Provided that the Undertakers may after they have given a supply of energy for any premises by notice in writing require the owner or occupier of such premises within seven days after the date of the service of such notice to give them security for the payment of all moneys which may from time to time become due to them in respect of such supply in case such owner or occupier has not already given such security or in case any

security given has become invalid or is insufficient and in case any such owner or occupier fails to comply with the terms of such notice the Undertakers may if they think fit discontinue to supply energy for such premises so long as such failure continues:

Provided also that if the owner or occupier of any such premises as aforesaid uses any form of lamp or electrical appliances or uses the energy supplied to him by the Undertakers for any purpose or deals with it in any manner so as to unduly or improperly interfere with the efficient supply of energy by the Undertakers to any other body or person the Undertakers may if they think fit discontinue to supply energy to such premises so long as such improper use continues:

Provided also that the Undertakers shall not be compelled to give a supply of energy to any premises unless they are reasonably satisfied that the electric lines fittings and apparatus therein are in good order and condition and not calculated to affect injuriously the use of energy by the Undertakers or by any other body or person.

(2) If any difference arises under this clause as to any improper use of energy or as to any alleged defect in any electric lines fittings or apparatus such difference shall be determined by the inspector.

Maximum  
power.

21. (1) The maximum power with which any such consumer shall be entitled to be supplied shall be of such amount as he may from time to time require to be supplied with not exceeding what may be reasonably anticipated as the maximum consumption on his premises:

Provided that where any consumer has required the Undertakers to supply him with a maximum power of any specified amount he shall not be entitled to alter that maximum except upon one month's notice to the Undertakers and any expenses reasonably incurred by the Undertakers in respect of the service line by which energy is supplied to the premises of such consumer or any fittings or apparatus of the Undertakers upon such premises consequent upon such alteration shall be paid by him to the Undertakers and may be recovered summarily as a civil debt.

(2) If any difference arises between any such owner or occupier and the Undertakers as to what may be reasonably anticipated as the consumption on his premises or as to the reasonableness of any expenses under this clause such difference shall be determined by the inspector.



22. The Undertakers upon receiving reasonable notice from the local authority requiring them to supply energy to any public lamps within the distance of seventy-five yards from any distributing main of the Undertakers in which they are for the time being required to maintain a current of energy for the purposes of general supply under this order or under any regulations and conditions subject to which they are authorised to supply energy under this order shall give and continue to give a supply of energy to such number of lamps as the local authority may from time to time require to be supplied.

Supply of  
energy to  
public  
lamps.

23. (1) Whenever the Undertakers make default in supplying energy to any owner or occupier of premises to whom they may be and are required to supply energy under this order they shall be liable to a penalty not exceeding five dollars in respect of every such default for each day on which any such default occurs.

Penalty for  
failure to  
supply  
energy.

(2) Subject to the provisions of any agreement or agreements which shall be subsisting between the Undertakers and the Council whenever the Undertakers make default in supplying energy to the public lamps to which they may be and are required to supply energy under this order they shall be liable to a penalty not exceeding twelve cents in respect of every such default for each such lamp and for each day on which any such default occurs.

(3) Whenever the Undertakers make default in supplying energy in accordance with the terms of any regulations and conditions subject to which they are authorised to supply energy under this order they shall be liable to such penalties as may by such regulations and conditions be prescribed in that behalf:

Provided that the penalties to be inflicted on the Undertakers under this clause shall in no case exceed in the aggregate the sum of one hundred dollars in respect of any defaults not being wilful defaults on the part of the Undertakers for any one day:

Provided also that in no case shall any penalty be inflicted in respect of any default if the court having cognizance of the case shall be of opinion that such default was caused by inevitable accident or *force majeure* or was of so slight or unimportant a character as not materially to affect the value of the supply.

#### PRICE.

24. The Undertakers may charge at sterling currency for energy supplied by them to any ordinary consumer (otherwise than by agreement)—

Methods of  
charging  
for supply.

(1) by the actual quantity of energy supplied, or

(2) by such other method as may for the time being be approved by the Governor in Council:

Provided that where the Undertakers charge by any method so approved by the Governor in Council any consumer who objects to that method of charge may by one month's notice in writing require the Undertakers to charge him by the actual quantity of energy supplied to him and thereafter the Undertakers shall not except with the consumer's consent charge him by any other method.

Maximum prices.

25. Where the Undertakers propose to charge the consumer by the actual quantity of energy supplied the price for the electric energy so supplied by them shall not exceed that stated in the third schedule or in the case of a method of charge approved by the Governor in Council such price as in that case may be determined.

Third schedule.

Other charges by agreement.

26. Subject to the provisions of this order and of the Ordinance and to the right of the consumer to require that he shall be charged according to some one or other of the methods above mentioned the Undertakers may make any agreement with a consumer as to the price to be charged for power and energy and the mode in which such charges are to be ascertained and may charge accordingly. No contract between the Government of British Guiana and the Undertakers or between the Council and the Undertakers or between any other local authority and the Undertakers for the supply of electric energy shall be deemed an undue preference within the meaning of the Ordinance.

Price for supply to public lamps.

27. The price to be charged by the Undertakers and to be paid to them for all energy supplied to the public lamps and the mode in which such charges shall be ascertained shall be settled by agreement between the local authority and the Undertakers and in case of difference by arbitration regard being had to the circumstances of the case and the distributing or other mains if any which may have to be laid for the purpose and to the price charged to ordinary consumers in the district in which such public lamps are situated.

#### INSPECTORS.

Appointment of inspectors.

28. (1) The duties of an inspector under this order shall be as follows—

(a) The inspection and testing periodically and in special cases of the Undertakers' electric lines and works and the supply of energy given by them:



(b) The certifying and examination of meters: and

(c) Such other duties in relation to the undertaking as may be required of him under the provisions of this order or the Ordinance or of any regulations made under this order or under the Ordinance.

(2) In respect of the said duties an inspector shall be entitled to take such fees as may from time to time be prescribed by the Governor in Council who may also prescribe the manner in which and the times at which any such duties are to be performed.

29. The Governor in Council may pay to every inspector appointed by him under this order such reasonable remuneration if any as may from time to time be determined by him with the sanction of the Legislative Council and that remuneration may be in addition to or in substitution for any fees directed to be paid to the inspectors in respect of their duties under this order or the Ordinance or the regulations under this order or under the Ordinance according as the Governor in Council may with such sanction determine.

Remuneration of inspectors.

30. (1) The Undertakers shall send to the Governor in Council notice of any accident by explosion or fire and also of any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury which has occurred in any part of the Undertakers' works or their circuits or in connection with their works or circuits and also notice of any loss of life or personal injury occasioned by any such accident. The notice shall be sent by the earliest practicable post after the accident occurs or as the case may be after the loss of life or personal injury becomes known to the Undertakers.

Inquiry by the Governor in Council.

If the Undertakers fail to comply with the provisions of this sub-clause they shall be liable for each offence to a penalty not exceeding twenty-five dollars.

(2) The Governor in Council may if he deems it necessary appoint the inspector and any other fit person or both to inquire into and report as to the cause of any accident affecting the safety of the public which may have been occasioned by or in connection with the Undertakers' works or as to the manner and extent in and to which the provisions of this order and of the Ordinance and of any regulations under the Ordinance relating to the safety of the public have been complied with by the Undertakers and any person appointed under this clause not being an inspector shall for the purpose of his appointment have all the powers of an inspector under this order and the expenses

of such inquiry and report to such an amount as the Governor in Council may certify to be due shall be paid by the Undertakers and shall be a debt due from the Undertakers to the Crown and recoverable accordingly with costs.

#### TESTING AND INSPECTION.

Testing of  
mains.

31. On the occasion of the testing of any mains of the Undertakers reasonable notice thereof shall be given to the Undertakers by the inspector and such testing shall be carried out at such suitable hour as in the opinion of the inspector will least interfere with the supply of energy by the Undertakers and in such manner as the inspector may think expedient but, except under the provisions of a special order in that behalf made by the Governor in Council, he shall not be entitled to have access to or to interfere with the mains of the Undertakers at any points other than those at which the Undertakers have reserved for themselves access to the said mains:

Provided that the Undertakers shall not be held responsible for any interruption in the supply of energy which may be occasioned by or required by such inspector for the purpose of any such testing as aforesaid:

Provided also that such testings shall not be made in regard to any particular portion of a main oftener than once in any three months except in pursuance of a special order in that behalf made by the Governor in Council.

Testing of  
works and  
supply on  
consumer's  
premises.

32. An inspector if and when required to do so by any consumer shall from time to time on payment by such consumer of the prescribed fee test the valuation of electric pressure at the consumer's terminals or make such other inspection and testing of the service lines apparatus and works of the Undertakers upon the consumer's premises as may be necessary for the purpose of determining whether the Undertakers have complied with the provisions of this order and of the regulations and conditions subject to which they are for the time being authorised to supply energy.

Undertakers  
to keep in-  
struments  
on their  
premises.

33. (1) The Undertakers shall set up and keep upon premises from which they supply energy by any distributing mains such suitable and proper instruments of such pattern and construction as may from time to time be approved of or prescribed by the Governor in Council and shall from time to time take and record and keep recorded such observations as the Governor in Council may from time to time prescribe and any observations so recorded shall be receivable as evidence.



(2) The Undertakers shall also at such places within a reasonable distance from a distributing main establish at their own cost and keep in proper condition such reasonable number of testing boxes or other means of testing the supply of energy as the inspector may deem proper and sufficient and shall supply energy thereto for the purpose of testing and also the proper and suitable instruments for making such test.

(3) If any dispute arises as to the performance by the Undertakers of their duties under this clause such dispute shall be determined by the Director of Public Works.

34. The Undertakers shall keep in efficient working order all instruments which they are required by or under this order to place set up or keep at or on their premises and any inspector may from time to time examine and record the readings of such instruments and any readings so recorded shall be receivable in evidence.

Readings of instruments to be taken.

35. Any inspector shall have the right to have access at all reasonable hours to the premises of the Undertakers for the purpose of testing the electric lines and instruments of the Undertakers and ascertaining if the same are in order and in case the same are not in order he may require the Undertakers forthwith to have the same put in order.

Testing of lines and instruments by inspector.

36. The Undertakers may if they think fit on each occasion of the testing of any main or service line or the testing or inspection of any instrument of the Undertakers by any inspector be represented by some officer or other agent but such officer or agent shall not interfere with the testing or inspection.

Representation of Undertakers at testing.

37. (1) The Undertakers shall afford all facilities for the proper execution of this order with respect to inspection and testing and the readings and inspection of instruments and shall comply with all the requirements of or under this order in that behalf.

Undertakers to give facilities for testing.

(2) If the Undertakers make default in complying with any of the provisions of this clause they shall be liable in respect of each default to a penalty not exceeding five dollars and in the case of a continuing offence to a further penalty not exceeding one dollar for every day after the first day during which such offence continues.

Report of  
results of  
testing.

38. (1) Every inspector shall on the day immediately following that on which any testing has been completed by him under this order make and deliver a report of the results of his testing to the Governor in Council or to the consumer as the case may be by whom he was required to make such testing and also to the Undertakers and such report shall be receivable in evidence.

(2) If the Undertakers or any consumer are or is dissatisfied with any report of any inspector they or he may appeal to the Director of Public Works against such report and thereupon he shall inquire into and decide upon the matter of any such appeal and his decision shall be final and binding on all parties.

Expenses of  
inspector.

39. Save as otherwise provided by this order or by any regulations under this order all fees and reasonable expenses of an inspector shall unless agreed be ascertained by the Governor in Council and shall be paid by the Undertakers and may be recovered summarily as a civil debt:

Provided that where the report of an inspector or the decision of the Director of Public Works shows that any consumer was guilty of any default or negligence such fees and expenses shall on being ascertained as above mentioned be paid by such consumer or consumers as the Governor in Council having regard to such report or decision shall direct and may be recovered summarily as a civil debt:

Provided also that in any proceedings for penalties under this order any such fees and expenses incurred in connection with such proceedings shall be payable by the complainant or defendant as the court may direct.

#### METERS AND APPARATUS.

Meters to  
be used.

40. The actual quantity of energy supplied by the Undertakers to any ordinary consumer under this order referred to as "the quantity of the supply" shall, except as otherwise agreed between such consumer and the Undertakers, be ascertained by means of an appropriate meter.

Inspector to  
certify  
meters.

41. Every inspector on being required to do so by the Undertakers or by any consumer and on payment of the prescribed fee by the party so requiring him shall examine any meter for ascertaining the quantity of the supply and shall certify the same if he considers it fit to be so certified.



42. Where the quantity of the supply is under this order to be ascertained by means of a meter the Undertakers shall supply the consumer free of charge with a fit and appropriate meter and shall install the same upon the premises of the consumer and connect the service line therewith and for such purposes may authorise and empower any officer or person to enter upon such premises at all reasonable hours and execute all necessary works and do all necessary acts:

Undertakers to supply meters if required to do so.

Provided that such meter shall be of such construction and pattern and shall be installed and connected with the service lines in such manner as may be approved by the inspector and shall be supplied and maintained entirely at the cost of the Undertakers and shall not except by agreement be placed elsewhere than between the mains of the Undertakers and the consumers terminals.

43. No consumer shall connect any meter not owned by the Company used or to be used under this order for ascertaining the quantity of the supply with any electric line through which energy is supplied by the Undertakers or disconnect any such meter from any such electric line unless he has given to the Undertakers not less than forty-eight hours' notice in writing of his intention so to do and under no circumstances shall any consumer connect disconnect or break the seal of any meter belonging to the Company and if any person acts in contravention of this clause he shall be guilty of an offence and shall be liable on conviction thereof to a penalty not exceeding ten dollars.

Notice of intention to connect or disconnect meters.

44. The Undertakers shall for the purposes aforesaid at all reasonable times have access to and be at liberty to remove test inspect and replace any meter.

Undertakers to have access to meters.

45. If any difference arises between any consumer and the Undertakers as to whether any meter whereby the quantity of the supply is ascertained is or is not in proper order for correctly registering such quantity or as to whether such quantity has been correctly registered in any case by any meter or as to whether such meter has been correctly read such difference shall be determined on the application of either party by an inspector who shall order by which of the parties the costs of the proceedings shall be paid and the decision of such inspector shall be final and binding on all parties. Subject as aforesaid the register of the meter shall be conclusive evidence in the absence of fraud of the quantity of the supply.

Differences as to correctness of meter to be settled by inspector.

Undertakers may place meter to measure supply or to check measurement thereof.

46. In addition to any meter which may be placed upon the premises of any consumer to ascertain the quantity of the supply the Undertakers may from time to time place upon his premises such meter or other apparatus as they may desire for the purpose of ascertaining or regulating either the amount of energy supplied to such consumer or the number of hours during which such supply is given or the maximum power taken by the consumer or any other quantity or time connected therewith:

Provided that such meter or apparatus shall be of such construction and pattern and shall be installed and connected with the service lines in such manner as may be approved by the inspector and shall be supplied and maintained entirely at the cost of the Undertakers and shall not except by agreement be placed elsewhere than between the main of the Undertakers and the consumer's terminals.

#### MAPS.

Map of area to be made and deposited.

47. (1) The Undertakers shall within twelve months after commencing to supply energy under this order cause a map to be made of the area of a horizontal scale of at least six inches to one mile and shall cause to be marked thereon the line of all their then existing mains and service lines and shall once in every year cause such map to be duly corrected so as to show the then existing lines.

(2) Every map so made or corrected for the Undertakers or a copy thereof with the dates expressed thereon of the last time when it was corrected shall be kept by the Undertakers at their office within the area of supply and a copy of every such map shall within one month after the same is made or corrected be served upon the Chief Secretary, the Postmaster General and the local authority.

(3) If the Undertakers fail to comply with any of the requirements of this clause they shall for every such offence be liable to a penalty not exceeding five dollars and to a further penalty not exceeding one dollar for every day after the first day during which such offence continues.

#### NOTICES, ETC.

Notices, etc., may be printed or written.

48. Notices orders and other documents under this order may be in writing or in print or partly in writing and partly in print and where any notice order or document requires authentication by the Undertakers the signature thereof by their secretary or manager shall be sufficient authentication.



49. (1) Any notice, order or document required or authorised to be served upon any body or person under this order or under the Ordinance may be served by the same being addressed to such body or person and being left at or transmitted through the post to the following addresses respectively—

Service of notices, etc.

(a) in the case of the Governor in Council, the Office of the Chief Secretary;

(b) in the case of the Postmaster General, the General Post Office;

(c) in the case of the Director of Public Works, the Office of the Director of Public Works;

(d) in the case of any local authority, the office of such local authority;

(e) in the case of any Company having a registered office, the registered office of such Company;

(f) in the case of a Company having an office or offices but no registered office, the principal office of such Company; and

(g) in the case of any other person, the usual or last known place of abode of such person.

(2) Any notice, order or document by this order or by any Ordinance relating to the generation and supply of electricity required or authorised to be served on the owner or occupier of any premises shall be deemed to be properly addressed if addressed by the description of the "Owner" or "Occupier" of the premises (naming the premises) without further name or description.

(3) Any notice, order or document by this order or by any Ordinance relating to the generation and supply of electricity required or authorised to be served on the owner or occupier of any premises may be served by delivering the same or a true copy thereof to some person on the premises or if there is no person on the premises to whom the same can with reasonable diligence be delivered by fixing the notice on some conspicuous part of the premises.

(4) Subject to the provisions of this order as to cases of emergency where the interval of time between the service of any notice or document under the provisions of this order and the execution of any works or the performance of any duty or act is less than seven days the following days shall not be reckoned in the computation of such time that is to say Sunday, Christmas Day, Good Friday and any public holiday under and within the meaning of the Public Holidays Ordinance, or any other Ordinance.

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## REVOCATION OF ORDER.

Revocation of  
order with  
consent.

50. The Governor in Council may revoke this order at any time with the consent and concurrence of the Undertakers as to the whole or any part of the area upon such terms as the Governor in Council may direct.

Provisions  
where order  
revoked.

51. If the Governor in Council at any time revokes this order as to the whole or any part of the area the following provisions shall have effect:

(1) The Governor in Council shall serve a notice of such revocation upon the Undertakers and upon the local authority and shall in such notice fix a date at which such revocation shall take effect and from and after such date all the powers and liabilities of the Undertakers under this order for the supply of energy within such area or part thereof as aforesaid shall cease and determine absolutely as the Governor in Council may direct.

(2) Within two months after the service of notices of such revocation by the Governor in Council upon the Undertakers and the local authority the local authority if they think fit may by notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking or such part of it as is within the district of the local authority upon terms of paying the then value of all land buildings works materials and plant of the Undertakers suitable to and used by them for the purposes of the undertaking or any part thereof as aforesaid such value being agreed or estimated in manner directed by the Electric Lighting Ordinance in the case of purchases effected by the local authority under section 27 of that Ordinance or any amendment thereof.

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(3) Where any purchase is so effected the undertaking or the part thereof so purchased shall vest in the local authority freed from any debts, mortgages or similar obligations of the Undertakers or attaching to the undertaking and the revocation of this order as to the whole of the area or such part thereof as aforesaid shall extend only to the revocation of the rights powers authorities duties and obligations of the Undertakers from whom the undertaking or such part thereof as aforesaid is purchased in relation to the supply of energy within such area or part thereof and save as aforesaid this order shall remain in full force within such area or part thereof in favour of the local authority by whom such undertaking or part thereof is purchased as aforesaid.



## TEMPORARY SUSPENSION OF ORDER.

52. If the Governor in Council at any time temporarily suspends the operation of this order as to any part of the area the Governor in Council shall serve a notice of such suspension upon the Undertakers and upon the local authority and shall in such notice fix a date at which such suspension shall take effect and thereafter and until such suspension ceases the Undertakers shall not be authorised to exercise any powers herein given as to such part of the area but the rights privileges and franchises previously acquired by the Undertakers shall not be otherwise affected.

Provisions in case of temporary suspension of order.

53. (1) If in the judgment of the inspector the Undertakers make default in observance of any of the obligations imposed by this order or by the Ordinance and the Undertakers on their attention being called in writing by the inspector thereto shall not forthwith remedy the defect or omission to the satisfaction of the inspector the inspector shall forthwith report the matter to the Director of Public Works and it shall be lawful for the inspector on the direction of the Governor in Council and after giving ten days' notice in writing to the Undertakers out of any moneys legally available for that purpose himself to hire workmen and procure materials and to repair all defects and supply all omissions and it shall be lawful for the Attorney General to make application by summons to the Supreme Court on notice given to the Undertakers and upon the production of the inspector's certificate to the Supreme Court judgment shall be entered for the amount so expended by the inspector and shall be enforced accordingly and unless such judgment is forthwith paid the Attorney General on behalf of the Government without prejudice to any other remedy shall be entitled to have a Receiver appointed by the Supreme Court to receive all the tolls and earnings of the Undertakers and to pay and satisfy the said judgment and all costs of and incidental thereto. The Undertakers shall afford every facility to the inspector for the purpose of enabling him to carry out the provisions of this clause. In any application for judgment or for the appointment of a Receiver under the clause it shall be sufficient for the Attorney General to show that the money was paid under the certificate of the inspector.

Default by Undertakers.

(2) Until any default on the part of the Undertakers shall have been remedied either by the Undertakers or by the inspector the Governor in Council may temporarily suspend the whole or any part of the undertaking and when any amount expended by the inspector as aforesaid together with any costs

incurred in recovering the same shall have been recovered as aforesaid such suspension shall thereupon cease.

(3) The Undertakers shall afford every proper facility to the inspector for the purpose of enabling him to carry out the provisions of this clause.

#### GENERAL PROVISIONS.

Remedying  
of system  
and works.

54. If at any time it appears to the Governor in Council or the local authority—

(1) that the Undertakers are supplying power or energy by any system not specified in this order nor approved by the Governor in Council, or

(2) that the Undertakers, except in accordance with the provisions of this order, have permitted any part of their circuits to be connected with earth, or

(3) that any electric lines or works of the Undertakers are defective so as not to be in accordance with the provisions of this order or of any Ordinance relating hereto or of the regulations and conditions subject to which the Undertakers are for the time being authorised to supply energy under this order, or

(4) that the Undertakers' works or their supply of power or energy are or is attended with danger to the public safety:

The Governor in Council may if he think fit by order in writing require the Undertakers to remedy the same so as to comply with such order within such period as may be therein limited in that behalf and if the Undertakers make default in complying with such order within the time so limited they shall be liable to a penalty not exceeding twenty dollars for every day during which such default continues:

Provided that where the matter so required to be remedied is in the opinion of the Governor in Council dangerous to the public safety he may if he think fit by any such order as aforesaid forbid the use of such electric line or work as from such date as may be specified in that behalf until the order is complied with and if the Undertakers make use of any such electric line or work while the use thereof is forbidden they shall be liable to a penalty not exceeding five hundred dollars for every day during which such user continues:

Provided also that where the Undertakers are supplying power or energy by means of a system not specified in this order or approved by the Governor in Council and fail to



comply with any such order in respect thereof within the time therein limited in that behalf the Governor in Council may if he think fit temporarily suspend the operation of this order as to any part of the area for such time and on such terms as he may think just.

55. All regulations and conditions made under the Ordinance or under any law affecting the undertaking and for the time being in force shall within one month after the same as made or last altered have come into force be printed at the expense of the Undertakers and true copies thereof certified by or on behalf of the Undertakers shall be kept by them at their registered office within the area and supplied to any person demanding the same at a price not exceeding twelve cents for each copy.

Publication of regulations.

56. (1) Where this order provides for any consent or approval of the Governor in Council the Governor in Council may give that consent or approval subject to terms or conditions or may withhold such consent or approval as the Governor in Council may think fit.

Costs of application for approval or consent of the Governor in Council.

(2) All costs and expenses of or incident to any application for any approval consent or order of the Governor in Council including any tests which may be required to be made by the Governor in Council for the purpose of determining whether the same should be given or made to such an amount as may be certified to be due shall be borne and paid by the applicant or applicants therefor:

Provided always that where any approval is given by the Governor in Council to any plan pattern or specification he may require such copies of the same as he may think fit to be prepared and deposited at the office of the Chief Secretary at the expense of the applicant or applicants and may from time to time as he may think fit revoke any approval so given or permit such approval to be continued subject to such modifications as he may think necessary.

57. Where the Governor in Council on the application of the Undertakers gives any approval or grants any extension of any time limited for the performance of any duties by the Undertakers or temporarily suspends the operation of or revokes this order as to the whole or any part of the area notice that such approval has been given or such extension of time granted or such suspension or revocation made shall be published in the Gazette and in one other newspaper in the Colony.

Notice of approval of the Governor in Council, etc., to be given by advertisement.

Liability of  
consumer.

58. (1) Every consumer who wilfully or fraudulently or by culpable negligence injures or suffers to be injured any electric line meter or other apparatus 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 be liable to a penalty not exceeding twenty-five dollars and to a further penalty not exceeding five dollars for every day after the first day during which such offence continues and the Undertakers may in addition thereto recover from such consumer the amount of any damage by them sustained and in any case in which any consumer has wilfully or fraudulently injured or suffered to be injured any electric line 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 electricity to the consumer so offending (notwithstanding any agreement or contract previously existing) and the existence of artificial means for causing such alteration or prevention or for fraudulently abstracting consuming or using electricity of the 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) Any person whose supply of electricity may have been cut off for neglect to pay any charge for electricity or any other sum due from him or her to the Undertakers in respect of the supply of electricity to such person and who shall procure any other person to apply for a supply of electricity in the name of such other person but for the benefit of that person whose supply of electricity has been cut off shall be guilty of an offence and shall on conviction thereof be liable to a penalty not exceeding fifty dollars.

(3) 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 not exceeding twenty-five dollars and to a further penalty not exceeding five dollars for every day after the first

O. in C.  
31 of 1941.



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.

59. All penalties under this order or under any regulations made under this order or under the Ordinance the recovery of which is not otherwise specially provided for may be recovered under the Summary Jurisdiction Ordinances for the time being in force.

Procedure and appeal.

60. Nothing in this order shall be held to give to any body or person other than the Postmaster General any right of action or complaint against the Undertakers in respect of or to protect any electric works lines or apparatus or the currents therein unless in the construction erection maintaining and working of such works lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken by such other persons to prevent injurious interference therewith and with the currents therein by or from other electrical currents.

Conditions on which right to be exercised.

61. Subject to the provisions of the Ordinance and this order the Undertakers shall be answerable for all accidents damages and injuries happening through the act or default of the Undertakers or of any person in their employment by reason or in consequence of the Undertakers' works and shall save harmless all authorities bodies and persons by whom any street is repairable their officers and servants from all damages and costs in respect of such accidents damages and injuries.

Undertakers to be responsible for all damages.

62. Nothing in this order shall affect any right or remedy of the Postmaster General under the Ordinance or under any Ordinance for the time being in force relating to the Government Telegraph and all provisions contained in this order in favour of the Postmaster General shall be construed to be in addition to and not in modification of the provisions of those Ordinances.

Saving of rights of Postmaster General.

63. Subject to the Georgetown Electric Supply Ordinance, nothing in this order shall exempt the Undertakers or their undertaking from the provisions of or deprive the Undertakers of the benefits of any general Ordinance relative to electricity or to any matter connected with the supply of energy which may be passed after the commencement of this order.

Provisions as to general Ordinances.

64. Subject to the Ordinance or this order nothing in this order shall exonerate the Undertakers from any indictment

Nuisances.

action or other proceeding for nuisance in the event of any nuisance being caused by them.

Demerara  
River.

65. Nothing in this order shall authorise the Undertakers to place any electric works or lines on over or across the Demerara River except in such manner as may have been approved by the Governor in Council.

Protection of  
Government  
telegraph  
lines.

66. (1) Notwithstanding any other provision in this order contained if any telegraph line under the control of the Postmaster General is injuriously affected by the construction by the Undertakers of their electric lines and works or by the user thereof then in case no agreement shall have been made between the Governor in Council and the Undertakers for the purchase by the Undertakers of such telegraph line the Undertakers shall pay the expense of all such alterations in the telegraph lines or any of them under the control of the Postmaster General as may be necessary to prevent or remedy such injurious affection.

(2) For the purpose of this clause such telegraph line shall be deemed to be injuriously affected if telegraphic or telephonic communication by means of such line is whether through induction or otherwise in any manner affected.

(3) Save as hereinbefore specially provided all questions or differences arising under this order shall be settled by arbitration in accordance with the provisions of the Arbitration Ordinance.

Cap. 38.

(4) Nothing in this clause shall in any way prejudice or prevent any proposals or negotiations for the acquisition and working by the Undertakers of any telegraph lines and works which are under the control of the Postmaster General.

#### FIRST SCHEDULE.

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AREA.  
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Clause 5.  
Cap. 152.

The City of Georgetown as defined by the Georgetown Town Council Ordinance and any future extension or extensions of the municipal area of the City and the environs of the said City within a distance of five miles of the limits of the said City.

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SECOND SCHEDULE.

(a) List of streets not repairable by the Local Authority which may be broken up by the Undertakers: Clause 8.

None.

(b) List of Railway Crossings which may be broken up by the Undertakers:

- (1) Water Street Level Crossing.
- (2) High Street Level Crossing.
- (3) Parade Street Level Crossing.
- (4) Camp Street and Camp Road Level Crossing.
- (5) The Kitty Level Crossing in the City of Georgetown.

(6) Any other level crossing which may be created hereafter and over which the Undertakers are authorised to establish any part of their undertaking.

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THIRD SCHEDULE.

MAXIMUM PRICES FOR ENERGY SUPPLIED.

Clause 25.

In this schedule the expression "unit" shall mean one kilo-watt hour unit.

The Undertakers shall be entitled to charge the consumer for electric energy supplied a price per unit not exceeding the following:

- (1) During the period of twelve calendar months after the commencement of this order:—One shilling and three-pence per unit.
- (2) During the year following that period:—One shilling and one half-penny per unit and no charge shall be made in respect of meter rent.
- (3) Thereafter during every successive year the maximum rate shall be reduced by one half-penny per unit until the rate per unit shall become seven pence half-penny and no charge shall be made in respect of meter rent:

Provided that, if the consumption of any consumer during any one month does not amount to the sum of four shillings and two-pence per meter, the Undertakers shall be entitled to charge a minimum consumption charge not exceeding four shillings and two-pence per meter in respect of that month.

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## FEES TO WHICH THE GOVERNMENT ELECTRIC INSPECTOR SHALL BE ENTITLED IN RESPECT OF HIS DUTIES UNDER THE GEORGETOWN ELECTRIC SUPPLY ORDER.

NATURE OF DUTY.	FEES.
1. For inspecting any consumer's lighting installation or any part thereof whether new or old.	50 cents plus 10 cents for
(If on inspection the installation is found to be not fit for approval the fee for inspection as above defined shall nevertheless be paid and shall also be paid for any subsequent inspection required to be made by the inspector for the purpose of issuing the usual certificate of approval).	every outlet covered by the inspector's certificate of approval.
	\$ c.
2. For testing and certifying the accuracy of any electric meter ...	2 50
3. For testing any incandescent lamp ... ..	0 50
4. For testing any arc lamp ... ..	2 00
5. For testing any dynamo or motor for continuity and insulation ...	5 00
6. For testing the capacity of any dynamo or motor as to output of current, etc. ... ..	5 00
7. For testing any transformer ... ..	2 00
8. For inspecting the Electric Company's lines periodically, not oftener than once in every three months ... ..	5 00
9. For testing the Electric Company's lines periodically, not oftener than once in every three months, per circuit ... ..	1 00
10. For special inspections ... ..	10 00
11. For special testing ... ..	10 00
12. For inquiring and reporting as to the cause of any accident, etc. ...	25 00
13. Testing condition of earth connections ... ..	1 00
14. Testing to ascertain amount of current passing from the earth connections ... ..	1 00
15. Testing fall of potential in return ... ..	1 00
16. Testing electrical equipment of any car, including motor, for conductivity or insulation ... ..	5 00
17. For testing "pressure" at any consumer's premises ... ..	2 00

The inspector shall be entitled to all reasonable travelling expenses incurred, and to subsistence allowance while travelling outside of Georgetown, at the rate for the time being payable to Government officers.

NOTE.—Every result should be given in the recognised electrical units of "Ohms," "Watts," "Amperes" and "Volts."

Prescribed by the Governor in Council on the 27th November, 1933.