



ANNO DECIMO TERTIO

GEORGII V REGIS.

A.D. 1922.

Private Act.

An Act to amend The South Australian Electric Light and Motive Power Company's Act, 1897, for the purpose of Enabling Instrumentalities of Electric Supply to be carried through Intermediate Districts and of Enabling Electricity to be supplied under the powers conferred by that Act in any part of the State, and for the purpose of facilitating Legal Proof of certain matters.

[*Assented to, December 13th, 1922.*]

WHEREAS the rights, powers, privileges, and immunities Preamble. respectively granted to, and obligations imposed upon, The South Australian Electric Light and Motive Power Company, Limited, by The South Australian Electric Light and Motive Power Company's Act, 1897, are now lawfully vested in and exercised by and imposed upon The Adelaide Electric Supply Company, Limited, as the lawful assign of The South Australian Electric Light and Motive Power Company, Limited: AND WHEREAS it is desirable to facilitate the supply by The Adelaide Electric Supply Company, Limited, its successors and assigns, of electricity to such parts of the said State as are not already supplied therewith by the last named Company, and also that certain amendments be made in the said Act for that and for other purposes—

Be it therefore Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited alone as "The Adelaide Electric Short titles. Supply Company's Act, 1922."

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(2) The South Australian Electric Light and Motive Power Company's Act, 1897 (hereinafter referred to as "the principal Act"), and this Act may be cited together as "The Adelaide Electric Supply Company's Acts, 1897 and 1922."

Incorporation with principal Act.

2. This Act is incorporated with the principal Act, and that Act and this Act shall be read as one Act.

Interpretation.

3. In the principal Act and this Act, unless repugnant to or inconsistent with the subject matter or context—

"The Company" shall henceforth mean "The Adelaide Electric Supply Company, Limited, its successors and assigns."

"Intermediate district" shall mean any municipality or district within the limits of which the principal Act shall not have been applied as the result of a poll of ratepayers, as provided in section 39 thereof, and through which municipality or district the Company deems it necessary or expedient to erect, carry, or lay its instrumentalities of supply for the purposes set out in section 6 of this Act.

"Instrumentalities of supply" shall include electric lines, aerial conductors, mains, pipes, transformers, wire conduits, and other works suitable to be used for or incidental to the conveyance, transmission, distribution, transformation and/or supply of electricity.

Extension of the limits of the Act to the whole State.

4. Section 3 of the principal Act is hereby amended by deleting therefrom all words therein after the word "extend" and by inserting in lieu thereof the words "to all parts and every part of the State of South Australia, hereinafter termed 'the limits of this Act.'"

Amendment of section 15 of principal Act—**Lighting streets.**

5. Section 15 of the principal Act is amended by inserting after the word "town" in the eighth line thereof the words "or any district or locality."

Power to take instrumentalities of supply through intermediate districts.

6. If, for the purposes of the supply of electricity to any municipality, district, or locality to which the Company may lawfully supply electricity, it becomes necessary or expedient to erect, carry, or lay the Company's instrumentalities of supply in and through any intermediate district, the Company shall be entitled in such intermediate district to all such of its rights, powers, privileges, and immunities under the principal Act, as amended by this Act, as may be necessary or expedient for such erection, carrying, or laying by the most direct route as shall be reasonably possible of its said instrumentalities of supply as if the principal Act had been applied to such intermediate district, in manner provided by section 39 of such Act: Provided, however, that this section shall not empower the Company to exercise its rights of supply of electricity for public or private purposes in any such intermediate district unless and until the principal Act shall, as a result of a poll of ratepayers, have been applied thereto in manner provided by section 39 of such Act,

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Act, or in any town or township situated within any district and already supplied with electricity from a generating station owned by any Municipal or District Council, unless as a result of a poll of ratepayers of such Municipal or District Council the Company has been authorised to supply electricity to such town or township as aforesaid.

7. (1) It shall be lawful for the Company, for the purposes of the supply of electricity to any municipality, district, or locality to which the Company may lawfully supply electricity, to erect, carry, or lay its instrumentalities of supply on, over, through, under or across any land or any navigable river, and to maintain, alter, repair, remove, or replace the same.

Company may take its instrumentalities of supply over private and Crown lands and navigable rivers.

(2) Whenever the Company desires to exercise the power conferred by subsection (1) hereof—

- (a) as regards any navigable river, the Company shall obtain the written consent of the authority controlling such river :
- (b) as regards any land which is land belonging to the Crown, the Company shall obtain the written consent of the Commissioner of Crown Lands, and if such land is subject to any agreement, lease, or licence granted by or on behalf of the Crown, shall also give to the purchaser, lessee, or licensee thereof a written notice of the Company's intention, specifying the land affected, which notice shall contain a request for the consent of such purchaser, lessee, or licensee to the Company erecting, carrying, or laying its instrumentalities of supply on, over, through, under, or across such land, and particulars of the price which the Company is willing to pay for such consent and for any easement, right, or privilege in, over, or affecting any land, which the Company desires to acquire :
- (c) as regards any land which is not land belonging to the Crown, the Company shall give to the owner and also to the occupier of the land such written notice containing such request as mentioned in subdivision (b) hereof.

(3) If the purchaser, lessee, or licensee, or the owner or occupier, of any land on, over, through, under, or across which the Company is desirous of erecting, carrying, or laying its instrumentalities of supply pursuant to subsection (1) hereof fails for a period of one month after the service upon him of such notice containing such request as mentioned in subdivision (b) of subsection (2) hereof to consent to such request, and to agree to grant to the Company for the price mentioned in the notice such easement, right, or privilege in, over, or affecting such land, as therein mentioned, the Company may compulsorily acquire any easement, right, or privilege in, over, or affecting such land: Provided that the power of compulsory

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compulsory acquisition hereby conferred shall not be exercised with regard to any easement, right, or privilege in, over, or affecting any land, which is, or forms part of—

- (a) a garden, orchard, or plantation attached to a dwelling-house; or
- (b) a park, planted walk, or ground ornamentally planted; or
- (c) the site of any building of the value of more than One Hundred Pounds, or the site of any dwelling-house.

(4) The Lands Clauses Consolidation Acts, 1847 to 1918, except sections 110, 114, 115, 116, 117 and 118 of the Ordinance No. 6 of 1847, are incorporated with this Act, and shall take effect with regard to all easements, rights, and privileges in, over, or affecting land which the Company is by this section authorised to acquire, and the Company acquiring any such easement, right, or privilege for such purposes as mentioned in this section shall be regarded as the promoters of the undertaking, and this Act as the special Act, within the meaning of such incorporated Acts.

(5) Notices required by this section to be served on any person may be served in manner prescribed by section 19 of the Ordinance No. 6 of 1847.

Governor's consent.

8. The power of compulsory acquisition conferred by the preceding section shall not be exercised in cases where the value of any easement, right, or privilege in, over, or affecting any land exceeds One Hundred Pounds, except with the consent of the Governor first had in each case.

Declaration that Act applies in specified municipalities and districts, and production of *Government Gazette* containing notice of poll *prima facie* evidence as to further municipalities or districts.

9. (1) It is declared that the principal Act, as amended by this Act, applies in the municipalities and districts set out in the Schedule hereto, and that, unless the contrary be proved, the works executed therein by the Company and the said The South Australian Electric Light and Motive Power Company, Limited, and its successors and assigns, have been lawfully executed.

(2) The production of the *Government Gazette* containing the public notice referred to in section 39 of the principal Act and purporting to be signed as therein provided shall, as regards any other municipality or district, be *prima facie* evidence that the principal Act applies within the limits of the municipality or district referred to in such public notice.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

TOM BRIDGES, Governor.

SCHEDULE.

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SCHEDULE.

Municipalities.	Districts.	Sec. 9.
City of Adelaide	Walkerville	
City of Port Adelaide.....	Prospect	
City of Unley	Woodville	
Town of Glenelg	Burnside	
Town of St. Peters	West Torrens	
Town of Kensington and Norwood.....	Payneham	
Town of Thebarton	Mitcham	
Town of Hindmarsh	Yatala South	
Town of Brighton	Marion	
Town of Henley and Grange	Campbelltown	