

EXPLANATORY MEMORANDUM.
AUSTRALIAN CAPITAL TERRITORY.
ELECTRICITY ORDINANCE 1963.

No. 13 of 1963

The date of commencement of the Australian Capital Territory Electricity Supply Act 1962 has been fixed by Proclamation as 1st July, 1963. On that day, the electricity undertaking in Canberra previously managed by the Department of the Interior through the Canberra Electric Supply passes to the new statutory authority set up under the Act, the Australian Capital Territory Electricity Authority.

The Act deals only with the constitution and operation of the Authority. It does not provide for matters such as the licensing of tradesmen, control of appliances and other subjects properly within the province of the laws of the Territory. It was intended that these matters be dealt with under an Ordinance of the Territory as it is proper that, as far as possible, the legislative law of the Territory, apart from enabling Acts, should be ascertained by reference to the Ordinances and Regulations of the Territory.

Matters relevant to the installation of electrical services, licensing of wiremen, etc., in the field of electricity distribution and consumption have to date been dealt with by regulations made under the Building and Services Ordinance of the Territory. These regulations will no longer be suitable for the purpose after the Australian Capital Territory Supply Act 1962 comes into operation and the Australian Capital Territory Electricity Authority is established. The regulations have been reviewed and it is intended that legislation to deal with the various matters involved will be prepared and settled in consultation with the new Authority. This work will take some time however and the attached draft Ordinance has been prepared as a temporary measure to apply during the intervening period. It is not an exhaustive measure, but is designed to meet the normal every day problems during the intervening period.

Briefly, the draft Ordinance –

- (a) continues in force those provisions of the present regulations dealing with the licensing of electricians and confers on the Chairman of the Authority powers to issue, refuse, cancel or suspend licences, exercised to date by the Electrical Engineer under the regulations (section 5);
- (b) prohibits any person other than a holder of a licence or a person working under the direction and supervision of the holder of a licence from carrying out electrical wiring work (section 6);
- (c) prohibits the sale, hiring, etc. of articles of electrical equipment proclaimed under the Electricity Development Act, 1945-1957 of the State of New South

Wales unless those articles have been approved by the Electricity Authority of New South Wales and stamped or labelled as required in that State (section 7). This is a new requirement. There is no equivalent provision in the present legislation of the Territory. The New South Wales legislation is part of an overall scheme for the control of electrical appliances through the States and has been temporarily applied for uniformity and convenience;

- (d) confers on a person authorised by the Authority power to enter at all reasonable times on to any land or premises upon which electrical wiring work is being or has been carried out or on which an article of electrical equipment is being or has been installed, for the purpose of ascertaining whether the wiring work is being or has been carried out to required standards, or of inspecting any article of electrical equipment. If the authorized person finds that the installation is likely to be a source of danger, he may disconnect it and if he finds any article of electrical equipment that is likely to be a source of danger, he may attach thereto a label and no person may interfere with the label without reasonable excuse or use that article until it has been rendered safe. (sections 8 and 9). The power of entry to inspect and disconnect installations is at present covered by regulation 10 of the present regulations, but the power to inspect and condemn appliances is new. It is based on similar provisions in New South Wales and Victoria;
- (e) prohibits any person from connecting any article or installation to the Authority's system of supply without permission (section 10);
- (f) provides a means of proving before a Court particulars of determinations made by the Authority under the Act. These determinations would deal with matters such as charges for the supply of electricity, terms and conditions of supply, etc. (section 11).

The final Ordinance will not necessarily be modelled on this interim legislation, which has been prepared so that there will not be any break in the legislative control over this important field.

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