

# AUSTRALIAN CAPITAL TERRITORY

---

## Electricity and Water (Consequential Amendments) Ordinance 1988

No. 31 of 1988

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 30 June 1988.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

GARY PUNCH  
Minister of State for the Arts  
and Territories

---

An Ordinance to amend certain Ordinances of the Territory in consequence of the *Electricity and Water Ordinance 1988*

### Short title

1. This Ordinance may be cited as the *Electricity and Water (Consequential Amendments) Ordinance 1988*.<sup>1</sup>

### Commencement

2. This Ordinance shall come into operation on 1 July 1988.

### Repeal

(Ord. 39/88)—Cat. No.

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

3. The *Water (Restriction of Use) Ordinance 1959* is repealed.

### **Consequential amendments**

4. The Ordinances specified in the Schedule are amended as set out in that Schedule.

### **Transitional**

5. (1) The person who, immediately before the commencement date was the Registrar of Electrical Contractors and Electricians appointed under section 6 of the *Electricity Ordinance 1971* shall be deemed to have been appointed, on the commencement date, by the Authority under that section.

(2) A person who, immediately before the commencement date, was as inspector appointed under section 32T of the *Electricity Ordinance 1971* shall be deemed to have been appointed, on the commencement date, by the Authority to be an inspector for the purposes of that Ordinance.

(3) A person who, immediately before the commencement date, was an inspector appointed under subsection 17 (2) of the *Sewerage Rates Ordinance 1968* shall be deemed to have been appointed, on the commencement date, by the Authority to be an inspector for the purposes of that Ordinance.

(4) A person who, immediately before the commencement date, was a meter reader appointed under section 22 of the *Water Rates Ordinance 1959* shall be deemed to have been appointed, on the commencement date, by the Authority to be a meter reader for the purposes of that Ordinance.

(5) In this section, “commencement date” has the same meaning as in Part X of the *Electricity and Water Ordinance 1988*.

### **Saving**

6. Notwithstanding the amendments of the *Building and Services Ordinance 1924* effected by this Ordinance, the Canberra Sewerage and Water Supply Regulations, in force immediately before 1 July 1988, continue in force on and after that date as if they were regulations made by the Minister under the *Electricity and Water Ordinance 1988*.

## SCHEDULE

Section 4

### AMENDMENTS OF OTHER ORDINANCES

#### *Building Ordinance 1972*

**Paragraph 53 (9) (c):**

Insert “and Water” after “Electricity”.

#### *Building and Services Ordinance 1924*

**Section 1A (definition of “services”):**

- (a) Omit “the supply of water or electricity,”.
- (b) Omit “the provision of a sewerage system,”.

**Section 1A:**

Insert the following definition in its appropriate alphabetical position:

“ ‘Authority’ means the Australian Capital Territory Electricity and Water Authority;”.

**Section 3:**

Omit all the words after “Ordinance” (first occurring), substitute “and the regulations, other than provisions relating to the supply of electricity or water or the provision of a sewerage system”.

**Section 3D:**

Omit “Commonwealth”, substitute “Authority”.

**Section 3F:**

Omit all the words after “published”, substitute “in the *Gazette*, determine fees and charges for the purposes of the Ordinance in relation to the supply of services”.

#### *Electricity Ordinance 1971*

**Subsection 4 (1) (definitions of “the Act”, “the Authority” and “the Chairman”):**

Omit the definitions.

**Subsection 4 (1):**

Insert the following definitions in their respective appropriate alphabetical positions:

- “ ‘Authority’ means the Australian Capital Territory Electricity and Water Authority;
- ‘Chief Executive Officer’ has the same meaning as in the Electricity and Water Ordinance;
- ‘Electricity and Water Ordinance’ means the *Electricity and Water Ordinance 1988*;”.

**Paragraph 27 (1) (b):**

Omit all the words after “determination”, substitute “under section 6 of the Electricity and Water Ordinance”.

**SCHEDULE**—continued

**Paragraph 27 (1) (f):**

Omit all the words after “contravened”, substitute “section 55 or 76 of the Electricity and Water Ordinance”.

**Subsection 32G (3):**

Omit “Chairman”, substitute “Chief Executive Officer”.

**Subsection 32G (4):**

Omit “chairman”, substitute “Chief Executive Officer”.

**Paragraphs 32K (1) (a) and (b):**

Omit “Chairman”, substitute “Chief Executive Officer”.

**Subsections 32T (1) and (2) and 33 (1) and (3B):**

Omit “Chairman”, substitute “Chief Executive Officer”.

**Paragraph 34 (1) (c):**

Omit “made by the Authority under section 18 of the Act”, substitute “under section 6 of the Electricity and Water Ordinance”.

**Subsection 34 (2):**

Omit “Chairman”, substitute “Chief Executive Officer”.

**Subsection 41 (1):**

Omit “Chairman”, substitute “Chief Executive Officer”.

**Paragraph 41 (1) (a):**

Omit all the words after “determination”, substitute “under section 6 of the Electricity and Water Ordinance”.

**After section 43:**

Insert the following section:

**Payment of fees**

“43A. Where a fee is payable under this Ordinance, the fee shall be paid to the Authority.”.

*Land Rent and Rates (Deferment and Remission) Ordinance 1970*

**Section 2A:**

Omit all the words after “1926”.

**After section 2A:**

Insert the following section:

**Application after 30 June 1988**

“2AB. In the application, after 30 June 1988, of this Ordinance to rates other than land rates—

**SCHEDULE**—continued

- (a) a reference to the Minister (other than in section 24), the Secretary or the Commonwealth shall be read as a reference to the Authority; and
- (b) any pronoun referring to the Minister or Secretary shall be read accordingly.”.

*Nature Conservation Ordinance 1980*

**Section 76A:**

Omit all the words from and including “Australian” to and including “Act 1962”, substitute “Australian Capital Territory Electricity and Water Authority”.

*Plumbers, Drainers and Gasfitters Board Ordinance 1982*

**Section 3 (definition of “Proper Authority”):**

Omit the definition, substitute the following definition:

“ ‘Proper Authority’ has the same meaning as in the Canberra Sewerage and Water Supply Regulations;”.

*Sewerage Rates Ordinance 1968*

**Subsection 4 (1) (definitions of “appropriate officer”, “delegate of the Minister”, “Department” and “Secretary”):**

Omit the definitions.

**Subsection 4 (1) (definition of “sewerage services”):**

Omit “Minister”, substitute “Authority”.

**Subsection 4 (1):**

Insert the following definitions in their appropriate alphabetical positions:

“ ‘Authority’ means the Australian Capital Territory Electricity and Water Authority;

‘Electricity and Water Ordinance’ means the *Electricity and Water Ordinance 1988*;”.

**Subsection 4 (1A):**

- (a) Insert “for sewerage rates” after “charge”.
- (b) Omit all the words after “Minister”, substitute “Authority under section 48 of the Electricity and Water Ordinance”.

**Section 7:**

Omit “, in accordance with this Ordinance,”.

**Section 9:**

Omit “19A”, substitute “50 of the Electricity and Water Ordinance”.

**Subsection 11 (5):**

Omit “appropriate officer”, substitute “Authority”.

**Subsection 13 (2):**

Omit “Commonwealth”, substitute “Authority”.

**SCHEDULE**—continued

**Subsection 13 (3):**

Omit “appropriate officer”, substitute “Authority”.

**Subsection 13 (4):**

- (a) Omit “Commonwealth” (last occurring), substitute “Authority”.
- (b) Omit “28A”, substitute “48 of the Electricity and Water Ordinance”.

**Subsection 17 (1):**

Omit the subsection.

**Subsection 17 (2):**

- (a) Omit “Minister”, substitute “Authority”.
- (b) Omit “under his hand”.
- (c) Omit “he”, substitute “it”.

**Subsection 17 (3):**

Omit “Minister”, substitute “Authority”.

**Subsection 19 (1):**

- (a) Omit “delegate of the Minister”, substitute “Authority”.
- (b) Omit “by this Ordinance”.

**Subsection 19 (3):**

Omit “delegate of the Minister”, substitute “Authority”.

**Section 19A:**

Repeal the section.

**Section 20:**

Omit “Commonwealth”, substitute “Authority”.

**Subsection 21 (1):**

Omit “Commonwealth” (last occurring), substitute “Authority”.

**Subsection 21 (2):**

Omit “Commonwealth”, substitute “Authority”.

**Section 23:**

Repeal the section.

**Subsection 24 (1):**

Omit all the words from and including “Secretary”, substitute “Authority may, in writing,”.

**Subparagraph 24 (1) (a) (iv):**

Omit “delegate of the Minister”, substitute “Authority”.

**SCHEDULE**—continued

**Subparagraph 24 (1) (b) (v):**

Omit “delegate of the Minister”, substitute “Authority”.

**Paragraph 24 (3) (b):**

Omit “Secretary”, substitute “Authority”.

**Subsection 25 (1):**

- (a) Omit “Minister”, substitute “Authority”.
- (b) Omit “within one year after the commencement of this Ordinance”.
- (c) Omit “him”, substitute “it”.

**Subsection 27 (3):**

Omit “Commonwealth”, substitute “Authority”.

**Subsection 28 (3):**

Omit “Minister”, substitute “Authority”.

**Subsection 28A (1):**

Omit the subsection.

**Subsection 28A (2):**

Omit “under sub-section (1)”, substitute “in relation to sewerage rates”.

***Water Rates Ordinance 1959***

**Subsection 4 (1) (definitions of “delegate of the Minister”, “Department” and “Secretary”):**

Omit the definitions.

**Subsection 4 (1) (definition of “meter reader”):**

Omit “Minister”, substitute “Authority”.

**Subsection 4 (1):**

Insert the following definitions in their respective appropriate alphabetical positions:

“ ‘Authority’ means the Australian Capital Territory Electricity and Water Authority;

‘Electricity and Water Ordinance’ means the *Electricity and Water Ordinance 1988*.”

**Subsection 4 (1AA):**

- (a) Insert “for water rates” after “charge”.
- (b) Omit “33A for the purposes of that provision”, substitute “48 of the Electricity and Water Ordinance”.

**Section 5:**

Omit “in accordance with this Ordinance”.

**Subparagraphs 6 (1) (b) (i) and (ii):**

Omit “33A”, substitute “48 of the Electricity and Water Ordinance”.

**SCHEDULE**—continued

**Subsection 6 (3):**

- (a) Omit “33A” (first occurring), substitute “48 of the Electricity and Water Ordinance”.
- (b) Omit “section 33A” (last occurring), substitute “that section”.

**Subsection 7 (4):**

Omit “delegate of the Minister”, substitute “Authority”.

**Paragraph 7A (1) (b):**

Omit “33A”, substitute “48 of the Electricity and Water Ordinance”.

**Subsection 7A (3):**

Omit “33A”, substitute “48 of the Electricity and Water Ordinance”.

**Paragraph 7B (1) (b):**

Omit “33A”, substitute “48 of the Electricity and Water Ordinance”.

**Subsection 7B (3):**

Omit “33A”, substitute “48 of the Electricity and Water Ordinance”.

**Paragraph 7C (1) (b):**

Omit “33A”, substitute “48 of the Electricity and Water Ordinance”.

**Subsection 7C (3):**

Omit “33A”, substitute “48 of the Electricity and Water Ordinance”.

**Subparagraph 14 (1) (c) (ii):**

Omit “33A”, substitute “48 of the Electricity and Water Ordinance”.

**Subsections 17 (1) and (2):**

Omit “The delegate of the Minister”, substitute “The Authority”.

**Subsections 17 (1A), (3), (4) and (5):**

Omit “delegate of the Minister” (wherever occurring), substitute “Authority”.

**Section 18:**

Omit “delegate of the Minister” (wherever occurring), substitute “Authority”.

**Subsection 19 (1):**

Omit “delegate of the Minister”, substitute “Authority”.

**Section 20:**

Omit “delegate of the Minister”, substitute “Authority”.

**Section 20A:**

- (a) Omit “delegate of the Minister”, substitute “Authority”.
- (b) Omit “he”, substitute “it”.



**SCHEDULE**—continued

**Section 20B:**

Omit “delegate of the Minister” (wherever occurring), substitute “Authority”.

**Subsection 21 (1):**

Omit “delegate of the Minister” (wherever occurring), substitute “Authority”.

**Section 21A:**

Repeal the section.

**Section 22:**

- (a) Omit “Minister may, by writing under his hand,”, substitute “Authority may, by writing.”.
- (b) Omit “he”, substitute “it”.

**Subsections 24 (1) and (2):**

Omit “delegate of the Minister”, substitute “Authority”.

**Section 24A:**

Repeal the section.

**Subsections 25 (1) and (2):**

Omit “delegate of the Minister” (wherever occurring), substitute “Authority”.

**Section 26:**

Omit “Commonwealth”, substitute “Authority”.

**Subsection 26A (1):**

Omit “Commonwealth” (last occurring), substitute “Authority”.

**Subsection 26A (2):**

Omit “Commonwealth”, substitute “Authority”.

**Subsection 27 (1):**

Omit “delegate of the Minister”, substitute “Authority”.

**Section 29:**

Repeal the section.

**Subsection 30 (1):**

- (a) Omit “Secretary”, substitute “Authority”.
- (b) Omit “him”, substitute “it”.
- (c) Omit “under his hand”.

**Paragraph 30 (3) (b):**

Omit “Secretary”, substitute “Authority”.

**SCHEDULE**—continued

**Subsection 32 (2):**

Omit “Commonwealth”, substitute “Authority”.

**Subsection 33 (1):**

Omit “The delegate of the Minister or a meter reader”, substitute “A meter reader or another person authorised by the Authority”.

**Subsection 33 (2):**

Omit “the delegate of the Minister or a meter reader”, substitute “a person referred to in subsection (1)”.

**Subsection 33A (1):**

Omit “and charges”.

**Subsection 33A (2):**

Omit “sub-section (1)”, substitute “section 48 of the Electricity and Water Ordinance in relation to water rates”.

**After section 33A:**

Insert the following section:

**Payment of fees**

“33B. Where a fee is payable under this Ordinance, the fee shall be paid to the Authority.”.

---

**NOTE**

1. Notified in the *Commonwealth of Australia Gazette* on 30 June 1988.