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## SCHEDULES

### FIRST SCHEDULE

Sections 5, 43.

#### CONSULTATIVE COUNCILS

#### PART I

##### *Consultative Councils in England and Wales— Amendments of Section 7 of Electricity Act, 1947*

1 The following provisions shall be substituted for subsection (2) of section seven of the principal Act (which relates to the constitution of Consultative Councils):—

“(2) Each of the said Councils shall consist of a chairman appointed by the Minister and of not less than twenty or more than thirty other persons so appointed of whom—

- (a) not less than two-fifths or more than three-fifths shall be appointed from a panel of persons nominated by such associations as appear to the Minister to represent local authorities in the area;
- (b) the remainder shall be appointed, after consultation with such bodies as the Minister thinks fit, to represent agriculture, commerce, industry, labour, and the general interests of consumers of electricity and other persons or organisations interested in the development of electricity in the area.

(2A) In the appointment of any person under paragraph (a) of the last foregoing subsection the Minister shall have particular regard to his ability to exercise a wide and impartial judgment on the matters to be dealt with by the Council generally; and in making appointments under paragraph (b) of that subsection the Minister shall have particular regard to any nominations made to him, by the bodies mentioned in that paragraph, of persons who are recommended by them as having both adequate knowledge of the requirements of the interests to be represented and also the ability to exercise a wide and impartial judgment on the matters to be dealt with by the Council generally”.

2 After paragraph (b) of subsection (4) of the said section seven (which relates to the duties of Consultative Councils) the following paragraphs shall be added:—

“(c) of considering any matter affecting the variation of any tariff regulating the charges for the provision of bulk supplies of electricity by the Generating Board for distribution in the area, being a matter which is either the subject of a representation made to them by consumers or other persons requiring supplies of electricity in the area, or which appears to them to be a matter to which consideration ought to be given apart from any such representation, and, where after consultation with the Area Board action appears to them to be

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requisite as to any such matter, of notifying their conclusions to the Generating Board;

- (d) of considering and reporting to the Generating Board on any such matter as is mentioned in the last foregoing paragraph which may be referred to them by the Generating Board”.

3 The following provisions shall be substituted for subsections (6) to (8) of the said section seven (which relate to action consequential upon conclusions, reports or representations notified or made by a Consultative Council):—

“(6) The Area Board or the Generating Board, as the case may be, shall consider any conclusions, reports or representations notified or made to them by a Consultative Council under subsection (4) or subsection (5) of this section; and the Council may, after consultation with the Area Board, and, in the case of any conclusion or report notified or made to the Generating Board, after consultation with that Board also, make representations to the Electricity Council on matters arising thereout.

(7) Where representations have been made to the Electricity Council under the last foregoing subsection with respect to one of the Electricity Boards, and it appears to that Council, after consultation with the Board in question and with the Consultative Council making the representations, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of their functions, the Electricity Council may give to that Board such advice as they think fit for remedying the defect.

(8) A Consultative Council may, after consultation with the Electricity Council, make representations to the Minister on any matters arising out of representations made by them under subsection (6) of this section with respect to one of the Electricity Boards; and if it appears to the Minister, after consultation with that Board and with the Consultative Council making the representations, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of their functions, he may give such directions to the Board as he thinks necessary for remedying the defect.

(8A) Where representations, relating to any such matter as is mentioned in paragraph (a) or paragraph (c) of subsection (4) of this section, have been made to a Consultative Council, and the Consultative Council do not consider any action to be requisite with respect thereto, the Council shall notify their conclusions to the person making the representations; and if that person submits those representations to the Electricity Council, then—

- (a) if it appears to the Electricity Council, after consultation with the Electricity Board to whom the representations relate and with the Consultative Council, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of their functions, the Electricity Council may give to that Board such advice as they think fit for remedying the defect;
- (b) the Electricity Council may make representations to the Minister on any matters arising out of advice given by them to an Electricity Board under the foregoing paragraph; and
- (c) if it appears to the Minister, after consultation with the Board and with the Electricity Council, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of

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their functions, he may give such directions to the Board as he thinks necessary for remedying the defect.”

4 The Electricity Council shall be substituted for the Central Authority as the body required to pay the allowances and remuneration referred to in subsection (10) of the said section seven (which relates to the appointment of officers of Consultative Councils and to the allowances and remuneration of members and officers of such Councils); and accordingly in that subsection, for the words " Central Authority ", there shall be substituted the words " Electricity Council ".

5 After subsection (11) of the said section seven there shall be inserted the following subsection:—

“(11A) In respect of matters not falling within subsection (10) or subsection (11) of this section, a Consultative Council may, within such limits as the Minister with the approval of the Treasury may from time to time determine, incur such expenditure as the Council may consider requisite for the exercise and performance of their functions; and any such expenditure shall be repaid to the Consultative Council by the Electricity Council.”

6 The following subsection shall be substituted for subsection (13) of the said section seven:—

“(13) The Minister may make provision by regulations in relation to Consultative Councils in England and Wales for any matters for which provision may be made by regulations under section three of this Act in relation to Area Boards, and for the appointment of persons to act in the place of the chairmen of such Councils.

Subject to the provisions of any such regulations, the said Councils shall have power to regulate their own procedure.”

## PART II

### *Consultative Councils in Scotland—New Section 7A*

#### **“7A Consultative Councils in Scotland.**

- (1) The provisions of this section shall apply to Consultative Councils established for the districts of Scottish Electricity Boards.
- (2) Each of the said Councils shall consist of a chairman appointed by the Secretary of State and of not less than twenty or more than thirty other persons so appointed of whom—
  - (a) not less than two-fifths or more than three-fifths shall be appointed from a panel of persons nominated by such associations as appear to the Secretary of State to represent local authorities in the district;
  - (b) the remainder shall be appointed, after consultation with such bodies as the Secretary of State thinks fit, to represent agriculture, commerce, industry, labour, and the general interests of consumers of electricity and other persons or organisations interested in the development of electricity in the district.
- (3) In the appointment of any person under paragraph (a) of the last foregoing subsection the Secretary of State shall have particular regard to his ability to exercise a wide and impartial judgment on the matters to be dealt with by the Council generally; and in

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making appointments under paragraph (b) of that subsection the Secretary of State shall have particular regard to any nominations made to him, by the bodies mentioned in that paragraph, of persons who are recommended by them as having both adequate knowledge of the requirements of the interests to be represented and also the ability to exercise a wide and impartial judgment on the matters to be dealt with by the Council generally.

- (4) Each of the said Councils shall be charged with the duties—
- (a) of considering any matter affecting the distribution of electricity in the district, including the variation of tariffs and the provision of new or improved services and facilities within the district, being a matter which is the subject of a representation made to them by consumers or other persons requiring supplies of electricity in that district, or which appears to them to be a matter to which consideration ought to be given apart from any such representation, and where action appears to them to be requisite as to any such matter, of notifying their conclusions to the Board; and
  - (b) of considering and reporting to the Board on any such matter which may be referred to them by that Board.
- (5) Each of the said Councils shall be informed by the Board of that Board's general plans and arrangements for exercising and performing their functions under the Electricity (Scotland) Acts, 1943 to 1957, and may make representations thereon to that Board.
- (6) The Board shall consider any conclusion, reports and representations notified or made to them by the Council for their district under the two last foregoing subsections and the Council may, after consultation with the Board, make representations to the Secretary of State on matters arising thereout.
- (7) Where representations have been so made to the Secretary of State and it appears to him, after consultation with the Board and with the Council, that a defect is disclosed in that Board's general plans and arrangements for the exercise and performance of their functions under the Electricity (Scotland) Acts, 1943 to 1957, the Secretary of State may give to the Board such directions as he thinks fit for remedying the defect.
- (8) Each Consultative Council shall prepare and submit to the Secretary of State a scheme for the appointment by them of committees or individuals to be local representatives of the Council in such localities as may be specified in the scheme, and it shall be the duty of such committees and individuals to consider the particular circumstances and requirements of those localities with respect to the distribution of electricity and to make representations to the Council thereon, and to be available for receiving on behalf of the Council representations from consumers in those localities; and, if the scheme is approved by the Secretary of State, the Consultative Council shall put it into effect.

A member of a Consultative Council shall be eligible for appointment under such a scheme, either as a member of a committee or as an individual, but membership of the Council shall not be a necessary qualification for such an appointment.

- (9) A Consultative Council may, subject to the approval of the Secretary of State as to numbers, appoint such officers as appear to the Council to be requisite for the proper exercise and performance of their functions (including functions of any committee or individual appointed under the last foregoing subsection), and there shall be paid by the Boards—
- (a) to the members of the Councils for their respective districts or of any such committee or to any such individual such allowances in respect of any loss of

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- remunerative time and such travelling allowances and allowances in respect of their out-of-pocket expenses; and
- (b) to the officers of the said Councils such remuneration (whether by way of salary or fees) and such allowances,
- as the Secretary of State may with the approval of the Treasury determine.
- (10) Each Consultative Council shall be furnished by the Board concerned with such office accommodation as appears to the Board to be requisite for the proper exercise and performance of their functions (including the functions of any such committee or individual as aforesaid) or as may be directed by the Secretary of State.
- (11) In respect of matters not falling within subsections (9) and (10) of this section each Consultative Council may, within such limits as the Secretary of State with the approval of the Treasury may from time to time determine, incur such expenditure as the Council may consider requisite for the exercise and performance of their functions and such expenditure shall be repaid to the Council by the Board concerned.
- (12) The Secretary of State may make regulations with respect to—
- (a) the appointment of, and the tenure and vacation of office by, the members of a Consultative Council and the appointment of a person to act in the place of the chairman of such a Council;
- (b) the quorum, proceedings, meetings and determinations of a Consultative Council;
- (c) any other matters supplementary or incidental to the matters aforesaid for which provision appears to the Secretary of State to be necessary or expedient.
- (13) Subject to the provisions of any regulations made under the last foregoing subsection, a Consultative Council shall have power to regulate their own procedure."''