



# Electricity Act 1947

1947 CHAPTER 54

## PART IV

### MISCELLANEOUS AND GENERAL.

#### *Consequential Amendment of Statutory Provisions.*

#### **57 Application, amendment and repeal of enactments relating to electricity supply.**

- (1) As from the vesting date, the Electricity (Supply) Acts, 1882 to 1936, and any other enactment to which any provision of Part I of the Fourth Schedule to this Act applies, shall have effect subject to the adaptations and modifications specified in Part I of that Schedule, and the Act of 1943 shall have effect subject to the adaptations and modifications specified in Part II of that Schedule, being adaptations, and modifications required for the purpose of applying the said Acts and enactments to Electricity Boards and otherwise required in consequence of the provisions of this Act.
- (2) The Schedule to the Electric Lighting (Clauses) Act, 1899, shall, as from the vesting date, be incorporated with this Act, and shall have effect, as so incorporated, subject to the adaptations and modifications specified in Part III of the said Fourth Schedule.
- (3) All local enactments, in force at the vesting date and applicable to any authorised undertakers except enactments applicable to local authorities or composite companies otherwise than in their capacity as authorised undertakers, shall, as from the vesting date, have effect—
  - (a) as if for references to the undertakers there were substituted references to the appropriate Board;
  - (b) as if for any reference (however worded and whether expressed or implied) to the undertaking or any part of the undertaking or to the area of supply or any part of the area of supply of the Undertakers there were substituted a reference to so much of the business carried on by the appropriate Board as corresponds to that undertaking or part thereof or, as the case may be, a reference to the area constituting the said area of supply or part thereof immediately before the vesting date;

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and shall also have effect, as from such date as may be prescribed which may be prior to the making of the regulations but not to the vesting date, with such other adaptations and modifications (if any) as may be prescribed, being adaptations and modifications required in consequence of the provisions of this Act (including the foregoing provisions of this section) or of the Act of 1943:

Provided that the provisions of any such local enactment shall, in so far as they are inconsistent with or rendered redundant by the provisions of this Act (including the foregoing provisions of this section) or of the Act of 1943, cease to have effect, as from the vesting date.

In this subsection the expression " the appropriate Board "—

- (a) in relation to undertakers all of whose property, rights, liabilities and obligations vest by virtue of this Act in a single Electricity Board, means that Board;
  - (b) in relation to undertakers, in whose case generating stations and main transmission lines vest by virtue of this Act in the Central Authority, and other parts of the undertaking vest as aforesaid in an Area Board, means—
    - (i) the Central Authority, as respects any enactment applicable only to the part of the undertaking vested in that Authority;
    - (ii) the Area Board, as respects any enactment applicable only to other parts of the undertaking;
    - (iii) both the said Authority and Board, as respects any enactment applicable both to the part vested in the Authority and to other parts of the undertaking.
- (4) For the purpose of securing, so far as reasonably practicable, a uniform statutory code applicable throughout the area of each Area Board and the North of Scotland District, the Minister may, as respects local enactments applicable to an Area Board, and the Secretary of State may, as respects local enactments applicable to the North of Scotland Board, by order provide for the repeal or amendment of any such enactment or for its extension to the whole of the area concerned, and for such matters consequential on or incidental to any such repeal, amendment or extension for which the Minister or the Secretary of State considers it necessary or expedient to provide.
- An order under this subsection shall be subject to special parliamentary procedure.
- (5) Where an order made under this Act provides for the transfer of property, rights, liabilities and obligations from any Electricity Board to another such Board, that order or a subsequent order may provide for the application to the last named Board of the provisions of any local enactment applicable to the first named Board, so far as appears to the Minister or Ministers by whom the order is made necessary or expedient in consequence of the said transfer.
  - (6) Where the undertaking of any person authorised by any enactment to supply electricity does not vest by virtue of this Act in any Electricity Board, the Minister or Secretary of State, as the case may be, may by order provide for the continued application to the undertaking, subject to such adaptations and modifications as may be necessary, of any enactments which would otherwise cease to apply to the undertaking in consequence of this section, including enactments repealed by this section.
  - (7) As from the vesting date, the enactments mentioned in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule, and, where any local enactment incorporates (with or without adaptations or modifications)

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any provisions of the Schedule to the Electric Lighting (Clauses) Act, 1899, repealed by this subsection, or contains any provisions substantially corresponding therewith, those provisions shall cease to have effect:

Provided that—

- (a) the repeal of any provision under which any special order or other order was made, being an order which would be applicable to an Electricity Board by virtue of subsection (3) of this section, shall not affect that order;
- (6) the repeal of the provisions of section sixteen of the Electricity (Supply) Act, 1919, and section fifteen of and the Fourth Schedule to the Electricity (Supply) Act, 1926, and of the Fifth Schedule, to the Act of 1943 (so far as it applies the provisions aforesaid shall not affect the rights of any person arising under any of those provisions in consequence of any event occurring before the vesting date; and
  - (c) the repeal of section forty-two of and the First Schedule to the Civil Defence Act, 1939, shall not prevent the disposal of plant, equipment and property, and the application of the proceeds thereof, in accordance with Part II of the said Schedule.