

# Electricity (Supply) Act, 1922.

[12 & 13 GEO. 5. CH. 46.]

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## ARRANGEMENT OF SECTIONS.

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A.D. 1922.

### Section.

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### CHAPTER 46.

An Act to amend the law with respect to the supply of electricity. [4th August 1922.] A.D. 1922. —

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) For the purposes hereinafter mentioned, a joint electricity authority may, with the consent of the Electricity Commissioners, and subject to regulations to be made by the Minister of Transport with the approval of the Treasury, borrow money, in such manner and subject to such provisions as to the repayment thereof, and with such powers as to reborrowing for the purpose of paying off a loan previously raised, as may be prescribed by the regulations, and such regulations may empower a joint electricity authority to borrow temporarily, to issue bonds and to make arrangements with bankers, and may apply with or without modifications any enactments relating to borrowing by local authorities, including provisions as to the enforcement of the security by the appointment of a receiver or otherwise.

Power of  
authorities to  
borrow.

(2) Such powers of borrowing as aforesaid may be exercised for all or any of the following purposes :—

(a) for the purpose of the payment of the purchase price of any generating station or main transmission line transferred to, acquired by, or vested in a joint electricity authority under the Electricity (Supply) Act, 1919 (hereinafter referred to as "the principal Act"), or of any undertaking

9 & 10 Geo. 5.  
c. 100.

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or part of an undertaking acquired by the authority under the principal Act;

(b) for the purpose of any other payment or of any permanent work or other thing which the authority are authorised to execute or do, the cost of which ought, in the opinion of the Electricity Commissioners, to be spread over a term of years (including the payment of interest on money borrowed for capital expenditure whilst the expenditure remains unremunerative, but in no case for a period of more than five years from the commencement of the financial year next after that in which such expenditure commences to be incurred, and the payment of any sum payable under subsection (3) of section eighteen of the principal Act);

(c) for the purpose of providing working capital.

(3) Any money borrowed under this section, and the interest thereon, may be charged on the undertaking and all the revenues of the joint electricity authority, or on any specific property forming part of that undertaking, and shall be repaid within such period not exceeding sixty years as the Electricity Commissioners may determine.

(4) A scheme constituting a joint electricity authority shall fix with reference to the estimated capital expenditure of the authority the maximum amount which may be borrowed by the authority, and the authority shall not have power to borrow any sums in excess of the amount so fixed, otherwise than for the purpose of paying off loans previously raised, unless authorised by an order of the Electricity Commissioners confirmed by the Minister and such order shall be provisional only and shall not come into force unless confirmed by Parliament.

Sinking fund  
for new  
works.

**2.** Notwithstanding anything to the contrary contained in any Act, whether public general or local and personal, it shall be lawful for the annual provision required to be made by a joint electricity authority or by a local authority for the repayment of money borrowed after the passing of this Act for any of the purposes of the Electricity Supply Acts, 1882 to 1919, or of this Act, to be suspended whilst the expenditure out of such moneys remains unremunerative, for such period and subject to such conditions as the Electricity

Commissioners or other authority by whom the borrowing is sanctioned may determine: A.D. 1922.

Provided that such suspension shall not be for a longer period than five years from the commencement of the financial year next after that in which such expenditure commences to be incurred.

**3.**—(1) The Electricity Commissioners may, for the purpose of enabling a joint electricity authority to raise money which they are authorised to borrow under this Act, authorise the authority to issue stock bearing interest at such rate as the authority with the consent of the Electricity Commissioners may determine. Power to authorise issue of stock.

(2) All such stock, and interest thereon, shall be charged on the undertaking and all the revenues of the joint electricity authority.

(3) Subject to the provisions of this Act, any stock created by a joint electricity authority under the powers of this Act shall be issued, transferred, dealt with, and redeemed according to regulations made by the Electricity Commissioners, and any such regulations may apply for the purpose of this section, with or without modifications, any provisions of the Local Loans Act, 1875, the Public Health Acts Amendment Act, 1890, and the Acts amending those Acts, and of any Act relating to stock issued by any local authority. 38 & 39 Vict. c. 83.  
53 & 54 Vict. c. 59.

**4.** A joint electricity authority may, with the consent of the authorised undertakers concerned, discharge the whole or any part of the purchase price payable under the principal Act or this Act (otherwise than by way of annuity) to any authorised undertakers in respect of any undertaking or part thereof, or any generating station or main transmission line transferred to or acquired by the authority under the principal Act, by the issue to, or the creation in favour of, the undertakers of such amount of stock or other securities as may be agreed upon, or determined in manner hereinafter provided, to be equivalent in value to the whole or part of the purchase price in respect of which the stock or other securities are issued or created, and if any difference arises as to the amount of stock or other securities which is so equivalent in value the difference shall be determined by an independent financial expert agreed between the parties or, in default of agreement, appointed by the Treasury. Power to discharge purchase price by issue of stock, &c.

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Power of  
undertakers,  
&c. to give  
financial  
assistance.

5.—(1) Any authorised undertakers whose area of supply is wholly or partly within the district of any joint electricity authority, and any local authority, company, or person receiving or intending to receive a supply of electricity from the joint electricity authority, and the council of any county or any borough or county district having a population according to the last published census returns for the time being of not less than fifty thousand wholly or partly within the district of the joint electricity authority, shall have power—

- (a) to lend any money to the joint electricity authority which the authority is authorised to borrow ; or
- (b) to subscribe for any securities issued by the joint electricity authority for the purpose of raising such money ; or
- (c) to guarantee or join in guaranteeing the payment of interest on any money borrowed by the joint electricity authority or on any securities issued by that authority ;

on such terms (including the payment of consideration for the assistance given) and subject to such conditions, as the authority, company, or person giving such financial assistance may think fit :

Provided that, in the case of the council of a county or borough or county district, whether or not the council are authorised undertakers, or receive or intend to receive a supply of electricity from the joint electricity authority, such powers as aforesaid shall not be exercised (except in the case of the London County Council) without the consent of the Minister of Health :

Provided also that nothing in this section shall authorise the raising of any money or the giving of any guarantee by any such council as aforesaid which would involve the council in an annual liability exceeding—

- (a) in cases where the council are not authorised undertakers, the amount which would be produced by a rate of one penny in the pound ; such amount to be estimated for the purposes of this section in such manner as may be determined by the Minister of Health ; or
- (b) in cases where the council are authorised undertakers, the estimated annual amount of any capital charges from which the council will be

relieved by reason of taking a supply in bulk from the joint electricity authority; such estimated amount to be determined by the Electricity Commissioners, whose decision shall be final. A.D. 1922.

(2) The raising of money for the purpose of so lending or subscribing for securities shall be a purpose for which a council, being authorised undertakers, may borrow under the Electricity (Supply) Acts, 1882 to 1919, and for which a council, not being authorised undertakers, may borrow—

- (a) in the case of a council of a county, under the Local Government Act, 1888; 51 & 52 Vict. c. 41.
- (b) in the case of the council of a metropolitan borough, under the Metropolis Management Acts, 1855 to 1893; and
- (c) in the case of the council of a municipal borough or county district, under the Public Health Act, 1875; 38 & 39 Vict. c. 55.

and any money payable by such council under any such guarantee, shall be treated as expenses in the carrying of the said Acts into execution respectively, and in the case of a council of a county shall, if the Minister of Health so directs, be treated as expenses for special county purposes charged on the part of the county within the district of the joint electricity authority.

Section twenty-one of the Electric Lighting Act, 1909, shall apply to money borrowed by a council under this section as it applies to money borrowed by a local authority under the Electric Lighting Acts, and accordingly money so borrowed under this section shall not be reckoned as part of the total debt of the council for the purpose of any limitation on borrowing under the enactments relating to borrowing by the council. 9 Edw. 7. c. 34.

(3) Any company, association, or body of persons may exercise any such power as aforesaid, notwithstanding anything contained in any Act, order, or instrument by or under which it is constituted or regulated, and may apply any of their funds for the purpose of lending any such money, subscribing for any such securities, or fulfilling any such guarantee, and may borrow for the purpose of making any such loans or subscriptions.

A.D. 1922. — (4) A scheme under the principal Act constituting a joint electricity authority or other body for the improvement of the organisation of the supply of electricity in any electricity district may include provisions authorising or requiring authorised undertakers, and authorising companies and other bodies represented, on the authority or body to contribute towards any administrative expenses of the authority or body.

62 & 63 Vict. c. 19. (5) Any authorised undertakers may exercise such powers as aforesaid, notwithstanding anything in section three of the schedule to the Electric Lighting (Clauses) Act, 1899, as incorporated in any order or special Act applying to them or any similar provisions contained in any such order or special Act.

(6) This section shall apply in the case of the City of London as if the City of London were a county and the common council of the city the council thereof, and as if the raising of money for the purpose of lending or subscribing to securities under this section were a purpose for which the common council may borrow under and in accordance with the City of London Sewers Acts, 1848 to 1897.

Power of authorised undertakers to lease undertaking to joint electricity authority. **6.** Any authorised undertakers may lease to a joint electricity authority and a joint electricity authority may take a lease from any authorised undertakers of the whole or any part of their undertaking.

Any such lease shall be subject to the approval of the Electricity Commissioners, and, subject thereto, may be, with or without the option of purchase by the authority of the undertaking or any part thereof, leased thereby and may be made to and taken by the authority for such period on such terms and conditions including the vesting in the authority of any rights, powers, and obligations of the transferring undertakers under any contract or agreement entered into by such undertakers and relating to the supply of electricity as may be agreed upon between the authority and the transferring undertakers.

Expenses of Electricity Commissioners. **7.—(1)** The period of two years mentioned in section twenty-nine of the principal Act shall be deemed to have extended to the thirty-first day of March, nineteen hundred and twenty-two, and the advances made to the Commissioners under that section shall be repaid, with interest as therein provided, by instalments before the thirty-first



day of March, nineteen hundred and twenty-five, so that not more than two-thirds thereof shall be outstanding on the thirty-first day of March, nineteen hundred and twenty-three, and not more than one-third thereof shall be outstanding on the thirty-first day of March, nineteen hundred and twenty-four. A.D. 1922.

(2) The Electricity Commissioners may, during the financial year current at the passing of this Act, make the apportionment among and demand upon the joint electricity authorities and authorised undertakers provided for by the said section and such apportionment, shall be made in accordance with the number of units of electricity generated by each joint electricity authority or authorised undertaker within Great Britain in the year ending the thirty-first day of December, nineteen hundred and twenty-one; and in any case where an authorised undertaker obtained a supply from any source other than the joint electricity authority or an authorised undertaker the number of units of electricity so obtained by such authorised undertaker shall be deemed to have been generated by that authorised undertaker. Any apportionment under the said section twenty-nine subsequent to the financial year current at the passing of this Act shall (notwithstanding anything to the contrary in the principal Act) be made in accordance with the number of units of electricity sold by each joint electricity authority or authorised undertaker within Great Britain in the year ending the thirty-first day of December next preceding that for which the apportionment is made. The expression "units of electricity sold" means all units generated or purchased by a joint electricity authority or authorised undertaker less (a) those used in the generating station, (b) those lost in transmission or distribution, and (c) those sold in bulk to authorised undertakers.

(3) Every such joint electricity authority and authorised undertaker shall furnish to the Electricity Commissioners not later than the first day of March in each year a statement of the number of units so sold by them, and in the event of any such authority or undertaker failing to supply such particulars on or before that date the Electricity Commissioners may proceed with the apportionment, and for that purpose may make any necessary estimates.

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(4) The apportionment when made shall be conclusive for all purposes :

Provided that, if it subsequently appears to the Electricity Commissioners that for any reason the apportionment for any year ought to be revised, they may revise the apportionment, and when determining the apportionment in any subsequent year make such adjustments as may be necessary to give effect to such revision.

(5) If any joint electricity authority or authorised undertaker fail to pay to the Electricity Commissioners the sum apportioned to them within two months after receiving the demand therefor, interest at the rate of six per centum per annum shall be payable on the amount demanded from the date of demand to the date of payment.

(6) The Electricity Commissioners may, in estimating their expenditure for the purposes of subsection (1) of section twenty-nine of the principal Act, include a reasonable sum in order to provide a working balance for the year.

(7) Any sums due from any joint electricity authority or authorised undertaker under section twenty-nine of the principal Act, as amended by this section, shall be recoverable by the Electricity Commissioners summarily as a civil debt.

Method of payment of purchase price payable to local authorities.

8. The consideration payable to a local authority in respect of the transfer of the whole or any part of their undertaking, either in pursuance of a scheme constituting a joint electricity authority or in pursuance of section thirteen of the principal Act, may, in the option of the local authority, be either one or more terminable annuities, or a capital sum, or any other form of payment approved by the Electricity Commissioners.

Use of main transmission lines by agreement.

9. A joint electricity authority may, by agreement with any authorised undertakers or other persons, use, subject in the case of authorised undertakers to the Acts and Orders relating to the undertaking, any main transmission line of those undertakers or persons for such time and upon such terms as may be agreed.

Disposal of stations and works not required.

10. A joint electricity authority may, with the consent of the Electricity Commissioners, dispose of any generating station, land, or other works or property which may appear to them to be no longer required for the purposes of their undertaking, subject, as respects any land which is subject to any right of pre-emption, to that right :

Provided that, where the generating station contains plant which is the property of the former owners of the generating station, the Electricity Commissioners shall, as a condition of granting their consent to the disposal of the generating station, require such provision to be made by the joint electricity authority as the Electricity Commissioners consider necessary to safeguard the rights of such former owners.

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**11.** Where any joint electricity authority or authorised undertakers have under any terminable agreement or arrangement, whether made before or after the passing of this Act, placed above or below ground any electric line which could have been so placed under the provisions of section twenty-two of the principal Act, the joint electricity authority or authorised undertakers may, notwithstanding the termination of such agreement or arrangement, retain the line in position, on the same terms and subject to the same conditions as were previously applicable thereto, unless and until objection is made by the owner or occupier of any land over or under which it is placed, but, in the event of any such objection being made, the line shall only be retained if the provisions of section twenty-two of the principal Act regulating the placing of a new line are complied with, and subject to the provisions of that section applicable to lines placed across land in pursuance of that section :

Power to continue wayleaves

Provided that the joint electricity authority or authorised undertakers may, at any time whilst a line is so retained, apply to the Minister of Transport for a revision of the said terms and conditions, in which event the provisions of section twenty-two of the principal Act shall apply as if the retention of the line in position were the placing of an electric line across land, and the authority or undertakers shall not be required to remove the line pending the decision upon such application.

**12.** Where a generating station or main transmission line becomes transferred to or is acquired by a joint electricity authority under the principal Act, the authority may, subject to the approval of the Electricity Commissioners, agree with the former owner thereof that such owner shall work and maintain the same on behalf of the authority for such period and on such terms as may be agreed between them.

Power to make agreements as to working of generating stations.

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Conditions  
under which  
restriction on  
generating  
stations and  
obligation to  
take supply  
from are not  
to apply.

**13.** The Electricity Commissioners shall not—

(a) refuse, under section eleven of the principal Act, their consent to the establishment of a new, or the extension of an existing, generating station by any authorised undertakers if it is proved to the satisfaction of the Electricity Commissioners that, having regard to all the circumstances of the case, the undertakers are or will, if the consent be given, be in a position to give a supply of electricity adequate in quantity and regularity to meet present and prospective demands of their consumers at a cost not greater than that at which they could give a supply if they obtained a supply of electricity from some other available source designated by the Electricity Commissioners ; or

(b) require under section nineteen of the principal Act any authorised undertakers to enter into an agreement for taking a supply of electricity from some other specified undertakers if it is proved to the satisfaction of the Electricity Commissioners that, having regard to all the circumstances of the case, including the duration of the period during which the supply is taken, and the estimated financial results likely to be obtained during that period, the undertakers would, if they obtained a supply of electricity from some other source, be in a position to give a supply of electricity adequate in quantity and regularity to meet the present and prospective demands of their consumers at a cost not greater than that at which they could give such a supply if they obtained the supply from those specified undertakers ;

unless the Electricity Commissioners determine that such refusal or requirement is necessary in the interest of the general supply of electricity in the district whether provisionally or finally determined under the principal Act.

Suspension  
of powers

**14.—(1)** The Electricity Commissioners by an order establishing a joint electricity authority or a special order

may, as regards any undertaking or part of an undertaking of any authorised undertakers, suspend any powers of a joint electricity authority or the London County Council or any local authority relating to the purchase of such undertaking or part thereof for such period and on such conditions (if any) as the Electricity Commissioners may think fit, and may for that purpose amend the provisions of any Act or order relating to such undertaking :

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of purchase  
of under-  
takings.

Provided that no such powers shall be suspended under the provisions of this section except with the consent of the authority or authorities in whom the said powers are vested.

(2) Where under the powers of this section the Electricity Commissioners suspend any powers of purchase relating to the undertaking of any authorised undertakers or any part thereof, they may make provision as to the relation between the prices which may be charged for electricity and the dividends to be paid by such undertakers.

**15.** The powers and duties as to the generation and supply of electricity conferred and imposed by or under the principal Act or this Act on joint electricity authorities may be exercised and performed by any such authority either by themselves or, if so authorised by the order establishing that authority or by special order, through any authorised undertakers; and, where any such authority act through any such undertakers, the undertakers shall have, to such extent as may be provided by such order as aforesaid, the powers and duties of the authority under the principal Act and this Act.

Mode of  
exercise of  
powers by  
authorities.

**16.**—(1) Subsection (1) of section twelve (Powers of joint electricity authorities in respect of the supply of electricity) of the principal Act shall have effect as if—

Limitation  
on powers  
of joint  
electricity  
authorities  
in areas of  
power com-  
panies.

- (a) the words from “except” in paragraph (b) of that subsection to the end of that paragraph were omitted therefrom;
- (b) the words “or power company” were omitted from the proviso to that subsection in each place where those words occur; and
- (c) the following proviso were inserted at the end of that subsection :

Provided that, if in any particular part of the area of supply of a power company, the

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power company are not willing and in a position to supply electricity to any local authority, company, or person, who is prepared to enter into a binding contract with that power company to continue to receive and pay for a supply of electricity upon such terms and conditions (including the payment of a minimum annual sum) as will, in the opinion of the Electricity Commissioners, afford an adequate return to the power company and is also (in the case of a company or person) prepared to give to the power company (if required by them so to do) security for the payment of all sums which may become due to the power company under the contract, then and in such case the Electricity Commissioners may, by special order under section twenty-six of the principal Act, authorise a joint electricity authority to supply electricity in that particular part of the area of supply of the power company without the consent of the power company. In determining what terms and conditions will afford an adequate return to the power company, the Commissioners shall have regard to the following amongst other considerations :

(i) The period for which the authority, company or person requiring the supply guarantees to take the supply ;

(ii) The amount of electricity and the maximum power required ;

(iii) The hours during which the power company can be called upon to give the supply ;

(iv) The capital expenditure in connection with the supply ; and

(v) To what extent capital expended in connection with the supply may become unproductive to the power company upon the discontinuance of the supply.

Special provisions as to power companies.

**17.**—(1) The Electricity Commissioners may, by the order establishing a joint electricity authority, or after the establishment of a joint electricity authority by an

order made on the application of that authority, exclude from the area of supply of any power company, subject to such terms, conditions, and reservations as the Electricity Commissioners may think fit—

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- (a) any part of that area in which any right of the power company to supply electricity is subject to the absolute veto of some other authorised undertaker, and where the order provides for or is made conditional on the transfer to the joint electricity authority of the generating station from which a supply of electricity is given to the part of the area in question ;
- (b) any part of that area which at the time of the local inquiry on the scheme to which the order establishing the joint electricity authority gives effect, or, as the case may be, at the time of the application for the order, is not being supplied by the power company, and which it appears to the Electricity Commissioners could be better served by the joint electricity authority themselves or by that authority acting through any authorised undertakers ; and
- (c) with the consent of the power company any other part of the area of supply of the power company ;

and in any such case the order may confer on the power company, subject to such conditions as the Electricity Commissioners may prescribe, power to supply electricity for all purposes in any other part of their area of supply which does not at the time form part of the area of supply of any authorised distributors :

Provided that, where on the application of a joint electricity authority it is proposed to make such an order (not being an order made under section seven of the principal Act), and the power company, or any county council, local authority, or authorised undertakers which appear to the Electricity Commissioners to be interested object to the proposed order, effect shall not be given to the proposals except by a special order under section twenty-six of the principal Act.

(2) Where in pursuance of this section any part of the area of supply of a power company is by order excluded from such area of supply—

- (a) the exclusion shall not affect any rights of the power company existing immediately before the

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making of the order to lay mains through the part so excluded, but any such rights may continue to be exercised by the power company notwithstanding such exclusion ;

- (b) the exclusion shall not prevent the power company from giving a supply of electricity at any point in their remaining area for the purpose of haulage or traction on any railway, tramway, or canal, and for the purpose of lighting vehicles and vessels used on any such railway, tramway, or canal which they could have supplied if the part of the area excluded under this section had remained part of their area of supply.

(3) Section fourteen of the principal Act is repealed.

Limitation  
on prices  
charged.

**18.**—(1) The prices charged for electricity by a joint electricity authority shall be so fixed by the authority, subject to such directions as may be given by the Electricity Commissioners, that, over a term of years to be approved by the Electricity Commissioners, their receipts on income account shall be sufficient to cover their expenditure on income account (including interest and sinking fund charges), with such margin as the Electricity Commissioners may allow.

(2) If the receipts of the joint electricity authority on revenue account in any year are insufficient to meet the charges payable out of revenue in that year, the deficiency may, unless provided for out of a reserve fund, be apportioned amongst the authorised undertakers within the district of the joint electricity authority who take a supply of electricity from the joint electricity authority in proportion to the number of units of electricity supplied to them in that year: Provided that, in any case in which it appears to the joint electricity authority that the deficiency in any year can by a reasonable adjustment of charges, or otherwise, be made good out of moneys receivable by the joint electricity authority in any succeeding year or years, or that the deficiency is so small as to justify postponement of any apportionment, the joint electricity authority shall refrain from making any such apportionment, and such deficiency may be included in the charges payable out of the revenue in any succeeding year or years.



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**19.** Section five of the principal Act (Electricity districts) shall have effect as if after the word "authority," in subsection (2) of that section, there had been inserted the words "or other body."

Amendment  
of section  
five of prin-  
cipal Act.

**20.** Section six of the principal Act shall have effect as if after the word "interests" in subsection (1) of that section there had been inserted the words ("including the persons employed in connection with the "supply of electricity"), and as if after the words "electricity district" where they last occur in that subsection there had been inserted the words "and the conditions of employment of persons employed by the Joint "Electricity Authority."

Amendment  
of section  
six of prin-  
cipal Act.

**21.**—(1) Section sixteen of the principal Act shall have effect as if for the words "under this Act" there were substituted the words "under or in consequence of this Act," and as if for the words "in consequence of this Act" there were substituted the words "in consequence of any such transfer scheme, agreement or arrangement":

Amendment  
of section 16  
of principal  
Act.

Provided that any question as to whether a transfer scheme, agreement or arrangement, not made under the principal Act, was in consequence of that Act, shall be determined by the Electricity Commissioners.

(2) The Minister of Labour may make rules as to the procedure before the referee or board of referees under the said section sixteen and may by those rules provide—

- (a) for limiting the amount of costs and providing for the taxation thereof;
- (b) for fixing the fees to be paid to the referee or members of the board of referees and for determining by whom such fees are to be paid.

**22.**—(1) Subsection (2) of section thirty-one of the Schedule to the Electric Lighting (Clauses) Act, 1899 (which relates to the method of charging by undertakers), is hereby repealed, and such repeal shall apply to that schedule as incorporated with any Act or order passed or confirmed before the passing of this Act, and where any such Act or order does not incorporate the Schedule to the Electric Lighting (Clauses) Act, 1899, or incorporates it subject to an exception of the said subsection, but contains a provision corresponding to the said subsection, the Act or order shall have effect as if that provision were omitted therefrom.

Methods of  
charging and  
revision of  
prices.

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A.D. 1922. (2) With a view to making three years the ordinary period of revision of maximum prices, and extending the provisions as to the revision of maximum prices to local authorities, section thirty-two of the Schedule to the Electric Lighting (Clauses) Act, 1899, as incorporated with any Act or order passed or confirmed either before or after the passing of this Act, shall have effect as if for subsection (2) thereof the provisions set out in the Schedule to this Act were substituted.

(3) With regard to any Act or order passed or confirmed before the passing of this Act which limits the price to be charged for electricity, but does not incorporate the said Schedule to the Electric Lighting (Clauses) Act, 1899, or incorporates it subject to an exception of the said section thirty-two, the Act or order shall have effect as if the provisions set out in the Schedule to this Act, *mutatis mutandis*, were contained therein in substitution for the provisions therein contained as to the revision of prices, and, where any such Act or order does not contain any provisions authorising the periodical revision of prices, the prices to be charged by the undertakers shall be subject to revision in accordance with the provisions set out in the Schedule to this Act.

(4) Where a joint electricity authority has been established, then on any revision of prices to be charged by undertakers who receive a supply of electricity either directly or indirectly from that authority, regard shall be had to the benefit to the undertakers of any reductions in the cost of electricity attributable to the establishment of the authority.

(5) Where any authorised undertakers have, before the passing of this Act, obtained an order varying the prices to be charged by them, the undertakers may apply to the Minister of Transport for an order varying the methods of charge notwithstanding that a period of three years has not elapsed since the making of the first-mentioned order.

9 Edw. 7.  
c. 34.

(6) Section ten of the Electric Lighting Act, 1909, is hereby repealed.

Standby  
supplies of  
electricity.

**23.**—(1) Notwithstanding anything in the Electricity (Supply) Acts, 1882 to 1919, or in this Act, or in any other Act of Parliament, or any Provisional Order or

special order made under any such Act, a person shall not be entitled to demand or continue to receive for the purposes of a standby supply only from any authorised undertakers a supply of electricity for any premises having a separate supply of electricity or a supply (in use or ready for use for the purposes for which the standby supply of electricity is required) of gas, steam, or other form of energy unless he has agreed with the undertakers to pay to them such minimum annual sum as will give them a reasonable return on the capital expenditure incurred by them in providing such standby supply and will cover other standing charges incurred by them in order to meet the possible maximum demand for those premises. The sum to be so paid shall be determined in default of agreement by arbitration. A.D. 1922.

(2) Section fifteen of the Electric Lighting Act, 1909, is repealed.

**24.** Notwithstanding anything contained in any Act or order, electricity supplied by a joint electricity authority or power company within their district to any company or authority being the owners or lessees of a railway, tramway, dock, harbour or canal undertaking may be used by the company or authority receiving the supply for the purposes of haulage or traction or for lighting vehicles or vessels used on the railway, tramway, dock, harbour or canal on any part of the system of such company or authority. Provision as to railways, &c.

**25.**—(1) Notwithstanding anything to the contrary contained in any special Act or order, it shall be lawful for the owners or lessees of any railway generating station, or of any generating station erected under statutory authority for the purpose of working tramways or light railways, to supply electricity therefrom upon such terms and conditions as may be agreed— Power of persons not being undertakers to supply electricity.

- (a) to a joint electricity authority ; or
- (b) to an authorised undertaker ; or
- (c) to any consumer, subject, in the case of premises situate within the area of supply of an authorised undertaker, to the consent of that undertaker :

Provided that no such supply shall be given under the powers conferred by this section—

- (i) without the consent of the Electricity Commissioners, who before giving their consent to a

A.D. 1922.

supply to any consumer shall have regard to the interests of any undertakers (other than electrical undertakers) who may be affected thereby, or otherwise than subject to such conditions as the Commissioners may impose ;

- (ii) to any authorised distributors whose undertaking is in the area of a power company without the consent of that company ;
- (iii) to any premises within the district of a joint electricity authority and not within the area of any other authorised undertakers without the consent of that authority :

Provided also that nothing contained in this section shall limit or derogate from any powers already conferred on or exerciseable by any owners or lessees of any railway generating station, or of any generating station erected under statutory authority for the purpose of working tramways or light railways, or apply to any agreement already or hereafter entered into in pursuance of any such powers.

(2) The Electricity Commissioners may, subject to the provisions of the Electricity (Supply) Acts, 1882 to 1919, and of the Schedules to the Electric Lighting (Clauses) Act, 1899, by order authorise the breaking up of such roads, railways, and tramways as may be necessary for the purpose of such a supply.

(3) The provisions of the Electricity (Supply) Acts, 1882 to 1919, and of the Schedule to the Electric Lighting (Clauses) Act, 1899, so far as they relate to the protection of the Postmaster-General, shall apply to any works for the supply of electricity under this section, and, in the application of those provisions, the owners or lessees mentioned in subsection (1) of this section shall be deemed to be the undertakers, and nothing in this section shall affect any right or remedy of the Postmaster-General under the Telegraph Acts, 1863 to 1921.

Provision  
for payment  
off of debentures  
in certain cases.

**26.** Where the generating station of any company becomes transferred to or is acquired by a joint electricity authority, and the company has created and issued debentures or debenture stock (whether irredeemable or not) charged upon such generating station, the company may, and, if so required by the trustees for the holders of the debentures or debenture stock, shall, present to the court

having jurisdiction to wind up the company a scheme for the payment off in whole or in part of the debentures or debenture stock out of the proceeds of the sale, and if the court sanctions the scheme the debentures or debenture stock may, notwithstanding anything therein or in any trust deed for securing the same, be paid off accordingly :

A.D. 1922.

Provided that the cost which an auditor appointed by the Electricity Commissioners certifies to have been necessarily incurred in obtaining and carrying out the scheme shall be borne and paid by the joint electricity authority.

**27.**—(1) After the whole undertaking of any company incorporated by Act of Parliament is transferred to a joint electricity authority under the principal Act, such company may, subject to the provisions of this Act, be wound up under and in accordance with the provisions of and in the same manner and with the same incidents as if the company were a company registered under the Companies Acts, 1908 to 1917, and had, on such transfer, duly passed a special resolution requiring the company to be wound up voluntarily.

Winding up  
of com-  
panies.

(2) For the purposes of such winding up, the company shall, from and after such transfer, be deemed to be registered under the last-mentioned Acts in that part of the United Kingdom in which its principal place of business is situated, and, for the purpose of calling and holding meetings and passing resolutions and other matters incidental to such winding up, resolutions of meetings of the company convened and held in pursuance and in accordance with the provisions contained in the Acts relating to the company may and shall take effect as resolutions of a company duly registered.

**28.** Any expense incurred by the London County Council under or in pursuance of this Act or the Electricity (Supply) Acts, 1882 to 1919, shall be defrayed as expenses for general county purposes.

Expenses of  
London  
County  
Council.

**29.** In the application of section one of the Electric Lighting (Scotland) Act, 1902, to money borrowed after the passing of this Act, a period not exceeding sixty years shall be substituted for a period not exceeding thirty years as the period within which money borrowed by a local authority within the meaning of the Schedule

Extension of  
period for  
repayment  
of money  
borrowed by  
Scottish  
local autho-  
rities.  
2 Edw. 7. c. 35.

[CH. 46.] *Electricity (Supply) Act, 1922.* [12 & 13 GEO. 5.]

A.D. 1922.

53 & 54 Vict.  
c. 13.

to the Electric Lighting (Scotland) Act, 1890, is to be repaid.

Application  
to Scotland.

**30.** This Act shall apply to Scotland subject to the following modifications :—

- (1) "Receiver" means "judicial factor":
- (2) In the application of the section of this Act relating to power of undertakers, &c. to give financial assistance—

(a) References to a county district and to a metropolitan borough shall not apply ;

63 & 64 Vict.  
c. 49.

(b) References to a borough or a municipal borough shall be construed as references to any burgh to which the Town Councils (Scotland) Act, 1900, applies ;

(c) For the references to the Minister of Health, to the Local Government Act, 1888, and to the Public Health Act, 1875, there shall be substituted references respectively to the Secretary for Scotland, to the Local Government (Scotland) Act, 1889, and to the Public Health (Scotland) Act, 1897 ;

52 & 53 Vict.  
c. 50.  
60 & 61 Vict.  
c. 38.

(d) Any expenses incurred by a county council under the said section shall be defrayed out of the general purposes rate: Provided that,—

(i) notwithstanding anything contained in the Local Government (Scotland) Act, 1889, the ratepayers of a police burgh shall not be assessed by a county council for any such expenses ; and

(ii) any expenses so incurred by a town council shall be defrayed out of the public health general assessment, but such expenses shall not be reckoned in any calculation as to the statutory limit of that assessment.

Short title,  
construction,  
and extent.

**31.**—(1) This Act may be cited as the Electricity (Supply) Act, 1922, and the Electricity (Supply) Acts, 1882 to 1919, and this Act shall be construed together as one Act, and may be cited as the Electricity (Supply) Acts, 1882 to 1922.

(2) This Act shall not extend to Ireland.

SCHEDULE.

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A.D. 1922.  
Section 22.

PROVISION TO BE SUBSTITUTED FOR SECTION 32 (2)  
OF THE SCHEDULE TO THE ELECTRIC LIGHTING  
(CLAUSES) ACT, 1899.

Provided that if either—

- (a) the undertakers; or
- (b) such number of consumers not less than twenty as the Minister of Transport considers sufficient having regard to the population of the area of supply; or
- (c) in a case where the local authority are not themselves the undertakers, the local authority; or
- (d) in a case where the local authority are not themselves the undertakers and the area of supply is situate wholly or partly within the county of London, the London County Council,

at any time after the expiration of three years after the confirmation of the special order make a representation to the Minister that the prices or methods of charge stated in the special order or approved by the Minister ought to be altered, the Minister, after such inquiry as he may think fit, may make an order varying the prices or methods of charge stated in the special order or so approved as aforesaid, or substituting other prices or methods of charge in lieu thereof, and the prices or methods of charge so varied or substituted shall have effect on and after such day as may be mentioned in the order as if they had been stated in the special order:

Provided also that the prices and methods of charge for the time being in force may be altered in like manner at any time after the expiration of any or every period of three years after they were last altered.

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