

CYPRUS

ELECTRICITY

CHAPTER 170 OF THE LAWS

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1959

CHAPTER 170.

ELECTRICITY.

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A LAW TO REGULATE THE SUPPLY OF ELECTRICITY FOR LIGHTING AND OTHER PURPOSES.

[1st May, 1941.]

1949 Cap. 82.
23 of 54.*

1. This Law may be cited as the Electricity Law.

Short title.

2. In this Law—

Interpretation.

“ area of supply ” means the area within which the undertakers are for the time being authorized to supply energy under an Order ;

“ company ” means any body registered under the Companies Law ; and includes a co-operative society ;

Cap. 113.

“ consumer ” means any body or person supplied or entitled to be supplied with electrical energy by the undertakers or whose premises are for the time being connected for the purposes of supply of energy with the works of an undertaker ;

“ consumer's terminals ” means the ends of the electric lines situated upon any consumer's premises and belonging to him at which the supply of energy is delivered from the service lines ;

“ daily penalty ” means a penalty for each day on which an offence is continued after conviction therefor ;

* Now spent.

“ distributing main ” means the portion of any main which is used for the purpose of giving origin to service lines for the purposes of general supply ;

“ earthed ” means connected to the general mass of earth in such a manner as to ensure at all times an immediate and safe discharge to earth of electrical energy ;

“ electric line ” means any wire, wires, conductor or other means used for conveying electricity for power lighting or heating purposes and includes any instrument, insulator, casing, tubing or post supporting any electric line or anything connected therewith ;

“ energy ” means electrical energy when generated, supplied or used for any purpose except transmission of a message ;

“ general supply ” means the general supply of energy to ordinary consumers and includes, unless otherwise specially agreed with the Municipality, the general supply of energy to public lamps where the Municipality are not themselves the undertakers, but shall not include the supply of energy to any one or more particular consumers under special agreement ;

“ main ” means any electric line which may be laid underground or erected overhead by the undertakers and through which energy may be supplied by the undertakers for the purposes of general supply ;

Cap. 240.

“ municipality ” means a Municipal Corporation established under the Municipal Corporations Law ;

“ Order ” means any concession granted by the Governor under this Law which authorizes any company, person or Municipality to undertake any or all of the duties connected with the generation, transmission, transformation, distribution and sale of electrical energy ;

“ power ” means electrical power or the rate per unit of time at which energy is supplied ;

“ private purposes ” includes any purposes whatever to which electricity may for the time being be applicable, not being public purposes, except the transmission of any telegram ;

“ public lamp ” means any electric lamp used for the lighting of any street or other public place and

maintained by any Municipality or other public authority or by the undertakers ;

“ public purposes ” means lighting any street or any public place belonging to or subject to the control of a Municipality or other public authority, or any place of public worship, or any hall, building or place belonging to or subject to the control of any public theatre, but shall not include any other purposes to which electricity may be supplied ;

“ radio interference ” means the generation of electric waves from apparatus and equipment which interferes with the conduct of radio communications ;

“ radio communications ” includes wireless telegraphy, wireless telephony, wireless television and the sending and reception of pictures and music by apparatus designed or adapted for utilizing etheric waves ;

“ Regulations ” means any Regulations or conditions affecting the undertaking made by the Governor under this Law or an Order, for securing the safety of the public or for ensuring a proper and sufficient supply of energy, or for any other purposes ;

“ service line ” means any electric line through which energy may be supplied or intended to be supplied by the undertakers to a consumer either from any distributing main or directly from the premises of the undertakers ;

“ street ” includes any thoroughfare over which the public have a right of way ;

“ telegraph licensee ” means any person or telegraph company operating any telegraph line under the authority of a licence granted under the provisions of the Telegraphs Law.

Cap. 305.

“ telegraph line ” means any telegraph or telephone line, wires, or other apparatus belonging to or operated or intended to be operated by the Government or any person or telegraph company holding a licence under the provisions of the Telegraphs Law, and also includes all telegraph, telephone and electric signal wires belonging to or operated or intended to be operated under the direction of the Superintendent of the Cyprus Government Railway or other person in charge of a duly authorized railway ;

Cap. 305.

“ telegram ” means any message or other communication transmitted or intended for transmission by a telegraph line ;

“ undertakers ” means any Municipality, company or person who may by this Law be authorized to supply electricity within any area ;

“ works ” includes electric lines, canals, riverworks, dams, headworks, pipe lines, buildings, machinery, matters or things of whatever description required to supply energy and to carry into effect the objects of the undertakers.

Application
of Law.

3. The provisions of this Law shall apply to the generation, transmission, transformation, distribution, sale, supply and use of energy throughout the Colony :

Provided that in granting an Order under section 4 to any company or person engaged in the generation, transmission, transformation, distribution, sale and supply of energy at the date of the commencement of this Law the Governor may exempt such company or person from all or any of the provisions of this Law for such period as may be specified in the Order.

Power to
grant orders.

4. The Governor may grant an Order authorizing any company or person to supply or generate electricity for any public and private purposes within any area defined in the Order and designated the area of supply, and may grant an Order to any Municipality authorizing it to supply electricity for a like purpose within the Municipal area or such extension of the Municipal area as may be defined in the Order, and further, he may grant an order authorizing a transfer of the low tension distribution system situated within the Municipal area belonging to any company or person to be made to a Municipality or to any company or person which may be licensed by the Municipality to supply energy within the Municipal area, on terms and conditions to be agreed upon between the parties and subject to the approval of the Governor :

Provided always that any such Order may provide that the company or person which has transferred the low tension distribution system may nevertheless be free to supply electricity to private consumers within the area.

5. The Order may comprise all or any portion of the works necessary for generating electric power either by fuel or by head of water or by any other means whatsoever, and for the transmission, transformation, distribution and sale of energy, together with all works ancillary thereto and the works so specified and the duties attached thereto are hereinafter referred to as "the undertaking." The Order may confer upon the undertakers the right to acquire land and wayleaves, to dam up lakes and rivers, to construct canals, to divert rivers, to open up streets and all other rights which may be necessary to give effect to the purpose of the Order.

Extent and
scope of
order.

6. It shall not be lawful for the undertakers to supply energy beyond the area of supply, except in so far as otherwise provided in the Order.

Area of
supply.

7. The Order may be subject among other things, to any or all of the following limitations, and may contain the following provisions, viz.:—

Limitation of
order.

(a) for the sequence and manner in which the works are to be executed and the period within which each portion of the works is to be completed and the conditions for securing the due execution of the work ;

(b) for the period for which and the terms upon which the Order is granted, including the terms and conditions upon which the undertaking shall be surrendered to the Governor at the expiration of the specified period, and the provisions for the extension or renewal of the Order and the conditions to be attached thereto ;

(c) for the exercise by the Governor of such financial and technical supervision over the operations of the undertaking as may be necessary for the purpose of ensuring due and proper working of the Order ;

(d) for limiting the profits of the undertaking and for setting aside such sums for amortization, depreciation and reserve as may be specified ;

(e) for the purchase of the undertaking by the Governor at specified periods during the term of the

Order and the terms upon which the purchase is to be made ;

- (f) for determining the rights under the Order in case of default on the part of the undertakers in carrying out the provisions of the Order or in case of their insolvency and for the procedure in that event ;
- (g) for revocation of the Order where the undertakers are in default or are insolvent, or make application for revocation, or where the works are not executed ; and for the procedure in the event of revocation ;
- (h) for the maximum rates to be charged for the supply of electrical energy to the consumer, the system and mode of supply and penalties for failure to supply.

Power to expropriate lands, buildings or easements.

8. Where purchase cannot be effected by mutual agreement the Governor may, subject to the conditions to be prescribed in the Order expropriate in accordance with the provisions of the Law for the time being in force relating to the acquisition of land, any property, land, building or easements required by the undertakers for exercising the rights or fulfilling the obligations imposed by the Order.

No electrical installation to be established save with permit.

9. (1) No person other than the undertakers shall establish, extend or maintain any installation for the production, supply, distribution or sale of energy save in accordance with the terms and conditions set forth in a permit first had and obtained from the Governor.

(2) Any person contravening the provisions of this section shall be liable on conviction to a fine not exceeding one hundred pounds, and to a daily penalty of two pounds and the installation established, extended or maintained in contravention may be removed by order of the Court.

Power to make Regulations.

10. The Governor may make Regulations—

- (a) as to the conditions under which energy may be generated, transmitted, transformed, distributed, supplied and used ;
- (b) in relation to the use of energy in or on any harbour, river, canal, railway, tramway, mine or quarry,

or in any factory, workshop, dwelling or place for securing the safety of persons and property from injury from shock or fire or otherwise ;

- (c) prescribing the form of application for a permit for an electrical installation, and the conditions on which a permit may be issued, and the fee to be charged for a permit ;
- (d) for the purpose of preventing or minimizing radio interference or electrical interference by the works of the undertakers, their consumers and other persons ;
- (e) prescribing the qualifications of electrical engineers, chargemen, wiremen and contractors ;
- (f) for the examination, licensing and registration of electrical engineers, chargemen, wiremen and contractors and for the grant of certificates of competency and of registration ;
- (g) prescribing the forms of certificates of competency and of registration for electrical engineers, chargemen, wiremen and contractors ;
- (h) prescribing the fees to be charged in respect of the examination of electrical engineers, chargemen, wiremen, and contractors ;
- (i) prescribing the form of certificate of inspection to be issued by Electrical Inspectors, the fees to be charged for inspections made by such Inspectors and the persons by whom such fees shall be paid ;
- (j) generally for the purpose of carrying out the objects of this Law.

And may prescribe penalties for the breach or non-observance of such Regulations.

11. The Governor may appoint any person to be an Electrical Inspector under this Law (hereinafter referred to as " Inspector " and may prescribe the scope of his duties and the manner in which such duties are to be performed.

Power to
appoint
Electrical
Inspectors.

12. The Governor may authorize the Director of Public Works, or may appoint any other person, or constitute a Board, (in this section called " the licensing authority ") to examine, license and register and grant certificates of

Power to
appoint
authority for
licensing
engineers,
chargemen,
wiremen and
contractors.

competency and of registration to, electrical engineers, chargemen, wiremen or contractors ; and the licensing authority shall, subject to any Regulations under this Law in force for the time being, have power to remove from the register either permanently or for such period as it may think fit the name of any engineer, chargeman, wireman or contractor who commits a breach of any Regulations made under this Law.

Power to
delegate.

13. (1) The Governor may from time to time delegate to any other persons or person any of the powers and discretions vested in him under this Law.

Person
delegated
not
personally
liable.

(2) The person to whom the Governor may delegate his powers shall not be personally liable for or in respect of any act, matter or thing, executed, done or omitted under or in connection with any Order.

Undertakers
to carry out
works.

14. The undertakers shall carry out the works connected with the generation, transmission, and transformation of electric power in the manner and within such period or periods as may be specified in the Order, and shall carry out so much of the distribution work in any part of the area of supply as may be required from time to time by the Governor subject to terms and conditions to be prescribed in the Order. All works shall be carried out in accordance with plans to be approved by the Governor as in section 28 prescribed.

Obligation
on
undertakers
to supply
electricity.

15. Where a supply of electricity is provided in any part of an area for private purposes, then, subject to the provisions of this Law and save in so far as is otherwise provided by the terms of the Order authorizing such supply, every company or person within that part of the area shall, on application, be entitled to a supply on the same terms on which any other company or person in such part of the area is entitled in similar circumstances to a corresponding supply.

Supply for
private
purposes.

16. (1) The undertakers shall, upon being required to do so by the owner or occupier of any premises situated within 132 feet from any distributing main of the undertakers in which they are, for the time being, required to maintain or are maintaining a supply of energy for the purposes of general supply to private consumers under any Order or Regulations made under this Law, give a supply of energy

for those premises in accordance with the provisions of the Order and of the Regulations, and they shall furnish and lay any electric lines that may be necessary for the purpose of supplying the maximum power with which any such owner or occupier is entitled to be supplied under the Order subject to the condition following—

The cost of so much of the construction of any electric line as exceeds a length of 30 feet, for the supply of energy from any distributing main of the undertakers to any owner or occupier shall, if the undertakers so require, be defrayed by that owner or occupier.

(2) Every owner or occupier of premises requiring a supply of energy shall—

(a) serve a notice upon the undertakers specifying the premises in respect of which the supply is required and the maximum power required to be supplied and the day (not being an earlier day than a reasonable time after the date of the service of the notice) upon which the supply is required to commence, and

(b) if required by the undertakers, enter into a written contract with them to continue to receive and pay for a supply of energy for a period of at least two years of such amount that the payment to be made for the supply, at the rate of charge for the time being charged by the undertakers for a supply of energy to ordinary consumers within the area of supply, shall not be less than twenty per centum per annum on the outlay incurred by the undertakers in providing any electric lines required under this section to be provided by them for the purpose of the supply and if required by the undertakers give to them security for the payment to them of all moneys which may become due to them by the owner or occupier in respect of any electric lines to be furnished by the undertakers, and in respect of energy to be supplied by them.

17. Where the Municipality are not themselves the undertakers, the undertakers shall, upon receiving reasonable notice from the Municipality requiring them to supply energy to any public lamps within the distance of 132 feet from any distributing main of the undertakers in which they are, for the time being, required to maintain a supply

Supply of
energy to
public
lamps.

of energy for the purposes of general supply under an Order or Regulations made under this Law, give and continue to give a supply of energy to those lamps in such quantities as the Municipality may require to be supplied.

Penalty for failure to supply.

18. Whenever the undertakers make default in supplying energy in accordance with the terms of Regulations made under this Law, they shall be liable to such penalties as are prescribed:

Provided that the penalties to be inflicted shall in no case exceed in the aggregate, in respect of any default not being wilful default on the part of the undertakers, the sum of five pounds for any one day ; and provided that the undertakers shall have the right to suspend the supply of energy for short periods whenever required for inspection or repair or for the making of new connections upon giving, except in cases of emergency twenty-four hours' notice to consumers whose supply of electricity it is intended to suspend ; and provided also that in no case shall any penalty be inflicted in respect of any default if the Court are of opinion that the default was caused by inevitable accident or *force majeure*, war, act of Government, civil commotion, strikes or sabotage, or was of so slight or unimportant a character as not materially to affect the value of the supply. The undertakers shall in no case be under any obligation to pay compensation for losses, damage or inconvenience caused to any consumer through any suspension, interruption or discontinuance of the supply of electrical energy, caused by accident to mains, machinery or other apparatus, not under the control of the undertakers or by any other cause not arising out of the negligence or wilful misconduct of the undertakers or their employees.

Equality of treatment.

19. The undertakers shall not, in making any agreement for the supply of electricity, show any undue preference as between consumers in the same locality and where the conditions of supply, including power factor, and the amount of consumption are similar ; but, save as aforesaid, they may make such charges for the supply of electricity as may be agreed upon, not exceeding the limits of price imposed by the Order authorizing them to supply electricity.

Undertakers not to prescribe special form of lamp or burner.

20. The undertakers shall not be entitled to prescribe any special form of lamp or other energy consuming apparatus to be used by any company or person except as may be provided in any rules made under section 51.

21. The undertakers shall establish one or more stations suitably equipped with instruments for testing and calibrating electricity supply meters and shall maintain the instruments in proper working order. The said instruments shall be produced to the Director of Public Works whenever required by him and he shall have the right to test the said instruments or to use them for the purpose of testing any electricity supply meters from the stock of the undertakers or from the premises of consumers.

Meter-testing station.

22. The undertakers shall keep and maintain in proper working order suitable and proper instruments for recording the variation of pressure and for all other purposes which may be specified in the Regulations. They shall also keep and maintain one or more sets of portable instruments for testing insulation of distribution mains and of the wiring of consumers' premises and these instruments shall be subject to test by the Director of Public Works from time to time.

Undertakers to provide recording and other instruments.

23. The undertakers shall, unless the agreement for hire otherwise provides, at all times, at their own expense, maintain meters and other registering apparatus let for hire by them to a consumer, as far as ordinary wear and tear is concerned, in proper order for correctly registering the value of the supply, but the consumer shall be responsible for the proper care of such instruments and for the costs of any damage or loss arising from any cause other than ordinary wear and tear of the instruments. In case of default on the part of the undertakers, rent for the hire of the apparatus shall not be chargeable by the undertakers to the consumer during such time as the default continues. The undertakers shall, for the purpose aforesaid and without notice to the consumer, have access to and be at liberty to remove, test, inspect and replace any such meter at all reasonable times.

Undertakers to keep in repair meters let for hire.

24. Where any consumer who is supplied with energy by the undertakers from any distributing main is provided with a meter for the purpose of ascertaining the value of the supply and the undertakers, of their own accord, and not at the request of the consumer, change the method of charging for energy supplied by them from the main, the undertakers shall replace the meter free of charge to the consumer.

Undertakers to pay expenses of providing new meters where method of charge altered.

Meters not to be connected or removed without notice.

25. The undertakers shall not, save with the consent of the consumer, connect any meter used or to be used under the Order for ascertaining the value of the supply with any electric line through which energy is supplied by the undertakers or remove any such meter from any such electric line, unless not less than twenty-four hours notice in writing of their intention to do so has been given : Provided that if the consumer vacates the premises, the undertakers shall have the right to remove the meter without prior notice.

Undertakers to give facilities for testing.

26. The undertakers shall afford all facilities for the proper execution of the Order with respect to inspection and testing and the readings and inspection of instruments, and shall comply with all the requirements of or under the Order in that behalf ; and in case the undertakers make default in complying with any of the provisions of this section they shall be liable in respect of each default to a penalty not exceeding two pounds.

Notice of accident.

27. (1) The undertakers shall send to the Director of Public Works notice of any accident or explosion or fire, and also of any other accident of such kind as to have caused loss of life or personal injury, which has occurred in any part of the undertakers' works or their circuits, or in connection with those works or circuits, and also notice of any loss of life or personal injury occasioned by any such accident. The notice shall be sent by telegram as soon as possible after the accident occurs or, as the case may be, after the loss of life or personal injury becomes known to the undertakers. If the accident or loss of life has occurred on the premises of the Cyprus Government Railway, notice shall be sent also to the Superintendent of the Railway.

If the undertakers fail to comply with the provisions of this subsection they shall be liable, for each default, to a penalty not exceeding five pounds.

(2) The Governor may also, if he deems it necessary, direct any Inspector or appoint any other fit person to inquire and report as to the cause of any accident affecting the safety of the public which may have been occasioned by or in connection with the undertakers' works, whether notice of the accident has or has not been received from the undertakers, or as to the manner and extent in and to which provisions of the Order and this Law and the Regulations made under this Law so far as those provisions affect the

safety of the public, have been complied with by the undertakers; and any person appointed under this section, not being an Inspector, shall for the purpose of this appointment have all the powers of an Inspector under this Law.

28. (1) The undertakers shall, before executing any of the several works mentioned below, submit for the approval of the Governor three copies of the respective plans and drawings as follows :—

Plans for
approval of
the
Governor.

- (a) plans and drawings to a scale of not less than one in five thousand showing location of works and the boundaries of all public and private property directly affected by the construction of the works ;
- (b) plans and drawings to a scale of not less than one in five hundred of dams, weirs, canals, reservoirs, tunnels and headworks ;
- (c) plans of cables or overhead lines for high tension transmission within a Municipal area to a scale of not less than one in one thousand two hundred and fifty ;
- (d) plans of cables or overhead lines for high tension transmission without Municipal areas to a scale of not less than one in thirty-one thousand six hundred and eighty ;
- (e) plans and drawings of power-houses and transformer stations to a scale of not less than one in one hundred ;
- (f) plans of low tension distribution system to a scale of not less than one in one thousand two hundred and fifty within Municipal areas and to a scale of not less than one in five thousand without Municipal areas ;
- (g) drawings and designs of poles, standards and public lamps :

Provided that if the approval of or notice of objection by the Governor is not received in respect of items (a), (b) and (c) hereof before the expiration of three months, and in respect to items (d), (e), (f) and (g) hereof before the expiration of forty-two days after the same shall have been submitted to him, the said plans shall be deemed to have

been approved and the undertakers shall be at liberty to execute the works. The foregoing provisions shall also apply to any amended plans and drawings which the undertakers may submit to the Governor to meet any disapproval or objections raised by him, provided that the Governor shall notify his approval or disapproval of or objections to any such amended plans and drawings before the expiration of twenty-eight days in the cases falling under items (a), (b) and (c) hereof, and before the expiration of twenty-one days in the cases falling under items (d) (e), (f) and (g) hereof, as from the date when the same shall have been so submitted, and in the event of no notification being made within the respective periods aforesaid the undertakers shall be at liberty to proceed as if approval had been given.

(2) The undertakers shall not execute any of the works in respect of which plans are required to be submitted to the Governor except in accordance with approved plans ; and any breach of the requirements of this subsection shall render the undertakers liable to a penalty not exceeding fifty pounds for each default.

(3) The undertakers shall on demand in writing by the Governor remove any works executed by them in breach of the requirements of subsection (2) and failure on the part of the undertakers to comply with any such demand shall render them liable to a penalty not exceeding five pounds for each day during which such failure shall continue.

Map of area
of supply to
be made.

29. (1) The undertakers shall forthwith after commencing to supply energy cause a map to be made of the area of supply to a scale of not less than one in two hundred and fifty-three thousand four hundred and forty, and shall cause to be marked thereon the position of all transmission lines, and shall cause plans to be prepared of each Municipal area in which distribution lines have been laid to a scale of not less than one in two thousand five hundred showing the position of all overhead and underground electric lines, and shall cause to be marked thereon the depth of all the underground lines below the surface, and shall from time to time cause all extensions to be marked thereon as soon as may be practicable after the lines have been laid.

(2) Every map or plan so made or corrected, or a copy thereof marked with the date when it was so made or last corrected, shall be kept by the undertakers at their princi-

pal offices, and shall at all reasonable times be open to the inspection of the Director of Public Works, the Superintendent of the Cyprus Government Railway, the Postmaster-General and duly authorized municipal officers. The Director of Public Works and the Municipality shall at a reasonable charge supply to the undertakers copies of the necessary maps, if available, or failing such maps then they shall supply all information which may be available to enable such maps to be prepared.

(3) The undertakers shall, if required by the Director of Public Works, Superintendent of the Cyprus Government Railway, or the Postmaster-General, supply a copy of any such map or plan and shall, if required by a Municipality, supply them with a copy of the plans showing the distribution lines within their boundaries.

30. (1) The undertakers shall, on or before a day to be prescribed by Regulations made under this Law submit an annual statement of the accounts of the undertaking made up to a date to be prescribed. Such statement shall be in the form and shall contain the particulars and shall be published in such manner as may from time to time be prescribed. Accounts.

(2) The Governor may appoint auditors to examine the accounts and books of the undertakers and the undertakers shall, for the purposes of any such examination, afford all necessary facilities to such auditors and when required by such auditors so to do produce to them all books and documents in their possession or control.

(3) In case the undertakers make default in complying with the provisions of this section they shall be liable to a penalty not exceeding five hundred mils for each day during which such default continues.

31. (1) The undertakers may place any electric line either above or below ground across any land, other than land covered with buildings; provided that before placing any such line across any land the undertakers shall serve on the owner and occupier of the land, or if the owner and occupier are not known, shall affix on the land by means of a notice board, notice of their intention together with a description of the lines proposed to be placed; and if within fourteen days after the service or affixing of the Wayleaves
over land.

notice the owner and occupier fail to give their consent or attach to their consent any terms or conditions to which the undertakers object, the Commissioner may give his consent to the placing of such lines, either unconditionally or subject to such terms and conditions as he thinks just.

(2) Nothing in the preceding subsection shall authorize or empower the undertakers to lay down or place any electric line or other works into, through or against any building or in any land covered with buildings, without the consent of the owner and occupier thereof, provided that any support of an overhead line or any stay or strut required for the sole purpose of securing the support of an overhead line may be fixed on any land or building with the consent of the Commissioner if in his opinion the consent of the owner and occupier is being unreasonably withheld, and the Commissioner shall fix the amount of compensation or of annual rental, or of both, which shall be paid by the undertakers to the owner and occupier or the owner or occupier as the case may be.

(3) Subject to the provisions of subsection (4) if the owner or occupier of any land on which any electric line has been placed requires the position of such electric line to be changed, the Commissioner may by notice in writing, require the undertakers to alter the position of the electric line subject to conditions which, failing agreement between the parties, may be determined by the Governor whose decision shall be final.

(4) If compensation has been paid in respect of the placing of any electric line across any land to the person requiring the position of such line to be changed or to his predecessor in title such person shall tender to the undertakers the amount requisite to defray the expense of the removal or alteration and no further or other compensation shall be payable by the undertakers in respect of such removal or alteration :

Provided that where any such electric line has been erected for a period of more than five years and in the opinion of the Governor the position of the line is causing undue hardship or retarding development the Governor may determine by whom and in what proportions the expense of removal or alteration shall be paid and the Governor's decision thereon shall be final.

(5) The undertakers may cut or remove on either side

of any proposed or existing electric line all such trees and underwood as may interfere or be likely to interfere with the construction or proper working of any such line.

32. (1) No person shall in any area of supply except with the written consent of the undertakers concerned—

Building
under or
over electric
lines.

(a) erect or cause to be erected any building or other structure under or over any duly approved electric line belonging to the undertakers ;

(b) erect or cause to be erected any building or other structure in the vicinity of any electric line as aforesaid, unless he provides adequate clearance between any point of such building or structure and the nearest conductor of any such line so as to prevent any possibility of damage or accident ;

(c) erect or cause to be erected any aerial wire whether for wireless or other purposes which crosses above any electric line as aforesaid.

(2) All scaffolding, hoisting towers or other temporary structures of whatsoever nature erected in the vicinity of overhead electric lines shall be so constructed and protected as to withstand weather conditions and not to cause damage to such lines by falling on them or constitute a danger to any person in connection with any such lines.

(3) Any person contravening the provisions of this section shall be punishable with a fine not exceeding twenty-five pounds and the Court may order any buildings, structures or wires erected by any such person to be removed by him.

33. (1) The undertakers, under such superintendence as is hereinafter specified, may open and break up the soil and pavement of the several streets and bridges within the area of supply, and may open and break up any sewers, drains or tunnels in or under such streets and bridges and lay down and place, within the same limits, electric lines, service lines and other works and, from time to time, repair, alter or remove the same, and for the purposes aforesaid may remove and use all earth and materials in and under such streets and bridges, and they may in such streets erect any poles, pillars, lamps and other works and do all other acts which they shall from time to time deem

Power to
break up
streets, etc.,
under
superin-
tendence,
and to open
drains.

necessary for supplying electricity to the inhabitants of the area included within the said limits, doing as little damage as may be in the execution of the powers hereby or by the Order granted, and making compensation for any damage which may be done in the execution of such powers, and subject to such Regulations as may be prescribed from time to time by the Governor.

(2) Where the undertakers have erected in any street any poles, pillars, lamps, or other fixtures or laid an electric line along any street, the Commissioner may, notwithstanding any other provision in this Law, if so requested by any Government Department, Municipality or other public authority, by notice in writing require the undertakers to alter the position of such poles, pillars, lamps, other works, or electric line, subject to conditions which, failing agreement between the parties, may be determined by the Governor.

Conditions
as to superin-
tendence of
breaking up
of streets.

34. No street, bridge, sewer, drain or tunnel shall, except in the case of emergency, be opened or broken up except under the superintendence of the persons having the control or management thereof or of their officer, and according to such plan as shall be approved of by such persons or their officer, or in case of any difference respecting such plan, then according to such plan as shall be determined by the Governor who may, on the application of the persons having the control or management, or their officer, require the undertakers to make such temporary or other works as the applicants may think necessary for guarding against any interruption of the drainage during the execution of any works which interfere with the sewer or drain :

Provided always that if the persons having the control or management fail to attend at the time fixed for the opening of any such street, bridge, sewer, drain or tunnel, after having had notice of the undertakers' intention, or shall not propose any plan for breaking up or opening the same, or shall refuse or neglect to superintend the operation, the undertakers may perform the work specified in such notice without the superintendence of such persons or their officer.

Street, etc.,
broken up
to be
reinstated
without
delay.

35. When the undertakers open or break up the street or pavement of any street or bridge, or any sewer, drain or tunnel, they shall with all convenient speed complete the

work for which the same shall be broken up, and fill in the ground and reinstate and make good the street or pavement, or the sewer, drain or tunnel so opened or broken up, to the reasonable satisfaction of the persons having the control or management thereof and carry away the rubbish occasioned thereby, and shall at all times, whilst any such street or pavement shall be so opened or broken up, cause the same to be fenced, and shall cause a light sufficient for the warning of passengers to be set up and maintained against or near such street or pavement where the same shall be open or broken up every night during which the same shall be continued open or broken up ; and shall keep the street or pavement which has been broken up in good repair for three months after replacing and making good the same, and for such further time, if any, not being more than twelve months in the whole, as the soil so broken up shall continue to subside.

36. If the undertakers open or break up any street or bridge, or any sewer, drain or tunnel, without giving such notice as is hereinafter prescribed, or in a manner different from that which shall have been approved of or determined or without making such temporary or other works when so required, except in the cases in which the undertakers are hereby authorized to perform such works without any superintendence or notice, or if the undertakers make any delay in completing any such work, or in filling in the ground, or reinstating and making good the street or pavement, or the sewer, drain or tunnel so opened or broken up, or in carrying away the rubbish occasioned thereby, or if they neglect to cause the place where such street or pavement has been broken up to be fenced and lighted or neglect to keep the street or pavement in repair for the space of three months next after the same is made good, or such further times as aforesaid, they shall forfeit to the persons having the control or management of the street, bridge, sewer, drain or tunnel in respect of which default is made a sum not exceeding two pounds for every offence, and they shall forfeit an additional sum of two pounds for each day during which any such delay shall continue after they shall have received notice thereof.

Penalty for
delay in
reinstating
streets, etc.

37. If any such delay or omission takes place, the persons having the control or management of the street, bridge, sewer, drain or tunnel, in respect to which such delay or

in case of
delay other
parties may
reinstale
and recover
the amount

omission takes place, may cause the work so delayed or omitted to be executed, and the expense of executing the same shall be repaid to such persons by the undertakers ; and such expenses may be recovered in the same manner as damages are recoverable under this Law or the Order.

Notices to be served before breaking up streets or opening drains, etc.

38. (1) Before the undertakers proceed to open or break up any street, bridge, sewer, drain or tunnel, they shall give to the persons under whose control or management the same may be, or to their clerk, surveyor, or other officer, notice in writing of their intention, not less than three clear days before beginning such work, except in cases of emergency arising from defects in any of the electric lines or other works, and then so soon as is possible after the beginning of the work, or after the necessity for the same shall have arisen.

(2) A local authority intending to open or break up any street, bridge, sewer, drain or tunnel in the vicinity of the works of the undertakers shall give the like notice to the undertakers.

Laying of electric lines, etc., near sewers, or, gas or water pipes, or other electric lines.

39. (1) Where the undertakers require to dig or sink any trench for laying down or constructing any new electric lines (other than service lines) or other works near to which any sewer, drain, main, pipe, syphon, electric line or other work belonging to any drainage, electric supply, gas, telegraph or water authority (hereinafter in this section referred to as "the owners") has been lawfully placed, the undertakers shall, unless it is otherwise agreed between the parties interested, or in case of emergency, give to the owners not less than three days' notice before commencing to dig or sink such trench, and those owners shall be entitled by their officer to superintend the work, and the operation shall conform with such reasonable requirements as may be specified by the owners or their officer for the protecting from injury every such sewer, drain, main, pipe, syphon, electric line or work, and for securing access thereto, and they shall also if required by the owners thereof, repair any damage that may be done thereto.

(2) An owner or any other person requiring to dig or sink any trench or to perform any work in connection with any sewer, drain, main, pipe, syphon, electric line or other work belonging to him in the vicinity of the works of the undertakers shall, unless it is otherwise agreed between

him and the undertakers, or in case of emergency, give the like notice to the undertakers and dig or sink such trench or perform such work subject to the like conditions.

(3) Where the undertakers lay any electric line crossing or liable to touch any sewers, drains, mains, pipes, lines, services or other works of the owners, the conducting portion of the electric line shall be effectively insulated in a manner approved by the Director of Public Works ; and the undertakers shall not, except with the consent of the owner and of the Director of Public Works, lay their electric line so as to come into contact with any such sewers, drains, mains, pipes, lines, services or other works or except with the like consent, employ any such mains, pipes, lines, services or other works as conductors for the purposes of their supply of energy.

(4) Any question or difference which may arise under this section shall be determined by the Governor.

(5) If the undertakers, the owners, or any person makes default in complying with any of the requirements of this section, they shall make full compensation to any person affected thereby for any loss, damage, penalty or costs which such person may incur by reason thereof ; and in addition thereto they shall be liable for each default to a penalty not exceeding ten pounds and a daily penalty not exceeding two pounds ; Provided that the undertakers, the owners, or such other person, as the case may be, shall not be subject to any such penalty if the Court are of opinion that the case was one of emergency, and that they complied with the requirements of this section so far as was reasonable in the circumstances, or that the default in question was due to the fact that the undertakers, the owners or such person as aforesaid were ignorant of the position of the sewer, drain, pipe, main, syphon, electric line or work affected thereby, and that that ignorance was not owing to any negligence on their part.

40. The undertakers may call upon the appropriate authority or may, with the permission of such authority, alter the position of any pipes or cables under any street or place authorized to be broken up by them, which may interfere with the exercise of their powers under this Law or the Order ; and any person may in like manner call upon the undertakers to alter, or with the permission of the undertakers may alter the position of any electric cables or

As to alteration of pipes, wires, etc., under streets.

works of the undertakers, being under any such street or place, which may interfere with the lawful exercise of any powers vested in that person in relation to that street or place, subject to agreement between the parties or failing agreement to conditions which may be prescribed by the Governor.

Compensation for damage in the exercise of powers.

41. In the exercise of the powers in relation to the execution of works given them under this Law or any Order, the undertakers shall cause as little detriment and inconvenience and do as little damage as may be, and shall make full compensation to all persons interested for all damage sustained by them by reason or in consequence of the exercise of such powers, the amount of such compensation in case of difference to be determined by the Governor, and shall save harmless all authorities and persons from all damages and costs in respect of accidents, damages and injuries occasioned to them through the act or default of the undertakers or of any person in their employment.

Protection of Government and of telegraph licensee.

42. (1) No alteration in any telegraph line of the Government or of a telegraph licensee shall be made by the undertakers except with the consent of the Government or the licensee, as the case may be.

(2) The undertakers shall not in the exercise of the powers conferred by this Law or any Order lay any electric line either above ground or below ground or do any other work for the supply of electricity whereby any telegraph line of the Government or of a telegraph licensee is or may be injuriously affected; and before any such line other than service lines to consumers' premises, is laid down, or work is done, other than repairs, within 33 feet of a telegraph line of the Government or of a telegraph licensee (other than repairs and laying down of service lines to the consumers' premises) the undertakers and their agents shall, in addition to the plans submitted under section 28, submit at the same time to the Government or telegraph licensee, as the case may be, two copies of plans showing the position of the lines specifying the course and the nature of the work, including the gauge of any electric lines, and the undertakers and their agents shall conform with such reasonable requirements, either general or special, as may from time to time be prescribed for the purpose of preventing any telegraph lines of the Government or of a telegraph licensee from being injuriously affected by the said work.

(3) If any telegraph line of the Government or of a telegraph licensee is injuriously affected by the laying down or operation of the electric lines or other works of the undertakers, the undertakers, in the case of their works having been laid or installed after the said telegraph line, shall pay the cost of all such alterations in the telegraph lines of the Government or of the telegraph licensee as may be necessary to remedy the injurious condition.

(4) If any telegraph line of the Government or of a telegraph licensee is injuriously affected, and the Director of Public Works is of opinion that such injurious condition is or may be due to the undertakers' works, he may authorize any person in writing to enter any of the undertakers' works at all times when electrical energy is being generated for the purpose of inspecting the undertakers' plant and the working of the same, and the undertakers shall in the presence of such person make any electric tests required by the Director of Public Works and shall produce for the inspection of the Director of Public Works the records kept by the undertakers pursuant to Regulations :

Provided that no such tests shall be required to be made as are likely to cause undue interference with the electric supply.

(5) Any difference which arises between the Director of Public Works and the undertakers or their agents with respect to any requirements so made shall be determined by a Judge of a District Court to be nominated by the Chief Justice to act as arbitrator, and such arbitrator's decision shall be final.

(6) In the event of any contravention of or wilful non-compliance with this section by the undertakers or their agents, the undertakers shall be liable to a fine not exceeding two pounds for every day during which such contravention or non-compliance continues, or if the telegraphic communication is wilfully interrupted by them, not exceeding five pounds for every day on which such interruption continues :

Provided that nothing in this subsection shall subject the undertakers or their agents to a fine if they satisfy the Court that the immediate execution of the work was required to avoid an accident, or otherwise was a work of emergency, and that they forthwith served on the officer in charge of the telegraph office, nearest to the place where the work was done a notice of the execution thereof, stating the reason for

executing the same without previous notice and forwarded a copy of such notice to the Director of Public Works.

(7) Subject to the provisions of any Order, the undertakers shall not be entitled to transmit any telegram, or to perform any of the services of receiving, collecting or delivering telegrams.

Protection
of Superin-
tendent,
Cyprus
Government,
Railway, etc.

43. The undertakers shall take all reasonable precautions in constructing, laying down and placing their electric lines and other works and in working their undertaking so as not to affect injuriously whether by induction or otherwise the working of any wire or line used for the purposes of telegraphic, telephonic or electric signalling communication or the currents in that wire or line belonging to or under the control of the Superintendent of the Cyprus Government Railway or other person in charge of a duly authorized railway ; and the provisions of the preceding section for the protection of the Government and of a telegraph licensee shall apply and operate for the benefit of the Superintendent of the Cyprus Government Railway and any such person as aforesaid.

Power to
enter lands
or premises
for ascertain-
ing quan-
tities of
electricity
consumed, or
to remove
fittings.

44. Any officer appointed by the undertakers may at all reasonable times enter any premises to which electricity is or has been supplied by the undertakers, in order to inspect the electric lines, meter, accumulators, fittings, works and apparatus for the supply of electricity belonging to the undertakers or to the owner, occupier or consumer and for the purpose of ascertaining the quantity of electricity consumed or supplied, or where a supply of electricity is no longer required, or where the undertakers are authorized to take away and cut off the supply of electricity from any premises, for the purpose of removing any electric lines, accumulators, fittings or apparatus belonging to the undertakers, repairing all damage caused by such entry, inspection or removal.

Conditions
under which
supply may
be dis-
continued.

45. (1) If a consumer uses any form of lamp or other energy consuming apparatus or uses the energy supplied to him by the undertakers in such a manner as to interfere unduly or improperly with the efficient supply of energy to any other person, or if he makes any alteration in his installation without the previous approval of the undertakers, or if he fails to give reasonable facilities for testing or inspection, or if a leakage is discovered on his premises,

or if the electric lines, fittings and apparatus in the premises are found to be not in good order and condition or to be calculated to affect injuriously the use of energy by the undertakers or by other persons, or if he interferes with the undertakers' main fuses, apparatus or seals, or if he sells or disposes commercially of electrical energy without the consent of the undertakers, the undertakers may if they think fit, discontinue to supply energy to those premises so long as the owner or occupier makes default in respect to any of the above named matters.

(2) If any Municipality, company or person neglects to pay any of the charges or other sums described in section 48 (1), the undertakers may cut off such supply, and for that purpose may cut or disconnect any electric line or other work through which electricity may be supplied, and may, until such charge or other sum, together with any expenses incurred by the undertakers in cutting off and re-connecting such supply of electricity, is fully paid, but no longer, discontinue the supply of electricity to such Municipality, company or person.

46. The undertakers shall not be compelled to give a supply of energy to any premises unless they are reasonably satisfied that the electric lines, fittings, and apparatus therein are in good order and condition and not calculated to affect injuriously the use of energy by the undertakers or by other persons.

Conditions
under which
supply may
be declined.

47. (1) The undertakers may, before executing the necessary work for the connecting up of any premises to the distributing mains or at any time after they have given a supply of energy in respect of any premises, by notice in writing require the owner or occupier of those premises, within seven days after the date of the service of the notice, to give to them security for the payment of all moneys which may become due to them in respect of the supply, in case the owner or occupier has not already given that security, or in case any security given has become invalid or is insufficient, and in case any such owner or occupier fails to comply with the terms of the notice, the undertakers may, if they think fit, refuse to supply energy for the premises so long as the failure continues.

Security for
payment.

(2) The undertakers shall pay interest at such rate as may be prescribed upon all moneys deposited with them by way of security under this section.

Recovery of
electricity
rents,
charges, etc.

48. (1) If any Municipality, company or person supplied with electricity by the undertakers or supplied with any electricity meter, electricity consuming device, wiring or apparatus of whatsoever nature by the undertakers directly or by a third party by arrangement with the undertakers neglects to pay to the undertakers the rent, charges or other moneys due to the undertakers in respect thereof or any moneys due to the undertakers in respect of credits or financial facilities granted by the undertakers for the acquisition or hire of any such meter, device, wiring or apparatus as aforesaid or any expenses lawfully incurred in cutting off the electricity from the premises of such person, or the rates due for the connection of service lines to distributing mains, or any other sum due in connection with the supply of energy, the undertakers may recover the sum so due as a civil debt.

(2) Whenever any Municipality, company or person neglects to pay any rent or sum due and payable by such Municipality, company or person to the undertakers, the undertakers may recover the same in any Court of competent jurisdiction, and the remedy of the undertakers under this Law shall be in addition to their other remedies for the recovery of such rent or sum.

Power to the
undertakers
to let meters.

49. The undertakers may let for hire any meter for ascertaining the value of the supply, and any fittings thereto, for such remuneration in money and on such terms with respect to the repair of the meter and fittings, and for securing the safety and return to the undertakers of the meter and fittings, as may be agreed upon between the hirer and the undertakers, or, in case of difference, determined by the Governor ; and that remuneration shall be recoverable by the undertakers as a civil debt.

Undertakers
may place
meters.

50. The undertakers may place upon the premises of the consumer such meter or other apparatus as they may desire for the purpose of ascertaining or regulating either the amount of energy supplied to the consumer or the number of hours during which the supply is given, or the maximum power taken by the consumer, or any other quantity or time connected with the supply :

Provided that the meter or apparatus shall be of some construction and pattern and shall be fixed and connected with the service lines in some manner approved by the Director of Public Works, and shall be supplied and main-

tained entirely at the cost of the undertakers, and shall not, except by agreement, be placed otherwise than between the mains of the undertakers and the consumer's terminals.

51. The undertakers may, subject to the approval, in writing of the Governor, make rules to be observed by consumers of electrical energy supplied by the undertakers.

Undertakers' powers to make rules.

52. (1) The undertakers may, if they think fit, on each occasion of testing of any main or service line, or the testing or inspection of any instrument of the undertakers by any Inspector, be represented by some officer or other agent, but that officer or agent shall not interfere with the testing or inspection. Prior to any such testing as aforesaid the undertakers shall give to the Inspector an assurance in writing that no danger is likely to occur to any linesman, worker or other person on account of such testing.

Representation of undertakers at testings and right of appeal against Inspector's report.

(2) If the undertakers or any such authority or person are or is dissatisfied with any report of any Inspector, they or he may appeal to the Governor against the report, and thereupon the Governor shall inquire into and decide upon the matter of the appeal.

53. The undertakers may charge for energy supplied to any consumer (otherwise than by agreement) either by the actual amount of energy so supplied or by the maximum power demand in every given period or by a combination of the two, or by any other method as may, for the time being, be approved by the Governor.

Methods of charging.

54. The prices to be charged by the undertakers for energy supplied by them shall not exceed those stated in that behalf in the Order, or in the case of a method of charge approved by the Governor such price as he determines on approving the method:

Maximum prices.

Provided that the undertakers may, at any time after the expiration of a period to be specified in the Order, make a representation to the Governor that the prices or methods of charge stated in the Order or approved by the Governor ought to be altered, and the Governor, after such inquiry as he may think fit, may make an Order varying the prices or methods of charge 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 or after such day as may be mentioned in the Order as if they had been stated in the original 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 specified in the Order.

Other
charges by
agreement.

55. Subject to the provisions of the Order and to this Law, and to the right of the consumer to require that he shall be charged according to some other of the methods above mentioned, the undertakers may make any agreement with a consumer as to the price to be charged for energy, and the mode in which those charges are to be ascertained, and may charge accordingly.

Price for
supply to
public lamps.

56. Where the Municipality are not themselves the undertakers, the price to be charged by the undertakers and to be paid to them for all energy supplied to the public lamps, and the mode in which these charges are to be ascertained, if not specified in the Order, and the cost of so much of the construction of any electric line from the distributing mains of the undertakers, shall be settled by agreement between the Municipality and the undertakers, and, in case of difference, shall be determined by arbitration, regard being had to the circumstances of the case and the distributing or other mains, if any, which may have to be laid for the purpose, and the prices charged to the ordinary consumers in the district.

Maximum
power.

57. The maximum power with which any consumer shall be entitled to be supplied shall be of such amount as he may require, not exceeding what may be reasonably anticipated as the maximum consumption on his premises:

Provided that the consumer shall give an undertaking as to the amount of energy to be used monthly and that, where any consumer has required the undertakers to supply him with maximum power of any specified amount, he shall not be entitled to alter that maximum except upon reasonable notice to the undertakers, and any expenses reasonably incurred by the undertakers in respect of the service lines by which energy is supplied to the premises of that consumer, or any fittings or apparatus of the undertakers, upon those premises consequent upon the alteration, shall be paid by him to the undertakers and may be recovered as a civil debt.

Differences
as to correct-
ness of
meter to
be settled by
Inspector.

58. If any difference arises between any consumer and the undertakers as to whether any meter, whereby the value of the supply is ascertained, is or is not in proper order for correctly registering that value, or as to whether that value

has been correctly registered in any case by any meter, that difference shall be determined upon the application of either party by an Inspector upon payment of a fee to be prescribed. If the errors revealed by the test fall within the limits prescribed, the costs of and incidental to the test shall be borne by the consumer, and if otherwise shall be borne by the undertakers. Subject as aforesaid, the register of the meter shall be conclusive evidence, in the absence of fraud, of the value of the supply.

59. If any difference arises between any consumer and the undertakers in regard to the voltage or the variation of voltage on the consumer's premises that difference shall be determined upon the application of either party by an Inspector upon payment of a fee to be prescribed. If the variation of voltage is found by him to be within the limits prescribed, the cost of the inspection shall be borne by the consumer, and if otherwise shall be borne by the undertakers and they shall take immediate steps to comply with the Regulations and if they fail to do so within twenty-four hours after notice to that effect shall have been served upon them by the Inspector they shall be liable to a penalty of ten shillings for every day of such default.

Differences
as to
variation of
pressure.

60. (1) The consumer shall be entitled to instal in his premises an electric meter or meters for the purpose of checking the value of electricity supplied to him and determined by the undertakers' meter, provided that he gives not less than twenty-four hours' notice in writing to the undertakers of his intention to connect or disconnect such meter to or from the circuit through which energy is being supplied.

Consumer
may instal
additional
meters.

(2) The meter or meters so installed by the consumer shall be of a construction and pattern, and shall be fixed and connected with the service lines in the manner prescribed, and shall be maintained entirely at the cost of the consumer and shall not, except by agreement, be placed otherwise than between the mains of the undertakers and the consumer's terminals and after any meter placed by the undertakers.

(3) The meter or meters so installed by the consumer shall have been first submitted to the undertakers for inspection and test and approved by them.

(4) The undertakers shall be entitled to make a reasonable

charge upon the consumer for inspection and test and may, if they so desire, seal such meter or meters with their seal which shall not be removed save by the undertakers.

(5) The undertakers shall not be bound to approve the said meter or meters unless they are reasonably satisfied that the same is or are in good order and condition and not calculated to affect injuriously the supply or its registration.

(6) Any work relating to the fixing, connecting, placing, removing or disconnecting of any such meter or meters shall be done exclusively by the undertakers against a reasonable charge and in accordance with the provisions of section 25.

(7) Any consumer who shall instal or maintain a meter in contravention of this section shall be liable to a penalty of five pounds for each offence, and shall forfeit to the undertakers a sum of one pound for each day during which the default continues without prejudice to any other remedies to which the undertakers may be entitled; and any such meter fixed, placed or connected otherwise than in accordance with the provisions of this section shall not be admissible as evidence of the value or amount of the supply.

Payments in
arrear.

61. In case any consumer of electricity supplied by the undertakers leaves the premises where such electricity has been supplied to him without paying the charges for electricity or meter rent due from him, the undertakers shall be entitled to recover from the next tenant the arrears left unpaid by the former tenant unless the incoming tenant has before consuming electric energy given notice to the undertakers requiring the meter to be read.

Injuring
works with
intent to
cut off
supply or
maliciously
extinguish-
ing public
lamp.

62. Any person who unlawfully and maliciously cuts or injures any electric line or work with intent to cut off any supply of electricity, or otherwise maliciously causes any interruption to the supply, or incites other persons to do so shall be punishable with imprisonment for a term not exceeding three years; and any person who maliciously extinguishes any public lamp shall be punishable with imprisonment for a term not exceeding six months or with a fine not exceeding ten pounds; but nothing in this section shall exempt a person from any proceeding for any offence which is punishable under any other provision of this Law, or under the Criminal Code:

Provided that no person shall be punished twice for the same offence.

63. Any person who maliciously or fraudulently abstracts, causes to be wasted or diverted, consumes or uses any electricity shall be guilty of theft and punishable accordingly; and the existence of artificial means for such abstraction shall be *prima facie* evidence of such malicious or fraudulent abstraction by the consumer.

Stealing
electricity.

64. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any lines, meter, or fittings belonging to the undertakers, or alters the index to any meter, or prevents any meter from duly registering the quantity of electricity supplied or fraudulently abstracts, consumes or uses electricity of the undertakers, shall (without prejudice to any other right or remedy for the protection of the undertakers or the punishment of the offender) for every such offence forfeit and pay to the undertakers a sum not exceeding five pounds; and the undertakers may in addition thereto recover the amount of any damage sustained by them or assessed by the Court. And in any case in which any person has wilfully or fraudulently injured or suffered to be injured any electric lines, meter or fittings belonging to the undertakers, or altered the index to any meter, or prevented any meter from duly registering the quantity of electricity supplied, the undertakers may also, until the lines, meter or fittings complained of have been remedied, discontinue the supply of electricity to the person so offending notwithstanding any contract previously existing; and the existence of artificial means for causing such alteration or prevention, or for abstracting, consuming or using electricity of the undertakers, when such meter is under custody or control of the consumer, shall be *prima facie* evidence that such alteration, prevention, abstraction or consumption, as the case may be, has been fraudulently, knowingly and wilfully caused by the consumer using such meter.

Penalty for
injuring
lines,
meters, etc.

65. Every person who shall lay or cause to be laid any electric line to communicate with any electric line belonging to the undertakers without their consent, or shall fraudulently interfere with any meter belonging to the undertakers or who in case the electricity supplied by the undertakers is not ascertained by meter shall use the electricity supplied by the undertakers in a different way or in a greater amount

Penalty for
fraudulently
using the
electricity of
the under-
takings.

than he has contracted to pay for, or shall otherwise improperly use such electricity or shall supply any other person with any part of the electricity supplied to him by the undertakers, shall in addition to any penalty to which he may be liable under any other Law forfeit to the undertakers the sum of five pounds for every such offence and also the sum of two pounds for every day or part thereof such electric line shall so remain, or such excess be so committed or continued, or such supply furnished, and the undertakers may cut off the electricity from the house and premises of the person so offending notwithstanding any contract which may have been previously entered into.

Satisfaction
for accident-
ally damag-
ing electric
lines.

66. Every person who shall carelessly or accidentally break or damage any electric line, lamp or other work belonging to the undertakers or under their control shall pay to the undertakers the amount of the damage done to be recovered in any Court of competent jurisdiction.

Duties of
Inspector.

67. It shall be the duty of the Inspector:—

- (a) to carry out inspections during the construction of works and erection of electric lines and plan, and to inspect and test after construction with a view to ensuring that the works are in accordance with the provisions of this Law and any Regulations made thereunder;
- (b) to conduct an inquiry into the cause of any accident affecting the safety of the public if so directed by the Governor;
- (c) to examine and test any meter intended for ascertaining the value of the supply upon being required to do so either by the undertakers or a consumer, and to settle any difference which may arise between the undertakers and consumer concerning the accuracy of the meter;
- (d) to test the variation of pressure on the consumer's terminals if and when required by any consumer, or to make such other inspection and testing of the service lines, apparatus, and works of the undertakers upon the consumer's premises as may be necessary for the purpose of determining whether the undertakers have complied with the provisions of the Order and any regulations made thereunder.

68. Any Inspector appointed by the Governor shall have the right of access at all reasonable hours to any of the premises of the undertakers for the purpose of ascertaining if the provisions of the Order or Regulations made thereunder are being complied with, and shall have the right of access to all standard instruments used for testing the accuracy of meters or other instruments.

Right of entry.

69. (1) The undertakers shall not employ engineers, chargemen or wiremen on any works where danger is involved unless such employees are qualified as prescribed:

Employees to be fully qualified.

Provided that should the undertakers find it necessary to employ any persons other than qualified engineers, chargemen or wiremen on works where danger is involved it shall be the duty of the undertakers to ensure that such unqualified employees shall be under the continuous supervision and control of a qualified employee, and to take such precautions as will ensure the safety of their employees under all reasonable conditions.

(2) Under no circumstances shall the undertakers authorize any person, not directly employed by them, to operate or interfere with any works normally under the control of the undertakers. If the undertakers fail to comply with this section they shall be liable, for each default, to a penalty not exceeding twenty-five pounds.

70. Any and every dispute, difference or question which shall arise between the Governor and the undertakers as to the meaning or effect of any of the provisions of any Order shall be referred to a board of arbitration which board shall consist of one arbitrator nominated by each of the parties to the dispute together with a third arbitrator agreed between the two other arbitrators, or failing agreement some impartial person nominated by the Secretary of State:

Arbitration.

Provided that, if either the Governor or the undertakers shall in writing so require, the third arbitrator shall be some person not ordinarily resident in the Colony: and Provided further that where a difference, dispute or question on a technical matter shall arise between the Governor and the undertakers which cannot be settled by mutual agreement, the same shall on the application of the undertakers be referred to a consulting engineer who shall be selected by the Secretary of State, and whose fees shall be paid by the undertakers.

Saving of existing undertakings carried on by companies, etc., under contract.

71. (1) Where any company or person is at the date of the commencement of this Law engaged in the generation, transmission, transformation, distribution, sale or supply of energy under or by virtue of any contract or agreement entered into by such company or person with any third party, the Governor shall, if application in that behalf is made to him in writing by such company or person within one month from the date of the commencement of this Law, grant to such company or person an Order under section 4.

(2) An Order granted in virtue of the provisions of subsection (1)—

(a) shall exempt the undertakers to whom the Order relates from such provisions of this Law and of any Regulations made thereunder as are repugnant to the terms or conditions of the contract or agreement of such undertakers except such provisions of this Law and of any Regulations made thereunder as it appears to the Governor are necessary for such undertakers to comply with in order to ensure that their works are not unsafe or dangerous, or structurally or mechanically defective or unsuitable for the efficient carrying out of the purposes for which such works are intended under such contract or agreement; and

(b) may, in addition to the exemptions to which paragraph (a) hereof relates, further exempt such undertakers from any of the provisions of this Law and of any Regulations made thereunder for such period as may be specified in the Order; and

(c) shall not, except in so far as it may be necessary in order to ensure that the works of the undertakers are not unsafe or dangerous, or structurally or mechanically defective or unsuitable for the efficient carrying out of the purposes for which such works are intended under such contract or agreement, contain any limitations or provisions under section 7 which are repugnant to the terms of the contract or agreement of the undertakers to whom the Order relates.

(3) Subject to the provisions of this section, the Governor may from time to time vary, add to or revoke any of the exemptions contained in any Order granted in virtue of the provisions of subsection (1).

72. If any Municipality, company or person (other than a company or person to whom the provisions of section 71 apply), which is at the date of the commencement of this Law engaged in the generation, transmission, transformation, distribution, sale or supply of energy, shall within one month from the date of the commencement of this Law make application in writing to the Governor for an Order under section 4, the Governor may in granting an Order to such Municipality, company or person under section 4 exempt such Municipality, company or person from all or any of the provisions of this Law or of any of the Regulations made thereunder, and for such period, as may be specified in the Order.

Saving of existing undertakings carried on by Municipalities, companies, etc., otherwise than under contract.

