CHAPTER xxiv.

An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Waterford. [22nd June 1906.]

A.D. 1906.

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the Provisional Order set out in the schedule to this Act: 45 & 46 Vict. c. 56. 51 & 52 Vict. c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the Provisional Order made by the Board of Trade under the authority of the said Acts as set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore 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:—

Short title.

1. This Act may be cited as the Electric Lighting Order Confirmation (No. 1) Act 1906.

Order in schedule confirmed.

2. The Order as set out in the schedule to this Act shall be and the same is hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and effect.

A.D. 1906.

SCHEDULE.

WATERFORD ELECTRIC LIGHTING.

Waterford. *Provisional Order granted by the Board of Trade under the Electric Lighting Acts* 1882 *and* 1888 *to the National Provincial Electricity Corporation Limited in respect of the Borough of Waterford in the County of the City of Waterford.*

Short title.

1. This Order may be cited as the Waterford Electric Lighting Order 1906.

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 83 of that schedule) are incorporated with and form part of this Order.

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the National Provincial Electricity Corporation Limited a company registered under the Companies Acts 1862 to 1900 whose registered office is situate at 118 Queen Victoria Street in the City of London.

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

Power to break up streets &c.

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that schedule.

Compulsory works.

6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

Maximum prices.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

Waterford.

8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is one thousand pounds. Deposit.

9.—(1) The local authority may by twelve months' notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order (including all lands buildings works materials and plant suitable to and used by the Undertakers for the purposes of the undertaking) and the goodwill thereof upon the terms following (that is to say):— Power of purchase by local authority.

(A) If the notice to purchase is given at the expiration of 21 years from the commencement of this Order the purchase price shall be the fair market value of the undertaking as a going concern that value to be determined in default of agreement by arbitration;

(B) If the notice is given at any other time the purchase price shall (subject to the provisions of this section with respect to a purchase under section 2 of the Electric Lighting Act 1888) be such as may be agreed solely between the Undertakers and the local authority.

(2) In the event of a purchase on a notice given at the expiration of 21 years from the commencement of this Order the Board of Trade may determine any question which arises with respect to the purchase and which is not to be determined by arbitration.

(3) In default of agreement as to the date at which any purchase under this section is to take effect the Board of Trade may fix that date.

(4) From the date on which any such purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the powers of the Undertakers in relation to the supply of electricity within the area of supply under this Order or the principal Act shall cease and determine and shall vest in the local authority who shall subject to the provisions of this Order be the Undertakers for the purposes of this Order.

(5) The power of purchase given by this Order shall be in addition to and not in derogation of the power of the local authority to purchase under section 2 of the Electric Lighting Act 1888.

10. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commencement of Order.

A.D. 1906.

Waterford.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The whole of the Borough of Waterford as constituted at the commencement of this Order.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

STREETS :—

The roadway on the wooden bridge across the River Suir the roadway under the Dublin Wicklow and Wexford Railway Bridge in Abbey Road the roadway under the Great Southern and Western Railway Bridges in Dock Road and Terminus Street the roadway under the bridge in Salvation Lane the roadway under the bridge across the new diverted road at Ferrybank.

RAILWAYS :—

Waterford and Tramore Railway—The level crossing in Bath Street.

Fishguard and Rosslare Railway—The level crossings at Ferry Road New Pier Head Road and Mill Lane.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

The Mall Parnell Street John Street Michael Street Broad Street Barronstrand Street New Street Newgate Street Barrack Street Mayor's Walk Ballybricken South Ballybricken North The Glen Great George's Street Grattan Quay Merchant's Quay Custom House Quay Coal Quay and Parade Quay.

FOURTH SCHEDULE.

Maximum Prices.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

Section 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

Section 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

Printed by Eyre and Spottiswoode,

for

Rowland Bailey, Esq., M.V.O., I.S.O., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
WYMAN and SONS, Ltd., Fetter Lane, E.C.; or
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