



**TRISTAN DA CUNHA**

**REVISED EDITION OF THE LAWS, 2017**

**INFRASTRUCTURE AND PUBLIC UTILITIES**

**ELECTRICITY (TRISTAN DA CUNHA) ORDINANCE, 1968<sup>1</sup>**

*Ordinance T3 of 1968  
In force 14 March 1968*

*Amended by Ordinance T4 of 1996*

*No subsidiary legislation to 1 November 2017*

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**ELECTRICITY (TRISTAN DA CUNHA) ORDINANCE, 1968**

**ARRANGEMENT OF SECTIONS**

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AN ORDINANCE to regulate the generation, distribution, supply and use of electricity in Tristan da Cunha.

**Short title**

1. This Ordinance may be cited as the Electricity (Tristan da Cunha) Ordinance, 1968.

**Interpretation**

2. In this Ordinance—  
“**the Authority**” means the Electricity Authority appointed in accordance with section 3;

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<sup>1</sup> Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

“**consumer**” means any person or body of persons supplied or entitled to be supplied with electricity by the Authority or whose premises are for the time being connected for the purpose of such supply.

### **Establishment of Electricity Authority**

**3. (1)** There is to be an Electricity Authority for the purposes of this Ordinance.

**(2)** The Authority is to consist of such person or persons as the Administrator appoints, but the Administrator may designate a Committee of the Island Council to be the Authority, and if no such person is appointed and no such Committee designated the person for the time being discharging the functions of the Superintendent of Public Works (Electrical and Plumbing) Department of the Tristan da Cunha Administration is the Authority.

### **Generation etc., of electricity**

**4. (1)** Any person other than the Authority who generates, distributes or supplies electricity commits an offence.  
Penalty: A fine of £50, and in the case of a continuing offence a further fine of £5 for each day during which the offence continues.

**(2)** This section does not apply to the generation of electricity by a person for the person’s own use in any premises occupied by the person, nor to the generation of electricity by Ovenstone Pty. Limited for distribution by the Authority.

### **Offences**

**5. (1)** A person who—  
*(a)* wilfully or fraudulently injures or causes or permits to be injured any electrical line, meter or apparatus the property of the Authority; or  
*(b)* fraudulently alters the index of such meter; or  
*(c)* fraudulently prevents such meter from giving a correct indication; or  
*(d)* fraudulently abstracts, diverts, consumes, uses or wastes any electricity of the Authority or causes or permits such electricity to be so dealt with,  
commits an offence.  
Penalty: A fine of £20 or imprisonment for 2 years, or both.

**(2)** A person who negligently injures or permits to be injured any electrical line, meter or apparatus the property of the Authority or so prevents such meter from giving a correct indication commits an offence.  
Penalty: A fine of £20.

**(3)** If a meter the property of the Authority is on the premises of a consumer and means of causing any alteration, prevention, abstraction, diversion, consumption or use contrary to the provisions of subsection (1) are found on the premises or under the control of the consumer, such finding shall be *prima facie* evidence that any such alteration, prevention, abstraction, diversion, consumption or use as the case may be was fraudulently, knowingly and wilfully caused by the consumer.

## Entry on land and compensation

6. (1) Subject to this section, for the purpose of constructing or affixing any electrical line or maintaining or repairing any such line or apparatus, the Authority or any person authorised by the Authority in that behalf may at all reasonable times enter upon any land and may carry out all necessary works and repairs and may in the course thereof affix electrical lines to any building, fell or lop trees, remove vegetation and do all other things necessary to such purpose and such compensation as the Administrator directs to be payable for any injury caused by such entry or by doing any of the aforesaid acts or thing.:

(2) Except in an emergency, no tree may be lopped or felled before 7 clear days' notice has been given by the Authority to the owner of the land on which the tree stands or, in the case of dispute between the Authority and the owner, before reference has been made to the Agricultural Superintendent whose decision in the matter is final.

(3) No additional compensation is payable for the felling or lopping of trees or removal of vegetation if such action is necessary for the maintenance of an electrical line or other apparatus and such trees or vegetation have grown or been allowed to grow in such a manner as to obstruct or interfere with the electrical line or other apparatus since a previous payment of compensation in respect of trees or vegetation in the same place.

(4) No compensation is payable in respect of any tree within 10 feet of the centre line of any road constructed or maintained by the Public Works Department unless it is proved that the tree was in existence before the construction of the road.

## Regulations

7. The Administrator, acting after consultation with, but not necessarily in accordance with the advice of, the Island Council, may make regulations for the better carrying of this Ordinance into effect and in particular and without limiting the power—

- (a) prescribing the rates of charge to be made in respect of electricity supplied and apparatus hired and the fees payable in respect of the inspecting, testing and maintenance of consumers' installations and apparatus, and in respect of the fixing and testing of meters, and in respect of any other services rendered on account of consumers;
- (b) prescribing the forms of application for the supply of electricity, the manner of effecting the supply of electricity and the incidence of the charges in respect of the cost of connecting consumers' premises for the supply of electricity;
- (c) prescribing the methods to be adopted for the supply and use of electricity, the security to be furnished by consumers and the conditions for the discontinuance of the supply in cases where a consumer fails to observe the requirements of this Ordinance or of any regulations made under it or is in arrears with the payments of any proper charges or uses defective fittings and also in cases where such discontinuance may be deemed necessary or advisable;
- (d) regulating the methods of wiring of premises, the types of apparatus that may be used and such other matters as may appear expedient;
- (e) for the reporting of accidents;

- (f) regulating the examination, licensing and registration of electrical engineers, charge men, wire-men and electrical contractors and the granting of certificates of competency and of registration to such persons;
  - (g) for the performance of all acts necessary for the proper management of the supply of electricity, and such regulations may impose a penalty not exceeding £100 for any breach thereof.
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