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CHAPTER 166.

ELECTRIC LIGHT AND POWER.

**An Ordinance to make Provision for the supply of Electricity for
Lighting and other Purposes.** 12 of 1959.

[17TH JULY, 1959.]

1. This Ordinance may be cited as the Electric Light and Power Ordinance. Short title.

2. In this Ordinance unless the context otherwise requires— Interpreta-
tion.
“ area of supply ” means the area within which the licensee is for the time being authorised to supply energy under this Ordinance;

“ consumer ” means any person (including the Government) supplied or entitled to be supplied with energy by the licensee;

“ electric line ” means a wire or wires, conductor, or other means used for the purpose of conveying, transmitting, or distributing electricity, with any casing, coating, covering tube, pipe, or insulator enclosing, surrounding, or supporting the same, or any part thereof, or any apparatus connected therewith for the purpose of conveying, transmitting, or distributing electricity or electric currents;

“ energy ” means electric energy;

“ Engineer-in-Chief ” shall include any duly appointed officer acting in his behalf;

“ installation ” includes all plant or apparatus situated upon the premises of any consumer, and used, or intended to be used, for or in connection with the supply of energy to such premises, but does not include any portion of the connecting wire from the mains to the plant or apparatus upon any premises, whether such portion is situated upon such premises or not;

“ licensee ” means any person to whom a licence is granted under section 11, and includes the assigns of the licensee as also any person claiming through, under, or in trust for the licensee or his assigns;

“ Local Authority ” includes every Town Council, Urban District Council and District Council;

“ Minister ” means the member of Executive Council charged for the time being with responsibility for the subject of Works and Housing;

“ post ” includes a tree, pole, standard, stay, strut, pier, abutment or other contrivance for carrying, suspending or supporting the overhead transmission lines;

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

“ public purposes ” means lighting any street or any place belonging to or subject to the control of any Public Authority, or any church or place of public worship, or any hall or building belonging to or subject to the control of any Public Authority, or any public theatre, but shall not include any other purpose to which electricity may be applied;

“ road ” includes any highway, any public or private road, street, square, court, alley, thoroughfare, or passage, and any other open space and any railway or tramway;

“ overhead transmission line ” means a wire conductor or other means used for conveying, transmitting or distributing electricity, for lighting and power purposes together with any casing, coating, tubing, pipe-covering, insulator or post, enclosing, surrounding or supporting the same and includes any portion of the overhead transmission line as herein defined;

“ underground cable ” means a wire conductor laid in the ground and covered with earth;

“ undertaking ” means the project or objects in respect of which a licence under section 11 is sought or granted, as the case may be, and includes works;

“ works ” includes any wire, electric lines, insulator, electric light fitting, lamp or post, and also any instrument, furniture, plant, office, building, machinery, engine, excavation, matter or thing of whatever description in any way connected with an overhead transmission line or underground cable.

PART II—SUPPLY OF ELECTRICITY BY GOVERNMENT

3. The Government of Sierra Leone may from time to time establish and maintain overhead transmission lines or underground cables throughout Sierra Leone.

Establishment of overhead lines and cables.

4. The Engineer-in-Chief shall superintend the construction and maintenance of all overhead transmission lines, underground cables and works, the property of the Sierra Leone Government and by himself or his duly appointed officers—

Powers of Engineer-in-Chief.

(a) may enter upon any lands for the purpose of constructing, placing or maintaining any overhead transmission line, underground cable or works so placed, and may there remain for such reasonable time and execute and do all such work and things as may be necessary for the purposes of this Ordinance;

(b) may survey and take levels of any such lands or any part thereof, and also dig, cut, remove and carry away any earth, stone, soil, sand and gravel whatever, and any trees or timber suitable for the construction, maintenance, or alteration of any overhead transmission line or underground cable or works;

(c) may cut and remove on each side of any proposed or existing overhead transmission line, underground cable or works all such trees and underwood as may interfere, or be likely to interfere with the construction or proper working of any overhead transmission line, underground cable or works; and

(d) may construct, place and maintain overhead transmission lines or underground cables under, in, upon, over, along or across any land or building, or any river or canal, or any bridge, embankment, dock, harbour or pier, or any estuary or branch of the sea, or the shore or bed of any tidal or other water; or under, in, upon, over, along or across any road and for such purpose may open or break up any road, and alter the position thereunder of any pipe, not being a main, for the supply of water or gas, and may alter or remove any overhead transmission line or underground cable so constructed or placed as aforesaid:

Provided that the Engineer-in-Chief shall, on the completion of such purpose, repair and make good the road so opened or broken up.

Notice before entry on lands.

5. Except as hereinafter provided the Engineer-in-Chief shall not enter upon any land for the purpose of constructing any overhead transmission line or underground cable except by day, nor, unless with the consent of the owner or occupier of such land, or his authorised agent, until after one week's notice to such owner or occupier or agent, of the intention to construct such overhead transmission line or underground cable upon such land:

Provided that this section shall not apply to land which appears to the Engineer-in-Chief to be uncultivated waste land.

Where owner or occupier not found.

6. If the owner or occupier of any land, other than uncultivated waste land, cannot, after reasonable enquiry, be found, it shall be sufficient if the Engineer-in-Chief cause not less than one week's notice in writing of his intention to enter upon such land for the purposes of this Ordinance to be posted on some conspicuous place on the land so proposed to be entered, and after the expiration of the time mentioned in such notice the Engineer-in-Chief may exercise all the powers vested in him as effectually as if notice had been served on the owner or occupier of such land.

Entry to inspect, repair or alter lines or cables.

7. The Engineer-in-Chief may, at all reasonable times, enter upon any land whatsoever without giving any notice for the purpose of inspecting, repairing or altering any overhead transmission line, underground cable or works whether wholly or in part constructed.

Powers not to be exercised in sacred places.

8. The powers conferred by this Ordinance shall not be exercisable in, on or under any land in the Colony and Protectorate which is habitually used for sacred or ceremonial purposes.

Compensation.

9. In the exercise of the foregoing powers, the Engineer-in-Chief shall do as little damage as may be, and every person having any estate or interest in lands taken for the purposes of this Ordinance, or injuriously affected by the exercise of the said powers, or suffering any damage therefrom, shall be entitled to compensation, to be settled, awarded and paid in accordance, as nearly as may be, with the provisions of the Public Lands Ordinance.

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Power to make rules.

10. (1) The Governor in Council may make rules for all or any of the following purposes—

(a) prescribing the charges to be made for electricity supplied by the Sierra Leone Government;