a person in his place and any person so co-opted shall, unless he dies or ceases to hold office as aforesaid, hold office for so long as his predecessor would have held office.

4. These Rules may be cited as the Egg Marketing Committee (Term of Office of Members) Rules (Northern Ireland), 1942, and shall be construed as one with the Egg Marketing Committee (Term of Office of Members) Rules (Northern Ireland), 1936.

(Signed) *Glentoran*,
Minister of Agriculture for
Northern Ireland.

ELECTRICITY.

Application of Enactments to Ministry of Commerce.

ORDER IN COUNCIL, DATED 6TH NOVEMBER, 1942, MADE UNDER SECTION 2 OF THE ELECTRICITY (EMERGENCY SUPPLIES) ACT (NORTHERN IRELAND), 1942.

1942. No. 209.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

ABERCORN.

WHEREAS by sub-sections (1) and (2) of section two of the Electricity (Emergency Supplies) Act (Northern Ireland), 1942 (in this Order referred to as " the Act ") it is enacted that, subject to the provisions and for the purposes of the Act, the Ministry of Commerce (in this Order referred to as " the Ministry ") shall be deemed to be authorised undertakers within the meaning of the Electricity (Supply) Acts (Northern Ireland), 1882 to 1936; that the Act in relation to the Ministry shall be deemed to be a special Act for the purposes of the said Acts; that for the purposes of the said section there shall be incorporated with the Act the provisions of the Schedule to the Electric Lighting (Clauses) Act, 1899; and that the provisions of the said Electricity (Supply) Acts and Schedule shall, in their application to the Ministry, be subject to such exceptions and modifications as may be made during the period of the present emergency by the Governor of Northern Ireland by Order in Council:

NOW, THEREFORE, I, JAMES ALBERT EDWARD, DUKE OF ABERCORN, Knight of the Most Noble Order of the Garter, Knight of the Most Illustrious Order of Saint Patrick, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland, in

exercise of the powers conferred upon me by the enactments of the Act hereinbefore recited, do hereby order as follows :—

1. This Order may be cited as the Electricity (Emergency Supplies) Application of Enactments Order, 1942.

2. The provisions of the Electricity (Supply) Acts (Northern Ireland), 1882 to 1936 (in this Order referred to as " the applied Acts ") shall, in their application to the Ministry, acting as authorised undertakers, be subject to the exceptions and modifications set out in paragraphs 3 to 6 of this Order, save where inconsistent with the provisions of any subsequent Order in Council made during the period of the present emergency under sub-section (2) of section two of the Act. Except as aforesaid, the applied Acts apply to the Ministry, acting as authorised undertakers, without exceptions or modifications.

3. Where, by virtue of the Act, the Ministry is acting as authorised undertakers with respect to—

(*a*) any generating station or main transmission line constructed or acquired by the Ministry under the Act, or

(*b*) any undertaking acquired by the Ministry under the Act from other authorised undertakers,

any provisions of the applied Acts, whereby the doing of any thing or the taking of any steps by the undertakers is subject to the consent, approval or authority of the Ministry, shall not have effect : Provided that the Ministry, before doing such thing or taking such steps as aforesaid, shall afford to any person or body the like opportunity of being heard, or of making an objection, as such person or body would have if the consent, approval or authority of the Ministry were required to be obtained.

4. The provisions of the applied Acts with respect to the making, confirmation and approval of special orders shall apply so as to enable the Ministry, acting as authorised undertakers, to obtain a special order for any purpose for which such an order can be obtained by other authorised undertakers : Provided that the applied Acts shall not have effect so as to enable the Ministry to be or become authorised undertakers except with respect to—

(*a*) any generating station or main transmission line constructed or acquired by the Ministry under the Act, or

(*b*) any undertaking acquired by the Ministry under the Act from other authorised undertakers.

5. Where any matter is by, or by virtue of, the applied Acts directed to be determined by arbitration or by the Ministry, and the Ministry, acting as authorised undertakers, is one of the parties concerned, the matter in question shall be referred to and determined by the arbitration

of such engineer or other fit person as may be agreed upon between the Ministry and the other party concerned or, in default of agreement, appointed by the Lord Chief Justice of Northern Ireland; and, as respects any arbitration to which this paragraph applies, the Second Schedule to the Act shall be substituted for section twenty-eight of the Electric Lighting Act, 1882.

6.—(1) In the Electric Lighting Act, 1882—

(*a*) paragraphs (*d*), (*e*) and (*f*) of section six shall be omitted;

(*b*) sections nine and nineteen shall not have effect;

(*c*) in section twenty-six the words from "In the event of" to "without previous notice" shall be omitted.

(2) In the Electric Lighting Act, 1888, sections two and three and sub-section (3) of section four shall not have effect.

(3) In the Electric Lighting Act, 1909, sections two and three, sub-section (3) of section six, and sections seven and twelve shall not have effect.

(4) In the Electricity (Supply) Act, 1919, sections eleven, nineteen, twenty-four and twenty-seven shall not have effect.

(5) In the Electricity (Supply) Act (Northern Ireland), 1931, sections twelve, fifteen, sixteen, twenty-three, thirty-eight and forty-four shall not have effect.

(6) In the Electricity (Supply) Act (Northern Ireland), 1933, the following sub-section shall be substituted for sub-section (4) of section seven, that is to say:—

"(4) Not less than one month before making any byelaw under this section, the authorised undertakers shall deposit a draft of the proposed byelaw at such places as the authorised undertakers think fit, and shall publish in such manner as they think fit a notice of the deposit and of the intention to make the proposed byelaw."

7.—(1) The provisions of the Schedule to the Electric Lighting (Clauses) Act, 1899 (in this Order referred to as "the Schedule of 1899") as incorporated with the Act for the purposes of section two thereof, shall, in their application to the Ministry acting as authorised undertakers, be subject to the exceptions and modifications set out hereafter in this paragraph and in the Schedule to this Order, save where inconsistent with the provisions of any subsequent Order in Council made during the period of the present emergency under sub-section (2) of section two of the Act.

(2) Sections 2 to 8 (both inclusive), 10, 21, 23 to 30 (both inclusive), 32, 35 to 48 (both inclusive), 50, 51, 60, 63 to 75 (both inclusive), and 78 of the Schedule of 1899 are hereby excepted from application to the Ministry, as mentioned in the Schedule to this Order.

(3) Sections 1, 9, 11 to 20 (both inclusive), 22, 31, 33, 34, 49, 52 to 59 (both inclusive), 61, 62, 76, 79, 80, 81, 82 and 84 of the Schedule of 1899 are hereby modified as set out in the Schedule to this Order in their application to the Ministry.

(4) Section 77 of the Schedule of 1899 applies to the Ministry without modification, as appearing in the Schedule to this Order.

8. This Order shall come into force as soon as it it has lain before each House of Parliament for the statutory period (as defined in subsection (1) of section twelve of the Act) if neither of those Houses before the expiration of that period presents an Address to the Governor of Northern Ireland against this Order or any provision thereof.

Given at Government House, Hillsborough, this sixth day of November, 1942.

John M. Andrews.
J. F. Gordon,
Basil Brooke.
William Grant.

SCHEDULE.

EXCEPTED, MODIFIED AND UNMODIFIED SECTIONS OF THE SCHEDULE TO THE ELECTRIC LIGHTING (CLAUSES) ACT, 1899.

Section 1. (Interpretation).

Modified for incorporation as follows :—

Interpretation, 1. The provisions of this schedule are to be read and construed subject in all respects to the provisions of the Electricity (Supply) Acts (Northern Ireland), 1882 to 1942, and of any other Acts or parts of Acts incorporated therewith, and those Acts and parts of Acts are in this schedule collectively referred to as " the principal Acts " and the several words, terms and expressions to which by the principal Acts meanings are assigned shall have in this schedule the same respective meanings : Provided that in this schedule—

The expression " the Special Act " means the Electricity (Emergency Supplies) Act (Northern Ireland), 1942, with which the modified provisions of this schedule are incorporated and includes those provisions as so incorporated ;

The expression " Undertakers " means the Ministry ;

The expression " energy " means electrical energy, and for the purposes of applying the provisions of the principal Acts to the Special Act electrical energy shall be deemed to be an agency within the meaning of electricity as defined in the Electric Lighting Act, 1882 ;

The expression " power " means electrical power or the rate per unit of time at which energy is supplied ;

The expression " main " means any electric line which may be laid down by the Undertakers in any street or public place, and through which energy

may be supplied or intended to be supplied by the Undertakers for the purposes of general supply;

The expression "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 main or directly from the premises of the Undertakers;

The expression "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;

The expression "general supply" means the general supply of energy to ordinary consumers, and includes, unless otherwise specially agreed with the local authority, the general supply of energy to the public lamps, where the local authority are not themselves the Undertakers, but shall not include the supply of energy to any one or more particular consumers under special agreement;

The expression "area of supply" means any area within which the Ministry is for the time being authorised to supply energy by virtue of the Special Act;

The expression "consumer" means any body or person supplied or entitled to be supplied with energy by the Undertakers;

The expression "consumer's terminals" means the ends of the electric lines situate upon any consumer's premises and belonging to him, at which the supply of energy is delivered from the service lines;

The expression "telegraphic line," when used with respect to any telegraphic line of the Postmaster-General, has the same meaning as in the Telegraph Act, 1878, and any such telegraphic line shall be deemed to be injuriously affected where telegraphic communication by means of that line, is, whether through induction or otherwise, in any manner affected;

The expression "railway" includes any tramroad, that is to say, any tramway other than a tramway as hereinafter defined;

The expression "tramway" means any tramway laid along any street;

The expression "daily penalty" means a penalty for each day on which any offence is continued after conviction therefor.

Section 2. (Description of Undertakers).
Excepted from incorporation.

Section 3. (Undertakers not to purchase other undertakings).
Excepted from incorporation.

Section 4. (Area of supply and prohibition of supply beyond area).
Excepted from incorporation.

Section 5. (Security for execution of works).
Excepted from incorporation.

Section 6. (Audit of Undertakers' accounts).
Excepted from incorporation.

Section 7. (Application of money received by local authority as Undertakers).
Excepted from incorporation.

Section 8. (Purchase and use of lands by local authority).
Excepted from incorporation.

Section 9. (Incorporation of 41 & 42 Vict., c. 52, s. 264).

Modified for incorporation as follows:—

9. No matter or thing done by any officer of the Undertakers or other person whomsoever acting under the direction of the Undertakers shall, if the matter or thing were done bona fide for the purpose of executing the Special Act, subject any of them personally to any action, liability, claim or demand whatsoever; and any expense incurred by an officer or other person acting as last aforesaid shall be **Protection of Undertakers and their officers from personal liability.**