



NORTHERN TERRITORY OF AUSTRALIA

No. 17 of 1985

AN ACT

To amend the *Electricity Commission Act*

[Assented to 23 May 1985]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Electricity Commission Amendment Act 1985*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Electricity Commission Act* is in this Act referred to as the Principal Act.

4. NEW SECTIONS

The Principal Act is amended by inserting after section 30 the following:

"30A. RETICULATION OF ELECTRICITY TO ELECTRICITY SUPPLY DISTRIBUTION EXTENSION AREA

"(1) The Minister may, by notice in the *Gazette*, declare an area to be an electricity supply distribution extension area.

"(2) Where, under sub-section (1), the Minister declares an area to be an electricity supply distribution extension area, the owner of each parcel of land within that area is liable to pay to the Commission in respect of that land, in accordance with a determination under

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section 14(2)(c), and an agreement, if any, entered into by him with the Commission, relating to the conditions upon or subject to which electricity will be supplied by the Commission for consumption on the land, the amount prescribed in that determination, notwithstanding that the owner does not elect to have electricity supplied by the Commission for consumption on that land.

"(3) The balance from time to time outstanding of an amount prescribed in a determination referred to in sub-section (2) is a charge upon the parcel of land to which the determination relates and the Commission has such interest in the land as will secure the payment of the amount and support the lodging of a caveat under Part XVI of the *Real Property Act* in respect of that interest.

"(4) The owner of a parcel of land who is liable as referred to in sub-section (2) shall not transfer the land to another person unless he has first paid to the Commission the amount of that liability outstanding at the date of the transfer and, for the purposes of calculating that liability, any amount payable in accordance with the determination or agreement referred to in that sub-section shall become due and payable in full immediately before the proposed transfer notwithstanding that, but for this sub-section, it would not become due and payable until a later date.

"(5) In this section, 'parcel of land' means the whole of the land the subject of a separate certificate of title or Crown lease registered under the *Real Property Act*."

5. TRANSITIONAL

(1) Where, before the declaration under section 30A(1) of the Principal Act as amended by this Act, the owner of a parcel of land in the electricity supply distribution extension area so declared had entered into a binding contract (other than a contract for an option to purchase) for the sale and transfer of that land to another person and, at the time of that declaration, that land had not been transferred in accordance with the contract, the contract shall be deemed to be subject to the condition that the purchaser may rescind the contract and that, on his so doing, both parties to it shall be restored, as far as practicable, to their respective positions immediately before the contract was entered into.

(2) A purchaser referred to in sub-section (1) becomes, on the transfer to him of the parcel of land in pursuance of the contract referred to in that sub-section, the owner of the parcel, for the purposes of section 30A

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of the Principal Act as amended by this Act and that section applies as if the relevant declaration under sub-section (1) of that section were made by the Minister immediately after the transfer.

(3) The owner of a parcel of land referred to in sub-section (1) shall be deemed not to be the owner for the purposes of section 30A of the Principal Act as amended by this Act until the contract referred to in sub-section (1) of this section is rescinded in pursuance of the condition referred to in that sub-section and, on the contract being so rescinded, section 30A of the Principal Act as amended by this Act applies as if the relevant determination under sub-section (1) of that section were made by the Minister immediately after the contract was rescinded.

