



THE
OFFICIAL GAZETTE
OF THE
COLONY AND PROTECTORATE
OF
KENYA
(SPECIAL ISSUE)

Published under the Authority of His Excellency the Governor of the
Colony and Protectorate of Kenya.

Vol. XXXI.—No. 54.

NAIROBI, October 9, 1929.

Price 50 Cents.

Registered as a Newspaper at the G P O.

TABLE OF CONTENTS

| | PAGE |
|--|------|
| Govt Notice No 642—Bill for introduction into Legislative Council—The Electric Power (Amendment) Ordinance 1929 | 2185 |

Sub-section 27 (2) (d) of the Principal Ordinance proposed to be repealed and replaced —

(d) Notwithstanding anything contained in this section or in any provisions substituted for those contained in this section, the owner or occupier of any premises having a supply of electrical energy from any other source shall not be entitled to demand or to continue to receive a supply of electrical energy from an authorised distributor unless he has agreed with the authorised distributor (if required by him to do so) to pay such minimum annual sum as will give the authorised distributor a reasonable return on the capital expenditure and will cover other standing charges incurred by him, in order to meet the possible maximum demand for the premises of such owner or occupier. In default of agreement the sum to be so paid shall be determined by arbitration.

Colony and Protectorate of Kenya.

GOVERNMENT NOTICE NO 642

HIS EXCELLENCY the Governor has approved of the following Bill being introduced at the next session of the Legislative Council, in lieu of the Bill appearing under Government Notice No 625 in the Special Issue of the Official Gazette dated the 4th October, 1929

G R SANDFORD,
for Colonial Secretary

A Bill to Amend the Electric Power Ordinance.

BE IT ENACTED by the Governor of the Colony of Kenya, with the advice and consent of the Legislative Council thereof, as follows —

1 This Ordinance may be cited as “ the Electric Power (Amendment) Ordinance, 1929,” and shall be read as one with the Electric Power Ordinance (Chapter 165 of the Revised Edition) hereinafter referred to as “ the Principal Ordinance ”

Short title

5 2 Sub-section (2) (d) of section 27 of the Principal Ordinance is hereby repealed and the following substituted therefor —

Repeal and replacement of section 27 (2) (d) of the Principal Ordinance

10 “ (2) (d) Notwithstanding anything in this section contained, the owner or occupier of any premises shall not be entitled to demand or continue to receive for other than normal and regular use from any authorised distributors a supply of electricity for any premises having a separate supply of electricity or a supply (in use or ready for use for the purposes for which such emergency supply of electricity is required) of gas, steam or other form of energy unless such owner or occupier has agreed with the distributors to pay to them such minimum annual sum as will give them a reasonable return on the capital expenditure incurred by them in providing such emergency supply and will cover other standing charges incurred by them in order to meet the possible maximum demand for those premises. The sum to be so paid shall be determined in default of agreement by arbitration in accordance with the provisions of the Arbitration Ordinance ”

Cap 18

Section 49 (a) (iii) of the Principal Ordinance proposed to be amended —

49 Subject to the provisions of the licence and this Ordinance the licensee may supply electrical energy within the area of supply for the purposes as defined by this Ordinance and the licence, provided as follows —

(a) The supply of electrical energy to be given under any licence shall —

(iii) Where any supply is being given by the standard system but not at the standard pressures the licensee shall discontinue and cease to supply at such pressure or pressures and shall then and thereafter except in the case of high or extra high pressure supplies as authorised in each case by the Governor, give the supply at the standard pressure or pressures as hereinbefore specified without causing or entailing expense to any consumer in respect of any current-consuming device or apparatus by reason of the change of the pressure or pressures of the supply, unless otherwise agreed upon between the consumer and the licensee

3 Sub-section (a) (iii) of section 49 of the Principal Ordinance is hereby amended by the addition thereto of the following proviso —

Amendment of section 49 (a) (iii) of the Principal Ordinance

5 “ Provided that the licensee shall be deemed to have complied with the requirements of this clause if at his own expense he shall cause to be interposed between his standard distribution system operating at a standard pressure and the consumer's electrical plant an efficient electrical device which will enable the consumer to continue to use any
10 current-consuming device or apparatus already in use by him ”

OBJECTS AND REASONS

Clause 2 —The present position locally is that, if a consumer elects to instal a private electrical plant he can call on the authorised distributors to give a supply to his premises, which supply is termed an “ emergency supply,” upon agreeing to pay to the authorised distributors such minimum annual sum as will give the latter a reasonable return on their capital expenditure and cover other standing charges, but if the consumer elects to instal gas, steam or other forms of energy, he can call upon the authorised distributors to give a supply without making any such payment as is referred to above. This was substantially in accordance with English law up to 1922, but the Electric (Supply) Act 1922, amended the law so as to provide for such charges no matter what form the separate supply of energy used by the consumer might take.

The proposed amendment will bring the local law into line with existing English law.

Clause 3 —Section 49 (a) (iii) of the Principal Ordinance in effect provides that, although the licensee shall standardise his supply at the prescribed pressures, he shall in cases where a 200-volt plant has hitherto been in use convert his standard supply pressure to a pressure of 200 volts to enable such plant to continue to operate under the standard system.

The most economic method of complying with the provisions of this section is by interposing an electrical transformer between the standard supply terminals and the 200-volt plant. The only other way in which the licensees can comply with the provisions of the section is by replacing all the existing 200-volt plant by 415-volt plant at considerable expense.

As however the present section 49 (a) (iii) is capable of interpretation either way the licensees have requested that the ambiguity be removed by making it clear that the interposition of a transformer constitutes compliance with the provisions of the section.

The proposed amendment accomplishes what is desired.