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THE ELECTRIC LINES ORDINANCE.

Western Samoa.

No. 8, 1925.



An Ordinance

made by the Administrator of the Territory of Western Samoa, with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Act, 1921.

- Title
1. This Ordinance may be cited as "The Electric Lines Ordinance, 1925."
- Definitions
2. In this Ordinance "Electric line" or "line" means any wire for conveying electricity together with any casing tubing insulator or post enclosing or supporting the same.
"Works" means any instrument plant machinery building or thing of whatever description in any way connected with an electric line.
- Authority of Administrator necessary to construct electric line
3. No person shall lay construct put up place or use any electric line except under the authority of a license issued to him by the Administrator. Every person who commits a breach of this provision is liable to a fine of £20, and where the offence is a continuing one a further fine of £2 for each day during which the offence continues.
- Administrator may make Regulations
4. The Administrator may from time to time make regulations
- (a) prescribing the form of licenses under this Ordinance, the conditions on which any such license may be issued and the fees payable thereon
- (b) controlling the use and management of any works or lines used for generating transforming converting or conveying electricity so as to secure the safety of the consumers or employees and of the public from personal injury by reason of such use.
- Right to enter on land
5. The Administrator may from time to time by himself or his agents enter on any land for the purpose of constructing or maintaining any electric line or examining repairing altering or removing the same and may there remain for such reasonable time and execute and do all such things as may be necessary or convenient in connection with such line and
- (a) may cut and remove for any space not exceeding in any case sixty six feet on each side of any proposed line or any existing line all such trees and underwood as may interfere or be likely to interfere with the construction or the proper working thereof:
- (b) Where any such line is constructed in any place where from the hilly nature of the country it appears desirable may extend such
- Removal of trees

clearing for a further space but so that the same shall not extend more than three chains from the line or proposed line.

6. Except as hereinafter provided the Administrator or his agents shall not enter on any land not being Crown Land or Native land for the purpose of constructing any line except by day nor unless with the consent in writing of the owner or occupier of such land until after one week's notice to such owner or occupier of the intention to construct such line on such land.

7. (1) If the owner or occupier of any land cannot after reasonable enquiry be found then it shall be sufficient if the Administrator causes one week's notice in writing of his intention to enter on such land for the purposes of such construction to be posted in some conspicuous place on the ground so proposed to be entered.

(2) After the expiration of such notice the Administrator or his agents may exercise all powers vested in him under clause 3 hereof as effectually as if notice had been served on the owner or occupier of such land.

8. The Administrator or his agents may at all reasonable times enter on any land whatsoever without giving any notice for the purpose of inspecting, repairing or altering any line.

9. In the exercise of the foregoing powers the Administrator or his agents shall do as little damage as may be. Every person suffering any damage from the exercise of the said powers shall be entitled to full compensation for the same to be ascertained in the same manner as compensation for land taken under section 271 of the Samoa Act 1921 unless such powers were exercised with the consent of such person in which case no compensation shall be paid.

10. (1) If the Administrator is of opinion that any then existing line is in any manner injured or prejudiced or that any obstruction is caused or likely to be caused to such line by any tree or shrub growing on any land adjoining such line or through which any such line passes he may cause notice to be given to the owner or occupier of such land to remove such tree or shrub or any part thereof.

(2) In default of such removal within three days after the service of such notice a Judge or Commissioner of the High Court may after summons duly served on the owner or occupier or on the occupier only if the owner cannot be found of the land on which such tree or shrub is make an order for the removal of such tree or shrub or any part thereof by such owner or occupier.

(3) Such owner or occupier shall in default in compliance with such order within eight days after a copy thereof has been served on him personally or by leaving the same at his last known place of abode be liable for such default to a fine not exceeding five pounds and the Administrator or his agents may remove such tree or shrub or such part thereof so ordered to be removed but so that no unnecessary damage is done or incurred.

11. Every person who by negligence carelessness or misconduct causes any injury to or destroys or defaces in any way any line or works or any part thereof is liable to a fine not exceeding £10.

Assented to this twenty-fifth day of
November, 1925.

[L.S.] J. W. HUTCHEN,
Acting Administrator.

Entry on
open land

Where owner
cannot be
found notice
to be posted
on land

May enter
after expiry
of notice

Power to en-
ter and in-
spect etc.
line

Damage to
land compen-
sation clause

Obstruction
to existing
line

Failure to re-
move—Judge
or Commis-
sioner may
make order

Failing to
comply with
order, Penalty

Damage to
line, Penalty

The Road
Traffic Ord-
nance, 1931,
Amended.

hereby amended
12 and substituting the

or motor omnibus in
any motor car or motor
person who uses a motor
motor omnibus in breach
section or who permits