

Provisions under the Electricity Act 1989

1. Section 9 of the Electricity Act 1989 places a duty on electricity distributors:

“...to develop and maintain an efficient, co-ordinated and economical system of electricity distribution system”.

2. Section 16(1) of the Electricity Act (1989) places a duty on an electricity distributor to make a connection between its distribution system and a premises or another distribution system where it is required to do so:

“...for the purpose of enabling electricity to be conveyed to or from the premises”;
or,

in the case of connection to a distribution system:

“...for the purpose of enabling electricity to be conveyed to or from that other system”.

3. Section 16(2) of the Act sets out that a duty under section 16(1) includes

“...a duty to provide such electric lines and electrical plant...to enable the connection to be used for the purpose for which it is required”

Further, Section 16 (4) sets out that any duty to make a connection includes a duty to maintain a connection.

4. Section 16(3) states that the duties under section 16:

“...shall be performed subject to such terms as may be agreed under section 16A for so long as the connection is required”.

5. Section 17 of the Act sets out circumstances where the electricity distributor is excused from this duty. One of the circumstances set out is where

“...it is not reasonable in all the circumstances for the electricity distributor to do so”.