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Electricity (Supply) (Amendment) (No. 2) Act, 1934

Prohibition **19.**—(1) Whenever the Minister is satisfied, on the application of the Board, that the erection of buildings or of a particular class or particular classes of buildings under or within a particular distance of any particular transmission wires involves risk of injury to the public or to such under buildings or the occupiers thereof and that the removal of such transmission wires to another site would involve unreasonable expense or transmission substantial technical difficulty, the Minister may, if he so thinks fit, by order (in this Act referred to as a building prohibition order) prohibit the wires. erection of any building whatsoever or any building of a specified class or specified classes under or within a specified distance of the said transmission wires.

(2) The Minister may, if he so thinks proper, at any time by order amend or revoke a building prohibition order on the application of the Board or of any person whose land is affected by such building prohibition order.

(3) Whenever the Minister proposes to make a building prohibition order or an order amending or revoking a building prohibition order, the Minister shall publish, in such manner as he shall consider most suitable in the circumstances, notice of his intention to consider the making of such order and of the time and manner in which objections to and representations in respect of such order may be sent to him.

(4) Whenever the Minister proposes to make a building prohibition order or an order amending or revoking a building prohibition order, the Minister may, if he so thinks fit, cause a public inquiry to be held in regard to the making of such order.

(5) No building prohibition order shall operate to make unlawful the completion of any building the erection of which was begun before the date on which such order was made, and no order amending a building prohibition order shall operate to make unlawful the completion of any building the erection of which was lawfully begun before the date on which such amending order was made.

(6) If any doubt, question, or dispute shall arise as to whether the erection of a building was or was not begun, within the meaning of the next preceding sub-section of this section, before the date on which any particular order was made under this section, such doubt, question, or dispute shall be determined by the Minister and his determination thereof shall be final and conclusive,

(7) Every person who shall erect or begin or attempt to erect any building in contravention of a building prohibition order shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding one hundred pounds together with a further fine not exceeding ten pounds for every day during which such building or any part thereof remains so erected.

(8) The provisions contained in the Second Schedule to this Act shall have effect in respect of every public inquiry which the Minister shall cause to be held in pursuance of this section.

(9) Every building prohibition order and every order under this section amending or revoking a building prohibition order shall be published in the *Iris Oifigiúil* as soon as conveniently may be after it is made.

(10) In this section the expression "transmission wires" means wires or lines carrying electricity above the ground and forming part of the transmission system or of the distribution system.