CHAPTER clxiv.

An Act to authorise the Ascot District Gas and Electricity Company to raise additional capital and for other purposes. [1st August 1930.]

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WHEREAS the Ascot District Gas Company (in this Act called "the Company") were incorporated by the Ascot District Gas Act 1882 and were by that Act authorised to supply gas within the limits of supply therein described and by the Ascot District Gas and Electricity Act 1906 the limits within which the Company were authorised to supply gas were extended and they were authorised to supply electricity within the area of supply described in that Act:

And whereas further powers were conferred on the Company by the Ascot District Gas and Electricity Act 1915 the Ascot District Gas (Charges) Order 1922 and the Ascot District Gas and Electricity Act 1926:

And whereas a statement of the share and loan capital which the Company are authorised to issue and borrow and which the Company have issued and borrowed under the powers in that behalf contained in the before-mentioned Acts is given in the schedule to this Act:

And whereas the population within the limits of supply for gas and the area of supply for electricity has increased and is increasing and it is expedient that the Company should be empowered to raise additional capital and to borrow further moneys in respect thereof and in respect of their existing capital:

[*Price* 8*d. Net.*]

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And whereas it is expedient that further provision be made with reference to the conduct of the affairs of the Company and the management of their undertaking and that the other provisions in this Act should be made :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

PRELIMINARY.

Short and collective titles.

1.—(1) This Act may be cited as the Ascot District Gas and Electricity Act 1930 and the Ascot District Gas Act 1882 the Ascot District Gas and Electricity Act 1906 the Ascot District Gas and Electricity Act 1915 the Ascot District Electricity (Charges) Order 1921 the Ascot District Gas (Charges) Order 1922 the Ascot District Gas and Electricity Act 1926 and this Act may be cited together as the Ascot District Gas and Electricity Acts and Orders 1882 to 1930.

(2) The order dated the thirtieth day of December one thousand nine hundred and twenty-one and made by the Minister of Transport varying the maximum prices stated in section 1 of the Fourth Schedule to the Act of 1906 may be cited as the Ascot District Electricity (Charges) Order 1921.

Application of Electric Lighting Acts.

2. This Act shall be deemed to be a special Act within the meaning of the Electricity (Supply) Acts 1882 to 1928 and the Electric Lighting (Clauses) Act 1899 so far as the provisions of those Acts are applicable to or incorporated with this Act.

Incorporation of Acts.

3.—(1) The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of the Ascot District Gas and Electricity Acts and Orders 1882 to 1930) are hereby incorporated with this Act (namely) :—

The Companies Clauses Consolidation Act 1845 (except the provisions relating to the conversion of borrowed money into capital) Part I (relating to the cancellation and surrender of shares)

Part II (relating to additional capital) and Part III (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts;

The Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871.

(2) In the application to the Company of the Gasworks Clauses Act 1847 section 13 shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided that "every such contract entered into by the undertakers "shall be alike in terms and amount to all consumers "of gas supplied in like circumstances and for the same "purposes" were added at the end of that section.

Interpretation.

4. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings And—

"The Company" means the Ascot District Gas and Electricity Company;

"The Act of 1882" means the Ascot District Gas Act 1882;

"The Act of 1906" means the Ascot District Gas and Electricity Act 1906;

"The Act of 1915" means the Ascot District Gas and Electricity Act 1915;

"The Act of 1926" means the Ascot District Gas and Electricity Act 1926;

"The gas undertaking" means the gas undertaking of the Company as from time to time authorised;

"The electricity undertaking" means the electricity undertaking of the Company as from time to time authorised;

"The undertaking" means the gas undertaking and the electricity undertaking;

"The limits of supply" means the limits within which the Company are from time to time authorised to supply gas;

"The area of supply" means the limits within which the Company are from time to time authorised to supply electricity;

"The directors" means the directors of the Company.

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ADDITIONAL CAPITAL.

Additional capital.

5. The Company may from time to time raise by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partially by one or more of such modes respectively additional capital to such an amount as shall be sufficient to produce after taking into account premiums and discounts (if any) which may be obtained or allowed on the issue thereof the sum of forty thousand pounds and any sum so raised may be applied to the purposes of the gas undertaking or of the electricity undertaking (being purposes to which capital is properly applicable) as the Company may determine.

Incidents of new capital.

6. Except as is by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital The capital in new shares or stock so created shall form part of the capital of the Company.

Dividends on additional capital limited.

7. The Company shall not in any year pay out of their profits any larger dividend on the additional capital to be raised under the powers of this Act than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital or than six pounds ten shillings in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

Dividends on different classes of shares or stock to be paid proportionately.

8. In case in any half year the funds of the Company applicable to dividend shall be insufficient to pay the full amount of dividend at the prescribed maximum rate on each class of ordinary shares or stock in the capital of the Company a proportionate reduction shall be made in the dividend of each class.

Sale of shares or stock by auction or tender.

9.—(1) Except as by this Act otherwise provided all shares or stock (other than debenture stock) issued by the Company after the passing of this Act shall be issued in accordance with the provisions of this section.

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(2) All shares or stock so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the directors shall from time to time determine Provided as follows :—

(*a*) Notice of the intended sale shall be given in writing to the clerk of every district council whose district is wholly or partly included within the limits of supply or the area of supply and to the secretary of the London Stock Exchange at least fourteen days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply and the area of supply;

(*b*) A reserve price shall be fixed and notice thereof shall be sent by the Company in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be;

(*c*) In the case of a sale by auction no lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds and a bid shall not be recognised unless it is an advance on the last preceding bid;

(*d*) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum except that the offer by tender of any holder of ordinary or preference shares or stock of the Company may be accepted in preference to the offer of the same sum by any person not such a holder as aforesaid and preference may in like manner be given to the offer of any employee or consumer of gas or electricity supplied by the Company;

(*e*) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Company within three months after the date of the auction or of the acceptance of the tender as the case may be.

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(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary and preference shares or stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Company and to the consumers of gas or electricity supplied by the Company in such proportions as the directors may think fit or to one or more of these classes of persons only Provided in the case of an offer to holders of shares or stock that if the aggregate amount of shares or stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

(4) Any shares or stock which have been offered for sale in accordance with subsection (2) or with subsections (2) and (3) of this section and are not sold may be disposed of for the purpose of realising the best price obtainable at such price and in such manner as the directors may determine.

(5) As soon as possible after the conclusion of the sale or sales the Company shall send a report thereof to the Board of Trade stating the total amount of each class of shares or stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for each class of shares or stock.

Power to offer new shares or stock for subscription and to pay commission.

10.—(1) Notwithstanding anything contained in the section of this Act of which the marginal note is "Sale of shares or stock by auction or tender" the Company may with the approval of the Board of Trade and subject to such conditions as the Board of Trade may think fit to impose offer for subscription by the public any shares or stock (other than debenture stock) created under the powers of this Act and upon any such offer pay a commission not exceeding five per centum to any person in consideration of his subscribing or agreeing to subscribe whether absolutely or conditionally for any shares or stock or procuring or agreeing to procure subscriptions whether absolute or conditional for any shares or stock Provided that the payment of the commission and the amount or rate per centum of the commission

paid or agreed to be paid shall be disclosed in every prospectus advertisement or other document of the Company relating to the offer for sale of such shares or stock.

(2) Nothing in this section shall affect any power of the Company to pay brokerage.

Votes in respect of preference capital.

11. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any shares or stock issued under or by virtue of the powers conferred by this Act to which a preferential dividend is assigned.

Application of section 2 of Gas Undertakings Act 1929.

12. Section 2 of the Gas Undertakings Act 1929 shall apply to the Company as if the undertaking were an undertaking as defined by section 9 of that Act.

Application of sections of Act of 1926.

13. The following sections of the Act of 1926 shall extend and apply to and with respect to the powers of raising capital granted by this Act and of borrowing on mortgage and issuing debenture stock granted by the Gas Undertakings Act 1929 as applied to the Company by this Act as if those sections were re-enacted in this Act (namely):—

Section 11 (Debenture stock);

Section 12 (Existing mortgages to have priority);

Section 13 (For appointment of receiver);

Section 14 (Issue of redeemable preference capital and debenture stock) Provided that the said section shall be read and have effect as though the following words had been added at the end of subsection (3) thereof "except to the extent "of any discount allowed on the "issue or the premium payable "on the redemption of any such "shares or stock";

Section 15 (Priority of mortgages and debenture stock over other debts);

Section 17 (Application of moneys).

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MEETINGS DIRECTORS &C.

Appointment of proxies.

14. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 the attorney of any stockholder of the Company duly authorised in writing may appoint a proxy to vote for and on behalf of the stockholder and for that purpose may execute on behalf of the stockholder the necessary form of proxy Provided that the instrument appointing the attorney or if it has been deposited in the central office of the Supreme Court of Judicature an office copy thereof shall be transmitted to the secretary of the Company at the same time as the instrument appointing the proxy.

Joint holders.

15. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any shares or stock in the capital of the Company any one of those persons may vote at any meeting (at which holders of shares or stock of the same class are entitled to vote) either personally or by proxy in respect of the shares or stock as if he were solely entitled thereto but if more than one of the joint holders be present at any meeting personally or by proxy that one of the said persons so present whose name stands first on the register in respect of the shares or stock shall alone be entitled to vote in respect thereof Several executors or administrators of a deceased member in whose name any shares or stock stands shall for the purposes of this section be deemed joint holders thereof.

Register of shareholders and shareholders' address book.

16. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 it shall not be obligatory upon the Company—

(*a*) to keep separately a register of shareholders and a shareholders' address book but in lieu thereof the Company may if they think fit keep one register only containing such particulars as are required by the said Act to be entered in the register of shareholders and the shareholders' address book respectively; or

(*b*) to authenticate by the affixing of their common seal or otherwise the register of shareholders or any register which the Company may keep in lieu thereof under the powers of this section.

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As to receipts for interest on debenture stocks standing in more than one name.

17. Where any mortgage or debenture stock of the Company whether issued before or after the passing of this Act is registered in the names of more than one person as holders thereof the receipt of any of the registered holders of such mortgage or debenture stock shall in the event of no notice to the contrary being served upon the Company from the other or others of such registered holders be a sufficient discharge to the Company for any interest payable in respect of such mortgage or debenture stock the receipt whereof is acknowledged by such receipt.

Occasional vacancy among directors.

18. If any vacancy arises amongst the directors by reason of the death resignation or disqualification of a director or from any other cause between the date of any annual meeting of the Company and the subsequent annual meeting the directors may elect some person being duly qualified to fill such vacancy and any person so elected as aforesaid shall only continue in office by virtue of such election so long as the director in whose place he may be so elected would have been entitled to continue in office if such vacancy had not occurred but any such person if and so long as he continues duly qualified may be elected or re-elected a director by the proprietors of the Company in general meeting.

Directors holding office under or contracting with Company.

19. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director of the Company by reason of his holding any office or place of trust or profit under the Company or by reason of his being interested in any contract with the Company nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined on if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and also in the next annual report of the Company

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and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity.

Notice of candidature of or opposition to re-election of director.

20. From and after the passing of this Act no person not being a retiring director of the Company shall be eligible to be elected a director of the Company at any general meeting of the Company unless notice in writing is given to the secretary of the Company or left at the principal office of the Company fourteen days at least before the day of election that such person will be proposed for election as a director of the Company and the secretary of the Company shall during such fourteen days and on the day of election fix a copy of every such notice so delivered in some conspicuous place in such office Any such person must have been the holder of the qualifying amount of shares or stock for at least three months prior to his election In the case of a retiring director or directors notice of opposition to his or their re-election shall be given in like manner.

Closing of transfer books.

21. The directors may close any register of transfers for a period not exceeding fourteen days previous to the declaration of any interim or other dividend or to the date on which interest on the shares or stock to which the register relates shall be payable and they may fix a day for closing the same of which seven days' notice shall be given by advertisement in some newspaper published or circulating within the limits of supply and the area of supply and any transfer made during the time when the transfer book in which the same is to be registered is so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the declaration of any such dividend or to the date on which the interest is payable.

Auditors.

22.—(1) The auditors of the Company shall be members of the Institute of Chartered Accountants or the Society of Incorporated Accountants and Auditors or accountants approved by the Board of Trade and need not be the holders of any shares or stock in the capital of the Company.

(2) Nothing in this section shall be deemed to prevent any person who on the passing of this Act is an auditor of the Company continuing to act as such auditor. A.D. 1930.

Power to make superannuation and other allowances.

23.—(1) The directors may grant such gratuities pensions or allowances or make such other payments as they may think fit to any employees of the Company or where in their opinion adequate provision is not otherwise made to the widow or family or any dependant of any such employee.

(2) The directors may enter into and carry into effect agreements with any insurance company or other association or company for securing to any such employee widow family or dependant as aforesaid such gratuities pensions allowances or payments as are by this section authorised to be granted or made and may for all or any of the purposes of this section apply the revenues of the Company.

(3) In this section the word "employee" includes any officer or servant.

Power to subscribe towards capital of other companies.

24. The Company may subject to the conditions hereinafter in this section prescribed with the authority of three-fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose—

(*a*) Subscribe towards the capital of another company and the Company may take and hold shares or stock in the capital of such other company in respect of such subscription;

(*b*) Guarantee or join with others in guaranteeing the payment of interest or dividends or other annual payments on any shares stock or loan of any other company;

(*c*) Lend money on mortgage of the undertaking of any such other company:

Provided that no sum shall be subscribed guaranteed or lent under this section except only to an amount approved by the Board of Trade or the Electricity Commissioners as the case may be (which approval the said Board or Commissioners are hereby empowered to give by writing under the hand of the secretary or an

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assistant secretary of the said Board or Commissioners) but before giving such approval the said Board or Commissioners shall satisfy themselves that such subscription guarantee or loan would conduce to the development of the output of gas or electricity by the Company or the turning to the best account the residuals and resources generally of the Company:

Provided further that any capital appropriated for the purpose of any subscription or loan under this section shall be within the limit of the total amount of capital for the time being authorised.

Agreements between Company and other gas and electricity companies.

25. The Company and any company authorised to supply gas or electricity as the case may be under parliamentary powers in any district adjacent to the limits of supply or the area of supply of the Company may with the approval of the Board of Trade or the Electricity Commissioners as the case may be to be signified in writing under the hand of the secretary or an assistant secretary of the said Board or Commissioners enter into and carry into effect any agreement with each other in regard to all or any of the following purposes:—

The use or the participation in the use of or in any benefit of any premises plant organisation operations or other facilities belonging to enjoyed by carried on or provided wholly or partly by either company in relation to the manufacture and sale of gas or products arising in such manufacture or the production generation and sale of electricity or provision of any such facilities;

The purchase transport landing and delivery of coal in relation to the manufacture of gas or the production and generation of electricity and the dispatch or disposal of residual products arising in the manufacture of gas;

The carrying out of scientific research in relation to coal and such residual products as aforesaid;

The extension provision maintenance or use of any laboratories and apparatus for such research and the use or benefit of any results or discoveries arising thereby;

The provision of any buildings works or plant for the purpose of enabling either party to such agreement to give a supply of gas or electricity in bulk to the other of them;

The provision of moneys for carrying into effect any such agreement; and

Any matters or things incidental to or connected with any of the purposes aforesaid.

The Company and any company entering into any such agreement shall remain and be subject to all and the same obligations and liabilities to all persons not being parties to any such agreement as they would have been subject to if such agreement had not been entered into.

The Company and any company when submitting to the Board of Trade or the Electricity Commissioners any proposals for an agreement under this section shall furnish particulars of such proposals to every local authority having jurisdiction either within the limits of supply or the area of supply of the Company or of any company who are a party to any such agreement and the said local authorities shall respectively be entitled to make representations to and be heard by the said Board or Commissioners thereon before the agreement embodying such proposals is approved by the said Board or Commissioners.

Nothing contained in this section shall empower the Company or any such company as aforesaid to lay any mains or interfere with any street beyond their respective limits of supply or area of supply or to work up and convert residual products arising from the manufacture of gas except in accordance with the provisions of and subject to the restrictions imposed by the Acts or Orders by which the Company or such other company are authorised to work up and convert residual products.

In this section the expression "local authority" includes a rural district council.

Securities may be taken as consideration.

26. Any agreement entered into under the immediately preceding section of this Act may provide that any consideration being in the nature of a capital payment and payable thereunder by either of the parties thereto to the other of them may be satisfied wholly or in part

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by the allotment of such shares or stock in the capital of the company from whom such consideration is due or such debentures or debenture stock of such company as shall be agreed upon between the parties or partly by the one and partly the other of such modes as may be so agreed and thereupon it shall be lawful for either of the parties to issue such shares stock or debentures or debenture stock accordingly and all shares or stock so issued shall for all purposes be deemed fully paid up:

Provided that in estimating the extent to which any such consideration is satisfied by any shares or stock issued under the provisions of this section the shares or stock shall be taken at the average price at which according to the books of the company issuing the same sales of similar shares or stock were effected within the period of six months immediately preceding the issue thereof or if there has been only one sale or no sale of similar shares or stock within the said period then at the price at which the last sale of similar shares or stock was effected making due allowance in each case for any enhancement of value by reason of any accrued dividend.

The price at which such shares or stock are or is to be issued shall be determined in accordance with the provisions of this section.

Additional directors in certain cases.

27.—(1) The directors of the Company may at any time appoint any person being a director of any company which has entered into an agreement with the Company under this Act to be a director of the Company and for such purposes the number of the directors of the Company limited by section 19 of the Act of 1882 may be increased by one.

(2) Any such increase if made may continue in force so long as the person in respect of whom it is made is in office as a director by virtue of the provisions of this section but no longer and in no event shall there be at the same time more than two persons holding office as directors under such provisions and no person shall hold such office thereunder except during the continuance of such agreement.

(3) No person shall be appointed a director by virtue of the provisions of this section unless he has the qualification prescribed by section 20 (Qualification of directors) of the Act of 1882.

Loans to other companies and exchange of securities.

28. In any case in which the Company and any other company have entered into any agreement authorised by this Act the Company may effect exchanges of stock shares or securities of the Company with proprietors of stock shares or securities of such other company or may with the approval of the Board of Trade to be signified in writing under the hand of a secretary or an assistant secretary of the said Board lend money to such other company to such extent as in the opinion of the directors of such other company will be of advantage for furthering the purposes of such agreement including reduction in the price of gas or electricity.

Provisions relating to Supply of Gas.

Power to enter premises to which a supply of gas is laid on.

29. The power to enter premises in order to inspect meters fittings and works for the supply of gas and for the purpose of ascertaining the quantity of gas consumed or supplied conferred upon the Company by section 21 of the Gasworks Clauses Act 1871 shall extend to premises in which there is any service pipe connected with the gas mains of the Company except where the occupier of the premises shall have applied in writing to the Company for the disconnection of the service pipe from the mains of the Company.

Period of error in defective meters.

30. In the event of any meter used by a consumer of gas being tested in manner provided by regulations made by the Board of Trade under the Gas Regulation Act 1920 and being proved to register erroneously within the meaning of the said regulations such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Company shall be paid by or to the Company to or by the consumer as the case may be and shall be recoverable in the like manner as gas charges are recoverable by the Company.

For prevention of improper use of gas.

31. If any person supplied with gas by the Company uses or deals with the same so as to interfere unduly or improperly with the efficient supply of gas by the Company to any other person or if any person supplied with gas by the Company wilfully uses the same for

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a purpose other than that specified in the contract under which the same is supplied the Company may if they think fit cease to supply gas to such person.

Removal of fittings where supply discontinued.

32. The power to enter premises and remove pipes meters fittings or apparatus conferred upon the Company by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into any premises previously supplied with gas by the Company shall not require to take a supply of gas from the Company or to hire all or any of the engines stoves ranges pipes meters fittings or apparatus belonging to the Company.

Anti-fluctuators to be used with gas engines.

33.—(1) The Company may by notice in writing require a consumer of gas supplied by the Company and used for the working of an engine to fix and use an efficient anti-fluctuator in a suitable position upon the premises upon which the engine is in use or to keep any anti-fluctuator fixed and used by the consumer in proper order and repair at all times while in use or to repair renew or replace an anti-fluctuator which is not in proper order or repair.

(2) If the consumer after any such notice as aforesaid fails to fix and use an efficient anti-fluctuator or to keep an anti-fluctuator in proper order and repair or to repair renew or replace an anti-fluctuator which is not in proper order and repair the Company may cease to supply him with gas.

(3) The Company may at all reasonable times demand and shall thereupon have access to any anti-fluctuator fixed upon any premises to which gas is supplied by the Company and for the purpose of ascertaining whether the anti-fluctuator is efficient and in proper order and repair may take off remove test inspect and replace the anti-fluctuator such taking off removing testing inspecting and replacing to be done at the expense of the Company if an anti-fluctuator be found efficient and in proper order but otherwise at the expense of the consumer.

(4) For the purposes of this section an "anti-fluctuator" means an apparatus for the purpose of controlling and regulating the supply of gas to any engine and preventing any inconvenience or danger from the intermittent consumption of gas by the engine.

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As to mode of cutting off supplies.

34.—(1) In any case in which the Company are by virtue of this Act or any Act partially incorporated therewith authorised to cut off and discontinue the supply of gas to any premises in consequence of any default on the part of the occupier of the premises it shall be lawful for the Company without prejudice to any other remedy which may be lawfully available to them to disconnect at the meter the service pipe (whether belonging to the consumer or to the Company) and any person who shall re-connect such service pipe with the meter without the consent of the Company shall be deemed to commit an offence within the meaning of section 18 of the Gasworks Clauses Act 1847 Provided that if and so soon as the matter complained of shall have been remedied nothing in this section shall prejudice or interfere with any rights vested in any person by virtue of section 11 of the Gasworks Clauses Act 1871.

(2) For the purposes of this section the Company (subject to the conditions specified in section 22 of the Gasworks Clauses Act 1871) shall have and may exercise the like powers of entry as are exerciseable under that section.

Company may contract for supply of gas in bulk.

35. The Company may contract with any local authority company or person for the supply by the Company to them of gas in bulk upon such terms and conditions as may be agreed upon but nothing in this section shall authorise the Company to lay any mains or interfere with any street beyond the limits of supply Provided that the Company shall not supply gas under any such contract beyond the limits of supply if and so long as such supply would interfere with the supply of gas within those limits.

Further provisions as to gas undertaking.

36. As regards the gas undertaking the following further provisions shall have effect (that is to say):—

Whenever in any year it is shown by the separate accounts by the Act of 1906 directed to be kept that the receipts on the revenue account of the gas undertaking exceed the sum total of the expenditure on such account and of a sum equal to eight per centum on the aggregate amount of the capital moneys employed in such undertaking the Company shall make such a rateable reduction in the charge for the supply of gas as in their judgment will reduce the surplus to that maximum rate of profit.

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PROVISIONS RELATING TO SUPPLY OF ELECTRICITY.

Provisions as to supply of electricity by agreement.

37.—(1) If any consumer of electricity supplied by the Company under the terms of any agreement uses the electricity supplied to him by the Company in any manner contrary to the terms of such agreement the Company may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement Provided that before discontinuing any such supply the Company shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the manner in which the electricity is used contrary to the terms of such agreement.

(2) A consumer supplied with electricity by the Company under the terms of any agreement shall be deemed to be a person to whom the Company may be and are required to supply energy within the meaning of section 30 of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Company under such agreement unless the provisions of that section are expressly excluded from application in any such agreement and if the Company fail to supply energy to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Company Provided that the provisions of this subsection shall not operate to deprive any consumer of electricity supplied by the Company under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

Power to lay electric mains in private streets.

38. The Company may upon the application of the owner or occupier of any premises within the area of supply abutting on or being erected in any street laid out or made and whether dedicated to the public use or not supply such premises with electrical energy and may lay down or place take up alter relay or remove and renew in across or along such street such mains wires lines and apparatus as may be requisite or proper for furnishing such supply and the provisions of the

Electricity (Supply) Acts 1882 to 1928 and of the schedule to the Electric Lighting (Clauses) Act 1899 with respect to the breaking up of streets for the purpose of laying mains so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof and to any works constructed or executed by the Company under the provisions of this section Provided that the powers of this section shall not be exercised in regard to any street or road belonging to a railway company except with the consent of that company but such consent shall not be unreasonably withheld nor shall the Company in carrying out any works authorised by this section unreasonably obstruct or interfere with the access to any such street or road.

Provisions as to entry upon premises supplied with electricity.

39.—(1) Any person who shall hinder an officer appointed by the Company from entering any premises in pursuance of section 24 of the Electric Lighting Act 1882 or of that section as extended by section 16 of the Electric Lighting Act 1909 or from exercising the powers contained in those sections shall be liable to a penalty not exceeding five pounds.

(2) Where any premises which the Company are entitled to enter in pursuance of the said sections or either of them are unoccupied the Company may after giving not less than three days' notice to the owner thereof or (if he is unknown to the Company and if he cannot after diligent inquiry be ascertained by them) after affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage and repairing all damage caused by such entry and shall on quitting the premises leave the same secure.

Exclusion of parish of Bisley from limits of Company.

40. From and after the passing of this Act all the powers of the Company with reference to the supply of electricity within the parish of Bisley shall cease and determine as though that parish had never been included within section 19 (Area of supply of electricity) of the Act of 1906.

For protection of London and Home

41. For the protection of the London and Home Counties Joint Electricity Authority (in this section called "the electricity authority") the following provisions

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Counties Joint Electricity Authority.

shall unless otherwise agreed between the Company and the electricity authority apply and have effect (that is to say) :—

Notwithstanding anything contained in section 23 (Agreements for supply of electrical energy to local authorities &c.) of the Act of 1906 or the section of this Act of which the marginal note is "Agreements between Company and other gas and electricity companies" the Company shall not without the consent of the electricity authority supply energy for use within the London and Home Counties electricity district as defined by the London and Home Counties Electricity District Order 1925.

PROVISIONS COMMON TO GAS AND ELECTRICITY.

Power to recover cost of cutting off supplies and expenses of reconnecting discontinued supply.

42. In any case in which the Company lawfully cut off a supply of gas or electricity by reason of any act omission or default of any body or person supplied with gas or electricity they may recover from such body or person on account of whose act omission or default such supply was cut off the reasonable expenses incurred by them in such cutting off in like manner as charges for gas or electricity as the case may be are recoverable by the Company.

In any case in which the Company have cut off the supply of gas or electricity to premises as aforesaid and the body or person so in default shall desire to resume the supply so cut off he shall pay to the Company the expenses of reconnecting the supply and the Company shall not be under any obligation to supply gas or electricity to such body or person until he shall have made good the default and paid such expenses.

Company may contract for purchase of supply in bulk.

43. The Company may contract with any public department or any local authority company or persons for the supply to the Company by them of gas or electricity in bulk upon such terms and conditions as may be agreed upon and for those purposes may exercise the powers by this Act conferred upon them with respect to the breaking up of streets for the purposes of laying gas pipes and electric lines respectively Provided that the Company shall not under the provisions of this section enter into any contract for the supply of electricity

with any local authority company or person who is not authorised to supply electricity within an area of supply nor without the approval of the Electricity Commissioners first had and obtained. A.D. 1930.

Charges for special reading of meters.

44. When at the request of and for the convenience of any consumer the reading of any meter fixed in any premises takes place at a time other than that of the usual periodical reading the Company may levy and recover such charges as they think fit not exceeding the sum of one shilling and sixpence for each such special reading.

Miscellaneous.

Judges not disqualified.

45. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate or charge for the supply of gas or electricity.

Contents of summons &c.

46. Where the payment of more than one sum by any person is due under any Act or Order from time to time relating to the Company any summons or warrant issued for the purposes of any such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Recovery of penalties &c.

47. Save as otherwise by this Act expressly provided all offences against any Act or Order for the time being relating to the Company and all penalties forfeitures costs and expenses imposed or recoverable under such Act or Order may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of demands.

48. Proceedings for the recovery of any demand made under the authority of any Act or Order for the time being relating to the Company whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

A.D. 1930.

Repeal &c.

49. The following provisions of the existing Acts are hereby repealed as from the date of the passing of this Act :—

The Act of 1882—

Section 35 (Burner).

The Act of 1906—

Section 7 (Quality of gas);
Section 14 (Period of error in defective meters);
Section 15 (Company may contract with local authority &c.);
Section 16 (Anti-fluctuators for gas engines);
Section 51 (Closing of transfer books previous to declaring interim dividend).

The Act of 1915—

Section 19 (Testing for calorific power);
Section 20 (Provisions as to testing for calorific power);
Section 21 (Penalties for deficient calorific power);
Section 22 (Pressure);
Section 29 (Power to make superannuation and other allowances).

The Act of 1926—

Section 9 (New shares or stock to be sold by auction or tender).

Crown rights.

50. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Company to lay any pipes mains wires or cables in or under any land street road or footway belonging to or maintainable by His Majesty or adjacent to any land belonging to His Majesty nor to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands without the consent in writing of those commissioners on behalf of His Majesty first had and obtained for that purpose.

Costs of Act.

51. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may in whole or in part be charged against revenue.

The SCHEDULE referred to in the foregoing Act.

STATEMENT OF SHARE CAPITAL.

Act of Parliament authorising the raising of Capital.	Description of Capital.	Maximum dividend authorised.	Nominal amount of shares.	Total paid up.	Premium capital received.	Total amount authorised.
		Per cent.	£	£ s. d.	£ s. d.	£ s. d.
The Act of 1882 -	Original shares - - -	10	10	60,000 0 0	—	60,000 0 0
The Act of 1906 -	Additional ordinary shares -	7	10	29,380 0 0	620 0 0	30,000 0 0
The Act of 1915 -	Additional preference shares -	6	10	48,660 0 0	1,340 0 0	50,000 0 0
The Act of 1926 -	Additional preference shares -	6	10	30,000 0 0	47 7 6	60,000 0 0
The Act of 1926 -	Additional ordinary shares -	7	10	29,300 0 0	652 12 6	
				197,340 0 0	2,660 0 0	200,000 0 0

STATEMENT OF LOAN CAPITAL.

Act of Parliament authorising the raising of Loans.	Description of Loan.	Rate per cent. Interest.	Total amount borrowed.	Amount remaining to be borrowed.	Total amount authorised.
			£ s. d.	£ s. d.	£ s. d.
The Act of 1882 - -	Perpetual debenture stock -	4	13,480 0 0	—	15,000 0 0
		4½	1,520 0 0		
The Act of 1906 - -	ditto ditto -	4½	15,000 0 0	—	15,000 0 0
The Act of 1915 - -	Commissioners of His Majesty's Treasury Loan under T.F.A.	5	23,111 2 4	16,888 17 8	40,000 0 0
The Act of 1926 - -	- —	—	—	30,000 0 0	30,000 0 0
			53,111 2 4	46,888 17 8	100,000 0 0

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