CHAPTER cxxxii.

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An Act for incorporating and conferring powers upon the Bedfordshire Cambridgeshire and Huntingdonshire Electricity Company and for other purposes. [22nd December 1925.]

WHEREAS the provision of a supply of electricity within the area defined by this Act would be of public and local benefit:

And whereas the persons in this Act named with others are willing to construct works for the purposes of such supply and it is expedient that they be incorporated into a company (hereinafter called "the Company") and that power should be conferred on the Company for such purposes and for acquiring lands for such works and generally for carrying out the objects and provisions of this Act:

And whereas it is expedient that powers should be conferred upon the Company to make contracts and agreements with local authorities companies persons and others for the supply of electricity in bulk or otherwise and for other purposes:

And whereas it is expedient that the other powers mentioned in this Act should be conferred on the Company and that such other provisions should be made as are in this Act contained:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

[*Price* 2*s. Net.*]

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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 :—

Short title.

1. This Act may be cited as the Bedfordshire Cambridgeshire and Huntingdonshire Electricity Act 1925.

Application of Electricity (Supply) Acts.

2. This Act shall be deemed a special Act within the meaning of the Electricity (Supply) Acts 1882 to 1922 and the Electric Lighting (Clauses) Act 1899 but sections 2 and 3 of the Electric Lighting Act 1888 shall not apply to the Company or to their undertaking.

Incorporation of Acts.

3. The following Acts and parts of Acts so far as the same are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Act are incorporated with and form part of this Act (that is to say) :—

(1) The Companies Clauses Consolidation Act 1845 :

(2) Part I. (Cancellation and surrender of shares) and Part III. (Debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts :

(3) The Lands Clauses Acts (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement) :

(4) The provisions of the schedule to the Electric Lighting (Clauses) Act 1899 except the following provisions (that is to say) :—

Section 2 (2) sections 3 to 5 7 to 9 21 to 29 section 30 (so far as regards a supply to authorised undertakers but not including in such exception subsection (2)) and sections 31 to 37 41 to 60 63 to 68 subsection (3) of section 69 sections 75 78 81 83 and 84 which provisions shall not apply to the Company or their undertaking.

Interpretation.

4. In this Act the several words terms and expressions to which by the principal Acts or the Acts wholly or partially incorporated herewith meanings are assigned shall have the same respective meanings unless varied

by this Act or unless there be something in the subject or context repugnant to that construction And— A.D. 1925.

"the Company" means the company incorporated by this Act;

"the area of supply" means the area of supply defined by this Act;

"the undertaking" means the undertaking of the Company as existing from time to time;

"the principal Acts" means the Electricity Supply Acts 1882 to 1922 and the schedule to the Electric Lighting (Clauses) Act 1899 as varied by this Act;

"the Electricity Commissioners" means the Electricity Commissioners constituted under the Electricity (Supply) Act 1919;

"authorised distributors" means any local authority company body or person authorised by Act of Parliament licence Provisional Order confirmed by Parliament or special or other Order to supply electricity within any part of the area of supply;

"authorised undertakers" means authorised distributors and any authority authorised by any Act of Parliament licence Provisional Order confirmed by Parliament or Special or other Order to undertake or contract for the lighting of streets bridges or public places within any part of the area of supply;

"a supply of electricity for power" means and includes a supply of electricity for any purpose other than a supply for lighting or general domestic purposes (including office purposes);

"the directors" means the directors of the Company.

As to railways and tramways.

5. The provisions of section 13 of the Electric Lighting Act 1882 and of section 12 of the schedule to the Electric Lighting (Clauses) Act 1899 shall apply to tramways or railways within the area of supply as if the Company were specially authorised to break up or interfere with the same by special powers inserted in this Act.

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Company incorporated.

6. John Wynford Viscount St. Davids Sir James Devonshire Emile Garcke the Honourable Francis Nathaniel Curzon John Soame Austen and Henry Charles Hambro and all other persons who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a Company for the purposes hereinafter mentioned and for those purposes shall be and are hereby incorporated by the name of the Bedfordshire Cambridgeshire and Huntingdonshire Electricity Company and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of land and other property for the purposes of this Act and with all the other powers and privileges of a body corporate.

General purposes of Company.

7. The Company shall be established for the purpose of producing generating using and supplying electricity and of constructing erecting laying down maintaining working and using electricity generating stations engines dynamos mains pipes and other works for the said purposes or any of them and generally for the purpose of carrying out the powers and purposes of this Act and the Company may subject to the provisions of this Act erect lay down maintain work and use such stations and works and produce generate use transform transmit distribute and supply electricity accordingly and the powers of the Company shall include the acquisition construction maintenance working and user or discontinuance sale letting and disposal of all such lands easements buildings works machinery plant fittings apparatus materials matters and things and the exercise of such powers and the construction and doing of such works and things as may be necessary or convenient in for or in connection with or arise or be used in the production generation use transformation transmission distribution and supply of electricity and shall include all necessary powers for providing or working materials matters and things for those purposes or any of them or for otherwise carrying on the undertaking.

Capital.

8. The capital of the Company shall be six hundred and fifty thousand pounds The Company may raise any capital which they may from time to time be authorised to raise by the creation and issue at their option of

shares or stock either ordinary or preference and either of one class with like privileges or of several classes and with different privileges and of the same or different amounts and respectively with any fixed fluctuating contingent preferential perpetual terminable deferred or other dividend or interest or wholly or partially by one or more of those modes respectively Provided always that the Company shall not issue any share of less nominal value than one pound nor shall any share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid or deemed to have been paid in respect thereof.

Power to borrow.

9. The Company may raise for the purposes of this Act at their option either by borrowing on mortgage of the undertaking or by the creation and issue of debentures or debenture stock or wholly or partially by any of those modes any sum or sums not exceeding in the whole one-half part of any capital for the time being issued by the Company under the provisions of the section of this Act of which the marginal note is "Capital" In addition to exercising the before-mentioned powers of this section the Company may with the consent of the Electricity Commissioners (which consent the said Commissioners are hereby authorised to give) raise for the purposes aforesaid wholly or partially by any of the said modes any further sum or sums not exceeding in the whole one-half part of the capital for the time being issued by the Company under the provisions of the said section :

Provided always that no part of any such sum or sums shall be borrowed or raised until the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of the capital in respect of which the power to borrow or raise the same is to be exercised has been issued and accepted and that one-half thereof has been paid up and as regards any shares issued by the Company (other than shares issued as fully paid up) that not less than one-fifth part of the amount of each separate share in such portion of capital as is issued in shares has been paid on account thereof before or at the time of the issue or acceptance thereof and that such portion of capital was issued bonâ

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fide and is held by the persons to whom the same was issued or their personal representatives successors or assigns and that such persons their personal representatives successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

For appointment of receiver.

10. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or of principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

Debenture stock.

11. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all debentures and mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts or resolutions by which the stock debentures and mortgages were authorised) and shall have priority over all principal moneys secured by such stock debentures and mortgages Notice of the effect of this enactment shall be endorsed on all mortgages debentures and certificates of debenture stock.

Application of moneys.

12. Subject to the provisions of this Act all moneys raised under this Act whether by shares stock debentures debenture stock or borrowing shall be applied only to purposes to which capital is properly applicable.

Redeemable securities.

13.—(1) The Company may issue as redeemable preference shares or stock or redeemable debentures or debenture stock any preference shares or stock or debentures or debenture stock which the Company are authorised by this Act to create and issue provided that the

resolution authorising the creation or issue of such redeemable preference shares or stock debentures or debenture stock (hereinafter in this section referred to as "redeemable shares or stock") shall specify the terms and conditions on which such redeemable shares or stock shall be redeemed. A.D. 1925.

(2) If it is so provided in the resolution under which redeemable shares or stock are or is created or issued as the case may be the Company may—

(*a*) call in and pay off the redeemable shares or stock or any part thereof at any time before the fixed date of redemption; and

(*b*) redeem the redeemable shares or stock or any part thereof either by paying off the same or by issuing to any shareholder debenture holder or stockholder subject to his consent other shares stock or securities in substitution therefor and may for the purpose of providing money for paying off the redeemable shares or stock or of providing substituted shares stock or securities create and issue new shares stock or securities (either redeemable or irredeemable) or re-issue redeemable shares or stock originally created and issued under this section Provided that the creation and issue for the purpose of any particular class of capital does not make the total nominal amount of such capital exceed the amount of that class of capital which the Company are by this Act for the time being authorised to issue save so far as such creation and issue is for the purpose of paying off redeemable shares or stock issued under the provisions of this section or of providing shares stock or securities substituted therefor under this section.

As to disposal of shares or stock.

14. The Company may in issuing any portion of the capital or any securities authorised by this Act dispose of all or any of the shares or stock representing such capital or such securities at such times to such persons on such terms and conditions and in such manner as the directors think advantageous to the Company.

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Purchase and cancellation of Company's securities.

15.—(1) The Company may at any time purchase by agreement any debentures or debenture stock of the Company and for that purpose may apply any moneys for the time being in their hands which they are entitled to apply to capital purposes.

(2) Any debentures or debenture stock purchased under the provisions of this section may at any time be cancelled and extinguished and the amount of any debentures or debenture stock so cancelled or extinguished shall be deemed to be money borrowed and paid off by the Company within the meaning of section 39 of the Companies Clauses Consolidation Act 1845 and the provisions of that section as to re-borrowing by the Company shall apply accordingly.

Share warrants and debenture certificates to bearer.

16. The Company may with respect to the whole or any portion of fully paid up shares or debentures from time to time created by them and subject to such regulations as may from time to time be made by the Company issue under their common seal warrants and certificates (in this Act respectively referred to as "a share warrant to bearer." and "a debenture certificate to bearer") stating that the bearer of the warrant or certificate is entitled to the shares or debentures as the case may be therein specified and may provide by coupons whether attached to the warrant or certificate or not for the payment of dividend or interest as the case may be on the shares or debentures included in the warrant or certificate.

Effect of share warrant and debenture certificate.

17. A share warrant to bearer and a debenture certificate to bearer shall entitle the bearers thereof respectively to the shares or debentures therein specified and such shares or debentures may be transferred by delivery of the warrant or certificate.

Provisions as to coupons.

18. A coupon provided in respect of a share warrant to bearer or debenture certificate to bearer shall except as otherwise expressly provided in or upon the coupon be a negotiable instrument and entitle the bearer thereof to the payment of dividend or interest as therein mentioned at the date therein stated for such payment and the payment of such dividend or interest to the bearer shall be a full discharge to the Company from all liability in respect of the coupon and the dividend or interest represented thereby.

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Entries in register on issue of warrants or certificate.

19. On the issue of a share warrant to bearer or a debenture certificate to bearer in respect of any shares or debentures the Company instead of making in the register of shareholders or shareholders' address book or any register of debenture holders kept by the Company with reference to such shares or debentures any entries provided for by the Companies Clauses Consolidation Act 1845 shall strike out of such registers or address book as the case may be the name of the person (if any) then entered therein as holding such shares or debentures as the case may be and shall enter in the registers the following particulars :—

(1) The fact of the issue of the share warrant to bearer or debenture certificate to bearer;

(2) A statement of the amount of the shares or debentures as the case may be included in the warrant or certificate;

(3) The date of the issue of the warrant or certificate:

The provisions of the Companies Clauses Consolidation Act 1845 as to the register of holders of shares and as to certificates of shares and transfer and transmission of shares and certificates and registration of debentures shall not apply in the case of a share warrant to bearer or a debenture certificate to bearer.

Registration on surrender of warrant or certificate.

20. The bearer of a share warrant to bearer or a debenture certificate to bearer shall on—

(*a*) surrendering the warrant or certificate with all coupons issued in respect thereof and for the time being outstanding for cancellation;

(*b*) complying with such regulations as may from time to time be made by the Company for the purpose of enabling the Company to ascertain the name address and description of the bearer and for obtaining a specimen of his signature;

(*c*) paying to the Company all stamp or other Government duties (if any) which may be payable by the Company in consequence of the surrender; and

(*d*) paying to the Company such fee not exceeding five shillings as the Company may prescribe;

be entitled to have his name entered in the register of shareholders or stockholders or in the register of debenture holders as the case may be and the Company

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shall be responsible for any loss incurred by any person by reason of the Company entering in such register the name of any bearer of a share warrant to bearer or a debenture certificate to bearer in respect of the shares or the debentures therein specified without the warrant or certificate with coupons as aforesaid being surrendered and cancelled.

Rights of holders of share warrants to bearer.

21. The bearer of a share warrant to bearer shall subject to the provisions of this Act be deemed to be a member of the Company to the full extent. Provided that the bearer of a share warrant to bearer shall not be qualified in respect of shares specified in the warrant for being a director of the Company.

Voting by holders of share warrants.

22. No person shall as a bearer of a share warrant to bearer be entitled to attend or vote or exercise in respect thereof any of the rights of a member at any meeting of the Company or to sign any requisition for or aid in calling any extraordinary meeting unless three days at least before the date appointed for the meeting in the first case and unless before the requisition is lodged at the office of the Company in the second case he shall have deposited the share warrant to bearer at the office of the Company or such other place as the directors appoint together with a statement in writing of his name and address and unless the share warrant to bearer shall remain so deposited until after the meeting or any adjournment thereof has been held. The names of more than one of joint holders of a share warrant shall not be received.

Certificates of deposit.

23. There shall be delivered to the person so depositing a share warrant to bearer a certificate stating his name and address and the number of shares represented by the share warrant to bearer so deposited by him and the certificate shall entitle him to attend and vote at any meeting and make valid his signature to any such requisition in the same way and to the same extent as if he were a registered shareholder of the Company in respect of the shares specified in the said certificate and upon delivering up the said certificate to the Company the share warrant to bearer in respect whereof it shall have been given shall be returned.

Production of share warrants.

24. No person as bearer of any share warrant to bearer shall be entitled to exercise any of the rights of a member or shareholder of the Company (save as herein-

before expressly provided in respect of meetings) without producing the warrant and stating his name and address.

Applications to Parliament affecting debenture holders.

25. If and so often as any application shall be made to Parliament for an Act affecting the rights of the holders of any class of debentures which shall for the time being have been issued by the Company and be outstanding and in respect whereof or any part whereof debenture certificates to bearer shall be then outstanding the following provisions shall have effect (that is to say) :—

(1) In this section the following expressions shall have the following meanings unless repugnant to the context—

"the debentures" means the debentures of such class as aforesaid for the time being issued and outstanding;

"the bearer debentures" means such of the debentures as shall for the time being be comprised in debenture certificates to bearer;

"bearer certificates" means the debenture certificates to bearer for the time being issued in respect of the debentures or any part thereof and outstanding;

"the bearers" means the bearers for the time being of the bearer certificates and "bearer" means one of the bearers;

"registered holders" means the registered holders for the time being of any debenture;

"meeting" means a meeting of registered holders and bearers under this section;

"voting certificate" means a voting certificate issued in pursuance of this section:

(2) Any meeting convened for the purpose of approving any Bill for such Act as aforesaid shall so far as the bearers are concerned be duly convened by advertising the notice convening the same once in a newspaper published in the county of London and once in the same newspaper in the next week following the publication of the first advertisement provided the same shall be convened for a date not less than fourteen days or more than thirty days after the last insertion of the advertisement thereof in such newspaper :

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Every advertisement as aforesaid shall state that the bearers may not less than three days before the time for holding the meeting or any adjournment thereof deposit at the head office of the Company their bearer certificates and obtain voting certificates in respect thereof :

(3) At a meeting or any adjournment thereof the bearer of a bearer certificate shall be treated as a legal holder thereof whether such bearer shall or shall not be the owner thereof and for all the purposes of the meeting or any adjournment thereof the bearer of a voting certificate issued under this section in respect of a bearer certificate shall be deemed to be the bearer of such bearer certificate :

(4) Prior to convening a meeting the Company shall make such arrangements as will entitle any bearer who shall not less than three days before the time for holding such meeting or any adjournment thereof deposit a bearer certificate at the head office of the Company to receive from the Company—

(*a*) a receipt for the bearer certificate so deposited such receipt to be in such form as (subject to the provisions of the next succeeding subsection) will entitle the bearer thereof to have the bearer certificate in respect of which the same was given delivered to him in exchange therefor by the Company whether such bearer be or be not in fact the true owner of the bearer certificate; and

(*b*) a voting certificate;

which receipt and voting certificate shall be signed by the secretary or manager of the Company and shall specify the denoting number of the bearer certificate so deposited and the amount of the debentures comprised therein A voting certificate shall not except as provided by subsection (3) of this section confer any title on the bearer thereof to the bearer certificate or to the debentures referred to therein :

(5) A bearer certificate deposited as last aforesaid shall be deposited subject to (amongst others)

the condition that the same shall be retained by the Company until the meeting has been held or abandoned or until the receipt given by the Company therefor and the voting certificate issued by the Company in respect thereof shall be delivered to the Company whichever shall be the earlier.

Loss &c. of warrant certificate or coupon.

26. If a share warrant to bearer or debenture certificate to bearer or coupon is lost or destroyed then upon—

(*a*) proof to the satisfaction of the directors of the ownership of such lost or destroyed warrant or certificate or coupon and of the loss or destruction thereof;

(*b*) such indemnity to the Company and the directors as the directors deem adequate being given;

(*c*) payment of all stamp and other Government duties (if any) payable in respect of the new warrant or certificate or coupon together with a fee of five shillings;

a new share warrant to bearer or debenture certificate to bearer or coupon as the case may be in lieu of the warrant certificate or coupon so lost or destroyed shall be issued by the Company and a due entry of the issue of such new share warrant to bearer or debenture certificate to bearer or coupon shall be made by the secretary in the register of shareholders or register of debenture holders.

As to trustees not empowered to hold bearer securities.

27. A trustee unless authorised by the terms of his trust shall not apply for or hold a share warrant to bearer or debenture certificate to bearer or coupon payable to bearer issued under the authority of this Act but nothing in this section shall impose upon the Company or any person authorised to issue any such share warrant to bearer or debenture certificate to bearer or coupon payable to bearer any obligation to inquire whether the person applying for a share warrant to bearer or debenture certificate to bearer or coupon payable to bearer is or is not a trustee or subject them to any liability in the event of their issuing to a trustee a share warrant to bearer or debenture certificate to bearer.

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Notice of trusts not to affect Company.

28. No notice of any trust in respect of any share warrant to bearer debenture certificate to bearer or coupon payable to bearer shall be receivable by the Company nor shall the Company be in any way affected by notice of any such trust.

Endorsement of provisions on warrants and certificates to bearer.

29. A copy of the sections of this Act of which the marginal notes are "Voting by holders of share warrants" "Certificates of deposit" "Production of share warrants" "Notice to holders of share warrants" "Registration on surrender of warrant or certificate" and "Notice of trusts not to affect Company" shall be endorsed on every share warrant to bearer and a copy of the sections of this Act of which the marginal notes are "Registration on surrender of warrant or certificate" "Applications to Parliament affecting debenture holders" and "Notice of trusts not to affect Company" shall be endorsed on every debenture certificate to bearer which shall be issued by the Company.

Company may incur temporary loans.

30.—(1) The Company may for the purposes of or in connection with the undertaking borrow or raise moneys on temporary loans from bankers by means of overdrafts or otherwise or by the issue of notes or bonds of a currency of not less than five years and of not more than ten years and may draw accept and endorse bills of exchange or other negotiable instruments.

(2) The powers of raising moneys conferred by this section shall be in addition to any powers for the time being of the Company to borrow on debenture or mortgage of the undertaking or to raise moneys by the issue of debenture stock Provided that the aggregate amount outstanding at any one time of the moneys raised under this section shall not exceed three hundred thousand pounds.

Power to pay commissions.

31. The Company upon any offer to the public of shares stock debentures or debenture stock or other securities which the Company may at any time be authorised to issue may pay a commission not exceeding seven and a half per centum to any person in consideration of his subscribing or agreeing to subscribe whether absolutely or conditionally for such shares stock debentures debenture stock or securities or procuring or agreeing to procure subscriptions therefor whether

absolute or conditional if the payment of the commission and the amount or rate per centum of the commission paid or agreed to be paid are disclosed in the prospectus advertisement or other document of the Company inviting subscriptions or offers for such shares stock debentures debenture stock or securities and nothing in this section shall affect any power of the Company to pay brokerage.

Payment of interest out of capital.

32. Notwithstanding anything in this Act or any Act incorporated therewith the Company may out of any money which they are by this Act authorised to raise pay and charge to capital account interest at such rate not exceeding (except with the consent of the Electricity Commissioners which consent such Commissioners are hereby authorised to give) six pounds per centum per annum as the directors may determine to any shareholder (which expression where used in this section includes stockholder) on the amount from time to time paid up on the shares or stock (all of which are in this section included in the expression "share" or the expression "shares") held by him from the respective times of such payments until the expiration of five years from the passing of this Act or for such less period as the directors may determine but subject always to the conditions hereinafter stated (that is to say):—

(*a*) No such interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear:

(*b*) The aggregate amount to be so paid for interest shall not exceed one-fifth of the capital for the time being issued and paid up and the amount so paid shall not be deemed capital in respect of which the borrowing powers of the Company may be exercised:

(*c*) Notice that the Company have power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company inviting subscriptions for shares and in every certificate of shares which may be issued by or on behalf of the Company during any period during which such interest shall be paid:

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(*d*) The yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section.

Save as hereinbefore set forth and except as may be otherwise expressly provided by this Act no interest or dividend shall be paid out of any share or loan capital which the Company are by this Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Interest out of capital on borrowed money.

33. The Company may charge to capital account the interest accruing during the period of five years from the passing of this Act or such less period as the directors may determine on all or any moneys borrowed or raised under the powers of this Act for the purpose of providing funds for the construction of the works by this Act authorised or other purposes to or on which capital may under the provisions of this Act be applied or expended.

Shares may be issued in payment for land &c.

34. The Company may agree with the owner of any lands or any estate or interest therein or any right or easement in over or affecting the same which the Company are by this Act authorised to acquire that the consideration to be paid for the same including the compensation (if any) for damage by severance or other injurious affection of the lands of the owner shall be paid wholly or in part by the allotment to such owner of such number of fully paid-up shares or fully paid-up stock in the capital of the Company or such debentures or such amount of debenture stock as shall be agreed upon between the Company and such owner and thereupon it shall be lawful for the Company to issue such shares stock debentures or debenture stock accordingly and all shares or stock issued pursuant to this section shall for all purposes be deemed to be fully paid-up shares or stock in the capital of the Company and all shares stock debentures or debenture stock so issued shall vest in the person to whom they are issued and the names of the

holders thereof shall be inserted as such in the registers of the Company of shareholders stockholders debenture holders or debenture stockholders as the case may be.

Subscription for shares or loans to other undertakings.

35. The Company may subscribe for purchase hold and dispose of shares stock or securities in any company taking or agreeing to take a supply of electricity from the Company or who are establishing or about to establish factories or other works or who are or may be authorised to supply electricity in any area within or contiguous to the area of supply for the time being of the Company or to any company making producing or dealing in electrical plant or appliances or other articles used in or in connection with the generation distribution or use of electricity and may lend money on mortgage bond or other security to any such company or to any firm or person taking or agreeing to take such supply from the Company or making producing or dealing in such plant appliances or articles.

First ordinary meeting.

36. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

Annual meeting of Company.

37. The ordinary general meeting of the Company shall be held in each year at such time and place as the directors may from time to time appoint.

Notice of meetings.

38. Any meeting of the Company whether ordinary or extraordinary may be convened by notice delivered at or sent by post to the registered address or other known address of each proprietor of the Company Provided that the notice if delivered shall be delivered at such address as aforesaid not less than six clear days or if sent by post shall be prepaid and posted not less than seven clear days before the date of the meeting In proving that any such notice has been sent by post it shall be sufficient to prove that the notice was properly addressed and put into the post and prepaid not later than the time hereby prescribed.

Notice to holders of share warrants.

39. Notwithstanding any other provisions of this Act any notice or intimation may be given to any bearers of share warrants to bearer issued by the Company by advertising the notice or intimation once in a newspaper published in the county of London.

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Voting and quorum.

40.—(1) At all general meetings of the Company whether ordinary or extraordinary every holder of ordinary shares or stock shall on a show of hands be entitled to one vote and on a poll to one vote in respect of each one pound of ordinary capital held by him Provided always that no shareholder or stockholder shall be entitled to vote at any meeting in respect of any share or stock on which any call remains unpaid.

(2) Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any share or stock to which a preferential dividend shall be assigned.

(3) For the purpose of constituting a meeting of the Company whether ordinary or extraordinary the prescribed quorum referred to in section 72 of the Companies Clauses Consolidation Act 1845 shall be seven holders of shares or stock.

Joint holders.

41. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any share or stock of the Company any one of those persons may vote at any meeting either personally or by proxy in respect of the share or stock as if he were solely entitled thereto but if more than one of such 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 share or stock shall alone be entitled to vote in respect thereof Several executors or administrators of a deceased member in whose name any share or stock stands shall for the purposes of this section be deemed joint holders thereof.

Directors.

42.—(1) The number of directors shall be six but the Company may vary the number provided that the number shall not at any time be more than ten or less than five.

(2) The qualification of a director shall be the possession in his own right of any shares or stock or shares and stock (not being debenture stock) in the capital of the Company of a total nominal amount of not less than two hundred and fifty pounds.

(3) The quorum of a meeting of the directors shall be such number (not being less than two) as the directors may from time to time determine.

(4) Except in the case of a director retiring by rotation and offering himself or being proposed for re-election no person shall be capable of being elected at a general meeting a director of the Company unless notice in writing that such person intends to offer himself or will be proposed for the office of director shall have been given to the secretary or left at the office of the Company ten days at least before the day of election.

(5) Notwithstanding anything 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 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.

Directors' remuneration.

43. The remuneration of the directors shall be eight hundred pounds per annum to the chairman of the directors and four hundred pounds per annum to each other director together with such further remuneration (if any) to all or any of the directors as the proprietors of the Company may from time to time resolve at any general meeting of the Company.

First directors.

44. John Wynford Viscount St. Davids Sir James Devonshire Emile Garcke the Honourable Francis Nathaniel Curzon John Soame Austen and Henry Charles Hambro shall be the first directors of the

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Company and shall continue in office until the first ordinary meeting held after the passing of this Act At that meeting the proprietors of the Company present in person or by proxy may either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act being if they continue qualified eligible for re-election At the first ordinary meeting to be held in every year after the first ordinary meeting the proprietors of the Company present in person or by proxy shall (subject to the power hereinbefore contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 The several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are duly elected in their stead.

Continuing directors.

45. The continuing directors may act notwithstanding any vacancy in their body but so that if at any time the number of the directors shall be less than the minimum number prescribed by this Act the directors shall not act as such except for the purpose of filling vacancies among the directors and allotting shares to any proposed director or directors.

Managing directors.

46.—(1) The directors may appoint one or more of their body to be managing director or managing directors of the Company either for a fixed term or without any limitation as to time and may remove or dismiss him or them from office and appoint another or others in his or their place or places.

(2) A managing director while holding that office shall not be subject to retirement by rotation nor be taken into account in determining the rotation of retirement of directors but if he cease to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing director.

(3) Subject to any directions which may be given in general meeting the remuneration of a managing director shall from time to time be fixed by the directors and may be by way of salary or commission or participation in profits or by any or all of those modes.

(4) The directors may entrust to and confer upon any managing director such of the powers exerciseable by the directors and subject to such conditions as they may think fit and may from time to time revoke withdraw alter or vary all or some of such powers.

Interim dividends and annual accounts.

47. If and so long as the ordinary meetings of the Company shall be held once only in each year the following provisions shall have effect :—

(*a*) It shall be lawful for the directors to declare and pay in any year an interim half-yearly dividend out of the profits of the Company without the sanction or direction of a general meeting ;

(*b*) The Company and the directors shall not be required to make up a half-yearly balance sheet and accounts and the balance sheet and accounts made up by them in accordance with section 116 of the Companies Clauses Consolidation Act 1845 shall relate to the transactions of the Company in the course of the preceding year.

Closing of transfer books.

48.—(1) The directors may close the register of transfers of shares or stock for a period not exceeding fourteen days previous to the declaration of any dividend and they may close the register of transfers of mortgages debentures or debenture stock for a period not exceeding fourteen days previous to each date at which the interest thereon shall be payable and in the case of any such register they may fix a day for closing the same of which seven days' notice shall be given either by circular to each proprietor or by advertisement in a newspaper published in the county of London.

(2) Any transfer of shares stock mortgages debentures or debenture stock made during the time when the register of transfers of such security 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 the payment of any such interest as the case may be.

As to shareholders' register.

49. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 it shall not be necessary to authenticate the register of the shareholders or stockholders of the Company by affixing the common seal of the Company to such register.

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As to contracts.

50. Notwithstanding anything in any Act relating to the Company any contract required to be in writing and not under seal may be signed on behalf of the Company by the secretary or other person appointed in that behalf by the directors.

Remuneration of secretary and auditors.

51. In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1889 they may determine the remuneration of the secretary and auditors.

Power to grant pensions &c.

52.—(1) The directors may grant such gratuities pensions or allowances or make such other payments as they may think fit to any officer or servant of the Company or to the widow family or any dependant of any such officer or servant.

(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 officer servant widow family or dependant 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 funds and revenues of the Company.

Profit sharing.

53.—(1) The directors may prepare put in force and from time to time modify alter or rescind a scheme or schemes enabling the officers or servants of the Company (in this section called "employees") or any class or classes of such employees as may be defined in such scheme or schemes to participate in the profits of the undertaking as part of the terms of remuneration for the services of any such employees:

Provided that no such modification alteration or rescission shall place any employee who at the date of such modification alteration or rescission is entitled under such scheme to participate in profits in a worse position than he would have been if such modification alteration or rescission had not been made.

(2) For the purpose of carrying into effect any provisions of any such scheme the directors may if and whenever required by any persons being the trustees under any such scheme so to do issue to any employee of the Company such amount of ordinary shares or stock as the trustees may specify being in each case within the limit of the amount of ordinary

shares or stock which the Company may for the time being be authorised to issue Provided that any shares or stock issued under the provisions of this section shall be issued at the average price at which according to the Company's books sales of such shares or stock were effected within the period of six months immediately preceding the issue or if there has been only one sale or no sale of such shares or stock within the said period then at the price at which the last sale of such shares or stock was effected making due allowance in each case for any enhancement in value by reason of any accrued dividend The price at which such shares or stock is or are to be issued shall be determined by the said trustees in accordance with the provisions of this subsection.

Auditors.

54.—(1) The Company shall annually appoint one person or two persons who shall be or a firm of accountants who shall be a member or members of the Institute of Chartered Accountants or the Society of Incorporated Accountants and Auditors or an accountant or accountants approved by the Electricity Commissioners to be the auditor or auditors of the Company.

(2) It shall not be necessary for any auditor to hold any shares or stock in the Company.

Map of electric lines.

55. The Company shall cause a map to be made showing the line and depth below the surface of the ground of all electric lines laid down under the powers of this Act and shall once in every year cause such map to be duly corrected so as to show the then existing lines The Company shall also if so required by the Electricity Commissioners or the Postmaster-General cause to be made sections showing the level of all such electric lines The said map and sections shall be made on such scale or scales as the Electricity Commissioners shall prescribe Every map and section so made or corrected or a copy thereof marked with the date when it was so made or last corrected shall be kept by the Company at their principal office and shall at all reasonable times be open to the inspection of all applicants and such applicants may take copies of the same or any part thereof The Company may demand and take from every such applicant as aforesaid such fee not exceeding one shilling for each inspection of such map sections or

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The Company shall if so required by the Electricity Commissioners or the Postmaster-General or by the local authority supply to them or him a copy of such map or sections and when so required cause such copy to be duly corrected so as to agree with the original or originals thereof as kept for the time being at the office of the Company.

If the Company fail to comply with any of the requirements of this section with respect to maps and sections they shall for every such offence be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding two pounds for each day on which such offence is continued after conviction therefor.

Lands by agreement.

56. The Company may for the general purposes of their undertaking purchase or take on lease (by agreement but not otherwise) and hold any lands and hereditaments within the area of supply not exceeding (except with the consent of the Electricity Commissioners which consent such Commissioners are hereby authorised to give) two hundred acres which the Company may from time to time require for any of the purposes of this Act or of the undertaking but the Company shall not create or permit a nuisance on any such lands:

Provided always that the Company shall not (save so far as they may be authorised so to do by competent authority) erect any station for generating electricity upon any lands acquired under this Act.

Dwelling-houses for employees.

57. The Company may erect and maintain upon the lands for the time being belonging to or held on lease by them or as to which they may have acquired any right or permission so to do and may acquire and hold cottages or dwelling-houses for their officers and servants and other buildings in connection with or for the purposes of the undertaking.

Power to take easements &c by agreement.

58. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or

privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Company may dispose of lands not required.

59. Notwithstanding any provisions of the Lands Clauses Acts the Company may sell grant or lease for such periods and for such consideration as the Company think fit any lands houses and property for the time being belonging to the Company which they do not require for the purposes of the undertaking or any interest right or easement therein.

Area of supply.

60. The area within which the Company may supply electricity shall be :—

The county of Cambridge.

The Isle of Ely (except the borough of Wisbech the urban district of Whittlesey the rural district of Whittlesey and the parish of Stanground North in the rural district of Thorney).

The county of Huntingdon (except the parishes of Fletton Urban and Woodstone Urban in the borough of Peterborough the urban district of Old Fletton and the parishes of Yaxley Farcet and Orton Longueville in the rural district of Norman Cross).

In the county of Bedford—

The rural district of Eaton Socon.

The parishes of Bolnhurst Colmworth Keysoe and Thurleigh in the rural district of Bedford.

The parishes of Cockayne-Hatley Dunton with Millo Edworth Eyworth and Wrestlingworth in the rural district of Biggleswade.

Power to lay connecting mains.

61. For the purpose of conveying a supply of electricity from any part of the area of supply to any other part thereof or of affording a supply to or taking a supply from any authority company body or person to whom the Company are authorised to supply or from

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whom the Company are authorised to take supplies of electricity under this Act the Company may exercise with respect to streets in any part of the counties of Cambridge (including the Isle of Ely) or Huntingdon or in any part of the urban district of Newmarket in the county of Suffolk or in any part (except the parish of Shillington) of the county of Bedford which lies to the eastward of an imaginary straight line drawn due north and south through the centre of the booking hall at the Blunham station on the London Midland and Scottish Railway which is not included within the area of supply the powers of and shall be subject to the provisions obligations and liabilities of the principal Acts with respect to the breaking up of streets for the purpose of placing and maintaining electric lines and works therein by undertakers (other than powers and obligations in regard to the supply of electricity) and such provisions and the provisions of section 22 of the Electricity (Supply) Act 1919 and section 11 of the Electricity (Supply) Act 1922 or any Act amending the same shall apply as if the Company were the undertakers and as if any such streets were within the area of supply but nothing in this section shall authorise or require the Company to supply electricity outside the area of supply:

Provided that except with the consent of the mayor aldermen citizens and burgesses of the city and borough of Peterborough (hereinafter called "the corporation") the powers of this section shall only be exercised in any part of the area of the corporation for the supply of electricity under the Peterborough Electricity Orders 1894 and 1922 for the purpose of carrying into effect any agreement for the supply of electricity in bulk to the Company by the corporation.

For protection of Bedford Corporation.

62. For the protection of the mayor aldermen and burgesses of the borough of Bedford (in this section called "the corporation") the following provisions shall unless otherwise agreed between the corporation and the Company apply and have effect (that is to say):—

The Company shall at least fourteen days before exercising any powers conferred upon the Company by the section of this Act of which the marginal note is "Power to lay connecting

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mains" with respect to any street in the parishes of Southill and Old Warden in the county of Bedford or either of them or within any part of the area of the corporation for the supply of electricity under the Bedford Electricity Orders 1890 and 1924 give to the corporation notice in writing of the intention of the Company to exercise such powers accompanied by a plan showing the streets in respect of which the Company propose to exercise the same.

As to route.

63.—(1) Subject to the provisions of this Act any electric lines laid down in or carried along any street by the Company under this Act shall be laid or carried in such line or route and in such manner as may be agreed between the Company and the local authority or as failing agreement shall be settled by the Minister of Transport and the Company shall show on the plan of the works to be served on such local authority in accordance with the provisions of the Electric Lighting (Clauses) Act 1899 incorporated with this Act the route proposed to be taken and the manner in which the electric lines are to be laid or carried:

Provided that where the local authority objects to any proposed line or route on the ground that it would traverse a principal thoroughfare or busy street or is otherwise inconvenient and indicates an alternative route or deviation within the district of the local authority which the Company are willing to adopt or which in the opinion of the Minister of Transport is reasonably practicable and does not involve undue increase of expenditure such alternative route or deviation shall be adopted.

(2) The reasonable and proper costs charges and expenses incurred by any local authority in relation to any reference to the Minister of Transport under this section shall in any case in which the Minister of Transport shall certify that the action of the local authority in the matter has not been unreasonable be paid by the Company.

(3) Nothing in this section shall take away or prejudicially affect the rights of the Postmaster-General under section 14 of the schedule to the Electric Lighting (Clauses) Act 1899.

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Laying mains in private streets.

64.—(1) 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 but not dedicated to public use or if so dedicated not repairable by the inhabitants at large supply such premises with electricity and may erect and lay down take up alter relay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the provisions of the principal Acts so far as they are applicable for the purposes of this section shall extend and apply to and for such purposes and to any works constructed or executed by the Company under the powers of this section.

(2) The Company shall not exercise their powers under this section with respect to any street or road belonging to a railway company or forming the approach to any station or depôt of such railway company except with the consent of such railway company which consent shall not be unreasonably withheld and in carrying out any works authorised by this section the Company shall not unreasonably obstruct or interfere with the convenient access to any such street or road.

(3) Before the Company break up any street (other than a street or road belonging to a railway company) under the powers of this section the Company shall (except in cases of emergency) give twenty-one clear days' notice to the local authority of the district in which the street is situate of their intention so to do and the Company shall in carrying out any works in such street and in reinstating the same conform to all reasonable requirements made by the local authority Any difference arising between the Company and the local authority under this subsection shall be settled by arbitration.

For protection of Bedfordshire County Council.

65. The following provisions for the protection of the county council of the administrative county of Bedford (in this section referred to as "the county council") shall have effect unless otherwise agreed in writing between the county council and the Company (that is to say) :—

(1) All mains pipes electric lines boxes posts and other works to be laid placed or constructed

in along or over any main road or in upon across or over any county or main road bridge (which words shall in this section include bridge approaches) shall be laid or placed in such position and if underground at such depth as the county council in writing under the hand of their clerk may reasonably require :

(2) All works to be constructed laid or placed in along across or over or in any way affecting any main road or county or main road bridge shall be executed under the superintendence and to the reasonable satisfaction of the surveyor of the county council and in accordance with plans to be submitted to and reasonably approved by him before the commencement of any such work :

(3) The works shall be so executed as not in any way to stop or interfere unreasonably with the traffic of any main road or county or main road bridge or with any work being carried out by the county council in respect of any main road or county or main road bridge If the county council propose to carry out any works of alteration renewal or reconstruction of a main road or county or main road bridge they shall give reasonable notice thereof to the Company and the Company shall thereupon proceed to execute such works as the Company may then desire or have reason to anticipate that they will in the immediate future desire to execute in along over or across such main road or county or main road bridge All such works of the Company shall be proceeded with and completed with all possible despatch :

(4) The provisions of section 8 of the Gasworks Clauses Act 1847 shall for the purposes of this Act have effect as if the word "fourteen" were substituted for the word "three" in that section and the plan required by section 9 of the said Act shall be accompanied by a description of the proposed works and shall be delivered to the county council not less than fourteen days before the Company commence to break up any main road or county or main road bridge :

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(5) Notwithstanding anything in this Act contained it shall be lawful for the county council at any time to alter the level of or divert widen or improve any such main road and also to remove alter widen or renew any such county or main road bridge in alongside over or near to which any such mains pipes lines or other works are carried in the same manner as they might have altered the level of diverted widened or improved removed altered or renewed any such main road or bridge if this Act had not been passed and such mains pipes lines and other works had not been constructed laid or placed in over alongside or near to such main road or bridge respectively without making any compensation to the Company for any expense or loss to which the Company may be put in consequence of such alteration of level diversion widening improvement removal alteration or renewal And in the event of any such main road or bridge in over alongside or near to which such mains pipes lines or other works are laid or placed being diverted widened or improved removed altered or renewed as aforesaid the Company shall at their own expense as and when requested by the county council remove or alter the position of the works by which such lines or pipes are carried in over alongside or near to any such main road or bridge as aforesaid and replace the same to the reasonable satisfaction of the surveyor of the county council Provided that before and during such diversion widening improvement removal alteration or renewal of any such main road or bridge as aforesaid the county council shall afford at the cost of the Company all reasonable facilities for carrying temporarily such lines or pipes along the main road or across the river or stream so as not to interrupt the continuous supply of electricity :

(6) The Company shall indemnify the county council against any claim for damage which may be made against the county council and against any injury loss cost or expense which may be

caused to or incurred by the county council by reason of the works of the Company or any accident occasioned by them :

(7) The county council shall not (except in the case of their negligence) be liable to any claim for damage in respect of any injury which may be caused to any of the said lines pipes or works through the reasonable and proper use by the county council of a steam roller scarifier or other plant no single vehicle of which shall exceed twenty tons in weight :

(8) The Company shall not be entitled to place any electric line below ground or above ground across any land acquired by the county council and held by them for the purpose of powers and duties conferred and imposed on them by statute except with the consent of the county council provided that such consent shall not be unreasonably withheld :

(9) If any difference arises between the Company and the county council touching this section or anything to be done or not to be done thereunder such difference shall be referred to arbitration.

For protection of Cambridgeshire County Council.

66. The following provisions for the protection of the county council of the administrative county of Cambridge (in this section referred to as "the county council") shall have effect unless otherwise agreed in writing between the county council and the Company (that is to say) :—

(1) All mains pipes electric lines boxes posts and other works to be laid placed or constructed in along or over any main road or in upon across or over any county or main road bridge (which words shall in this section include bridge approaches) shall be laid or placed in such position and if under ground at such depth as the county council in writing under the hand of their clerk may reasonably require :

(2) All works to be constructed laid or placed in along across or over or in any way affecting any main road or county or main road bridge shall be executed under the superintendence and to

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the reasonable satisfaction of the surveyor of the county council and in accordance with plans to be submitted to and reasonably approved by him before the commencement of any such work :

(3) The works shall be so executed as not in any way to stop or interfere unreasonably with the traffic of any main road or county or main road bridge or with any work being carried out by the county council in respect of any main road or county or main road bridge If the county council propose to carry out any works of alteration renewal or reconstruction of a main road or county or main road bridge they shall give reasonable notice thereof to the Company and the Company shall thereupon proceed to execute such works as the Company may then desire or have reason to anticipate that they will in the immediate future desire to execute in along over or across such main road or county or main road bridge All such works of the Company shall be proceeded with and completed with all possible despatch :

(4) The provisions of section 8 of the Gasworks Clauses Act 1847 shall for the purposes of this Act have effect as if the word "fourteen" were substituted for the word "three" in that section and the plan required by section 9 of the said Act shall be accompanied by a description of the proposed works and shall be delivered to the county council not less than fourteen days before the Company commence to break up any main road or county or main road bridge :

(5) Notwithstanding anything in this Act contained it shall be lawful for the county council at any time to alter the level of or divert widen or improve any such main road and also to remove alter widen or renew any such county or main road bridge in alongside over or near to which any such mains pipes lines or other works are carried in the same manner as they might have altered the level of diverted widened or improved removed altered or renewed any

such main road or bridge if this Act had not been passed and such mains pipes lines and other works had not been constructed laid or placed in over alongside or near to such main road or bridge respectively without making any compensation to the Company for any expense or loss to which the Company may be put in consequence of such alteration of level diversion widening improvement removal alteration or renewal And in the event of any such main road or bridge in over alongside or near to which such mains pipes lines or other works are laid or placed being diverted widened or improved removed altered or renewed as aforesaid the Company shall at their own expense as and when requested by the county council remove or alter the position of the works by which such lines or pipes are carried in over alongside or near to any such main road or bridge as aforesaid and replace the same to the reasonable satisfaction of the surveyor of the county council Provided that before and during such diversion widening improvement removal alteration or renewal of any such main road or bridge as aforesaid the county council shall afford at the cost of the Company all reasonable facilities for carrying temporarily such lines or pipes along the main road or across the river or stream so as not to interrupt the continuous supply of electricity :

(6) The Company shall indemnify the county council against any claim for damage which may be made against the county council and against any injury loss cost or expense which may be caused to or incurred by the county council by reason of the works of the Company or any accident occasioned by them :

(7) The county council shall not (except in the case of their negligence) be liable to any claim for damage in respect of any injury which may be caused to any of the said lines pipes or works through the reasonable and proper use by the county council of a steam-roller scarifier or other plant no single vehicle of which shall exceed twenty tons in weight :

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(8) The Company shall not be entitled to place any electric line below ground or above ground across any land acquired by the county council and held by them for the purpose of powers and duties conferred and imposed on them by statute except with the consent of the county council provided that such consent shall not be unreasonably withheld:

(9) If any difference arises between the Company and the county council touching this section or anything to be done or not to be done thereunder such difference shall be referred to arbitration.

For protection of Huntingdonshire County Council.

67. The following provisions for the protection of the county council of the administrative county of Huntingdon (in this section referred to as "the county council") shall have effect unless otherwise agreed in writing between the county council and the Company (that is to say):—

(1) All mains pipes electric lines boxes posts and other works to be laid placed or constructed in along or over any main road or in upon across or over any county or main road bridge (which words shall in this section include bridge approaches) shall be laid or placed in such position and if under ground at such depth as the county council in writing under the hand of their clerk may reasonably require:

(2) All works to be constructed laid or placed in along across or over or in any way affecting any main road or county or main road bridge shall be executed under the superintendence and to the reasonable satisfaction of the surveyor of the county council and in accordance with plans to be submitted to and reasonably approved by him before the commencement of any such work:

(3) The works shall be so executed as not in any way to stop or interfere unreasonably with the traffic of any main road or county or main road bridge or with any work being carried out by the county council in respect of any main road or county or main road bridge If the county council propose

to carry out any works of alteration renewal or reconstruction of a main road or county or main road bridge they shall give reasonable notice thereof to the Company and the Company shall thereupon proceed to execute such works as the Company may then desire or have reason to anticipate that they will in the immediate future desire to execute in along over or across such main road or county or main road bridge All such works of the Company shall be proceeded with and completed with all possible despatch :

(4) The provisions of section 8 of the Gasworks Clauses Act 1847 shall for the purposes of this Act have effect as if the word "fourteen" were substituted for the word "three" in that section and the plan required by section 9 of the said Act shall be accompanied by a description of the proposed works and shall be delivered to the county council not less than fourteen days before the Company commence to break up any main road or county or main road bridge :

(5) Notwithstanding anything in this Act contained it shall be lawful for the county council at any time to alter the level of or divert widen or improve any such main road and also to remove alter widen or renew any such county or main road bridge in alongside over or near to which any such mains pipes lines or other works are carried in the same manner as they might have altered the level of diverted widened or improved removed altered or renewed any such main road or bridge if this Act had not been passed and such mains pipes lines and other works had not been constructed laid or placed in over alongside or near to such main road or bridge respectively without making any compensation to the Company for any expense or loss to which the Company may be put in consequence of such alteration of level diversion widening improvement removal alteration or renewal And in the event of any such main road or bridge in over alongside or near to

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which such mains pipes lines or other works are laid or placed being diverted widened or improved removed altered or renewed as aforesaid the Company shall at their own expense as and when requested by the county council remove or alter the position of the works by which such lines or pipes are carried in over alongside or near to any such main road or bridge as aforesaid and replace the same to the reasonable satisfaction of the surveyor of the county council Provided that before and during such diversion widening improvement removal alteration or renewal of any such main road or bridge as aforesaid the county council shall afford at the cost of the Company all reasonable facilities for carrying temporarily such lines or pipes along the main road or across the river or stream so as not to interrupt the continuous supply of electricity:

(6) The Company shall indemnify the county council against any claim for damage which may be made against the county council and against any injury loss cost or expense which may be caused to or incurred by the county council by reason of the works of the Company or any accident occasioned by them:

(7) The county council shall not (except in the case of their negligence) be liable to any claim for damage in respect of any injury which may be caused to any of the said lines pipes or works through the reasonable and proper use by the county council of a steam-roller scarifier or other plant no single vehicle of which shall exceed twenty tons in weight:

(8) The Company shall not be entitled to place any electric line below ground or above ground across any lands acquired by the county council and held by them for the purpose of powers and duties conferred and imposed on them by statute except with the consent of the county council provided that such consent shall not be unreasonably withheld:

(9) If any difference arises between the Company and the county council touching this section or

anything to be done or not to be done thereunder such difference shall be referred to arbitration. A.D. 1925.

For protection of local authorities in Bedfordshire.

68. For the protection of the local authorities in the county of Bedford the following provisions shall except so far as may be otherwise agreed between the Company and any such local authority have effect (that is to say) :—

The provisions of the section of this Act of which the marginal note is " For protection of Bedfordshire County Council " with the exception of subsection (8) of that section shall apply mutatis mutandis for the protection of any roads and bridges repairable by the council of any borough or urban or rural district which is situate within the said county and the area of supply.

For protection of local authorities in Cambridgeshire.

69. For the protection of the local authorities in the county of Cambridge (including the Isle of Ely) the following provisions shall except so far as may be otherwise agreed between the Company and any such local authority have effect (that is to say) :—

The provisions of the section of this Act of which the marginal note is " For protection of Cambridgeshire County Council " with the exception of subsection (8) of that section shall apply mutatis mutandis for the protection of any roads and bridges repairable by the council of any borough or urban or rural district which is situate within the said county and the area of supply.

For protection of local authorities in Huntingdonshire.

70. For the protection of the local authorities in the county of Huntingdon the following provisions shall except so far as may be otherwise agreed between the Company and any such local authority have effect (that is to say) :—

The provisions of the section of this Act of which the marginal note is " For protection of Huntingdonshire County Council " with the exception of subsection (8) of that section shall apply mutatis mutandis for the protection of any roads and bridges repairable by the council of any borough or urban or rural district which is situate within the said county and the area of supply.

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For protection of Newmarket Urban District Council.

71. The provisions of the section of this Act of which the marginal note is "For protection of Cambridgeshire County Council" with the exception of subsection (8) of that section shall mutatis mutandis and so far as applicable extend and apply to and enure for the benefit and protection of the urban district council of Newmarket in relation to any street road bridge or approach within the urban district of Newmarket and for the time being vested in or maintainable by the said urban district council as if the said urban district council were referred to therein instead of the council of the administrative county of Cambridge.

For protection of certain railway companies.

72. For the protection of the London and North Eastern Railway Company and the London Midland and Scottish Railway Company (each of whom is in this section called "the railway company") the following provisions shall unless otherwise agreed between the Company and the railway company apply and have effect (that is to say) :—

(1) For the protection of any wire or line of the railway company used for the purpose of electric traction on a railway of the railway company section 20 of the schedule to the Electric Lighting (Clauses) Act 1899 shall apply to the constructing laying down placing or working under any powers conferred by this Act of any electric lines or other works of the Company on under or over any lands or property of the railway company in like manner as that section applies for the protection of electric signalling communication :

(2) If having regard to the proposed position of any electric lines of the Company in relation to the position of the works of the railway company at any point where electric lines of the Company will be constructed over or under any railway of the railway company it becomes advisable in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal wires or apparatus of the railway company should be altered the railway company may execute any works reasonably necessary for such alteration and

the reasonable expense of executing those works shall be borne by the Company:

(3) The Company shall give to the railway company fourteen days' notice in writing of any application to be made by the Company to the Ministry of Transport under section 10 (*b*) of the schedule to the Electric Lighting (Clauses) Act 1899 or under section 21 of the Electricity (Supply) Act 1919 or under this Act for the consent of the Ministry of Transport to the placing of any electric lines above ground over any street or over or under any bridge owned or repairable by the railway company:

(4) Any additional expense which the railway company may reasonably and properly incur in widening altering reconstructing repairing or maintaining their railways bridges tunnels subways or works under any existing powers of the railway company in that behalf or in adapting their railways for working by electrical power by reason of the existence of any electric mains laid down by the Company under the powers of this Act upon across over or under the same shall be paid by the Company:

(5) Any difference between the Company and the railway company arising under this section shall be referred to an arbitrator to be appointed failing agreement by the Ministry of Transport on the application of either party after notice to the other.

For protection of Ouse Drainage Board.

73. For the protection of the Ouse Drainage Board (in this section called "the board") the following provisions shall unless otherwise agreed in writing between the board and the Company apply and have effect (that is to say):—

(1) Nothing in this Act shall take away lessen or prejudice any of the rights conferred upon the board by the Ouse Drainage Order 1920:

(2) The Company shall not commence to execute any works which will interfere with any bank of the River Ouse under the jurisdiction of the board until they shall have given to the board twenty-one days' notice in writing of their

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intention to commence such works accompanied by plans and sections showing the places at which such works are proposed to be executed and such plans and sections have been approved by the board or settled by arbitration as hereinafter provided in this section:

(3) If the board shall not within twenty-one days of the submission to them of any plans and sections as provided for by this section disapprove of the same or express their requirements with reference thereto they shall be deemed to have approved thereof:

(4) If by reason of the laying maintenance or failure of any cable of the Company any bank under the jurisdiction of or any property of the board shall be injured the Company shall repay to the board all costs which the board may reasonably incur in repairing such injury:

(5) If any question shall arise between the board and the Company under the provisions of this section such question shall be referred to and determined by an arbitrator to be agreed upon between them or failing such agreement appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference:

(6) Nothing in this section shall prejudice any rights or powers of the Company under section 22 of the Electricity (Supply) Act 1919 or under any consent given thereunder or under section 11 of the Electricity (Supply) Act 1922 or any provisions amending those sections or either of them.

For protection of First Garden City Limited.

74. For the protection of the First Garden City Limited (in this section called "the Garden City Company") the following provisions shall unless otherwise agreed between the Garden City Company and the Company have effect (that is to say):—

(1) The Company shall not under the powers of this Act supply electricity in any part of the area of the Garden City Company for the

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supply of electricity under the Letchworth and District Electricity Orders 1924 and 1925 :

(2) The Company shall not under the powers of the section of this Act of which the marginal note is "Power to lay connecting mains" construct electric lines above ground within the said area of the Garden City Company except along such routes as the Garden City Company may approve but such approval shall not be unreasonably withheld and if any question shall arise as to whether any such approval is unreasonably withheld such question shall be referred to and determined by an arbitrator to be agreed upon between the parties or failing agreement appointed by the President of the Institution of Electrical Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference :

(3) Nothing in this section shall be deemed to restrict any powers of the Company under subsection (4) of the section of this Act of which the marginal note is "Limitation of powers."

For protection of North Metropolitan Electric Power Supply Company.

75. For the protection of the North Metropolitan Electric Power Supply Company (in this section called "the North Metropolitan Company") the following provisions shall unless otherwise agreed between the Company and the North Metropolitan Company have effect notwithstanding anything in this Act (that is to say) :—

(1) The Company shall not supply electricity within or for use within the North Metropolitan limits nor shall electricity supplied by the Company be used within the North Metropolitan limits but nothing in this section shall prevent electricity supplied by the Company at any point within the area of supply to any company body or person owning or working an undertaking being a railway light railway tramway tramroad waterworks harbour dock canal or navigation being used for any purpose of such undertaking whether within or without the area of supply :

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(2) The Company shall not acquire the undertaking authorised by any Provisional Order or Special or other Order or any powers rights authorities and privileges of the undertakers under any such Order so far as the undertaking powers rights authorities or privileges relate to any part of the North Metropolitan limits nor shall the Company apply for any Special or other Order under the Electricity (Supply) Acts 1882 to 1922 with respect to any part of the North Metropolitan limits or exercise any other powers of this Act not hereinbefore mentioned within the North Metropolitan limits:

(3) In this section the North Metropolitan limits has the meaning given to the expression "the Company's limits" in section 4 of the North Metropolitan Electric Power Supply Act 1925.

Limitation of powers.

76.—(1) Subject to the provisions of this Act the powers of the Company for the supply of electricity under this Act shall be subject to the following restrictions (that is to say):—

(i) The Company shall not supply electricity for power (except to authorised undertakers or to a company body or person owning or working any railway tramway tramroad waterworks harbour dock canal or navigation) in any place which at the date of the passing of this Act forms part of the area of supply of any authorised distributors without the consent of such distributors which consent shall not be unreasonably withheld;

(ii) If any question arises as to whether the consent of any such authorised distributors is unreasonably withheld that question shall be determined by the Minister of Transport who may direct that any such consent shall be dispensed with;

(iii) The consent shall be deemed to be unreasonably withheld if such authorised distributors are not willing and in a position to give the requisite supply upon reasonable terms and within a reasonable time and in considering what are reasonable terms and what is a reasonable time

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the Minister shall amongst other things have regard to the terms upon which and the time within which the Company are willing and in a position to give the supply.

(2) The Company shall not supply electricity for lighting or general domestic purposes (including office purposes) only in any place which at the date of the passing of this Act forms part of the area of supply of any authorised distributors except with the consent of such authorised distributors.

(3) Electricity supplied by the Company for power may be used for lighting any premises on any part of which such electricity is utilised.

(4) Electricity supplied by the Company at any point within the area of supply to any company body or person owning or working an undertaking being a railway light railway tramway tramroad waterworks harbour dock canal or navigation which is partly within and partly without the area of supply may be used for all or any purposes of any part of such undertaking whether within or without the area of supply and electricity supplied by the Company at any point within the area of supply to any authorised undertakers may be used for any purposes of any electricity undertaking of such undertakers whether within or without such area but nothing in this subsection shall authorise electricity to be used for haulage or traction on any railway unless the company body or person owning or working such railway is authorised by Act of Parliament or by an Order confirmed by or having the effect of an Act of Parliament to use electricity for those purposes.

(5) If at any time after the passing of this Act any local authority company or person become authorised distributors in any area within the area of supply the Company shall be subject to any provisions which may be made by the Act or Provisional or Special Order under which the distributors become authorised as to the taking over of any supply then given by the Company for use exclusively within the area of supply of the distributors or otherwise as to the powers of the Company to supply within that area and such provisions may be made in any such Provisional or Special Order under the Electricity (Supply) Acts 1882 to 1922.

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For protection of Postmaster-General.

77. Any electricity supplied under this Act to any company body or person owning or working any railway light railway tramway tramroad waterworks harbour dock canal or navigation shall not be used by the company body or person receiving such supply in such manner as to cause or be likely to cause any interference (whether by induction or otherwise) with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of such line But this provision shall not apply to any company body or person authorised to use electricity by Act of Parliament or by Order confirmed by or having the effect of an Act of Parliament containing provisions for the protection of the telegraphic lines of the Postmaster-General against the use of electricity.

Supply to authorised undertakers.

78. The Company shall upon being required to do so by any authorised undertakers give and continue to give at such point or points within the area of supply as the authorised undertakers may reasonably require a supply of electricity at rates not exceeding those stated in section I. of the schedule to this Act and shall furnish and lay such electric lines as may be necessary for the purpose of supplying to such authorised undertakers at such point or points the maximum power with which such authorised undertakers may be entitled to be supplied under this Act subject to the conditions following (that is to say) :—

Any such authorised undertakers requiring a supply of electricity shall—

(*a*) serve a notice upon the Company specifying the point or points at which such electricity is required to be supplied and the maximum power required to be supplied and the day upon which such supply is required to commence (not being an earlier day than a reasonable time after the date of the service of such notice having regard to the situation of the point or points at which such supply is required to be given and to the length of electric line required to be laid and plant required to be provided for affording such supply); and

(*b*) enter into a written contract with the Company (if required by them so to do) to receive and to

continue to receive and pay for a supply of electricity for a period of at least seven years of such an amount that the payment to be made for the same shall not be less than twenty per centum per annum on the outlay incurred by the Company in making provision for such supply :

Provided that any authorised undertakers so requiring a supply of electricity shall give to the Company (if required by them so to do) security for the payment of all moneys which may become due to the Company under such contract :

Provided further that the Company shall grant to any authorised undertakers as favourable terms and conditions for the supply of electricity as those granted by the Company to any other authorised undertakers whose circumstances are similar.

If any difference arises under this section such difference shall be determined by arbitration.

Supply to other than authorised undertakers.

79. The Company shall give a supply of electricity for power to any person within the area of supply (except authorised undertakers or any company body or person owning or working an undertaking being a railway light railway tramway tramroad waterworks harbour dock canal or navigation) upon that person entering into a binding contract to receive and to continue to receive and pay for a supply of electricity upon such terms and conditions as failing agreement shall be fixed by the Electricity Commissioners and in fixing such terms and conditions (including a minimum annual sum to be paid to the Company) the Electricity Commissioners shall have regard to the following amongst other considerations :—

(1) The period for which the person to whom the supply is to be given is prepared to bind himself to take such electricity :

(2) The amount of electricity and the maximum power required :

(3) The hours during which the Company can be called upon to give the supply :

(4) The capital expenditure in connection with the supply of such electricity :

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(5) How far capital expended in connection with such supply may become unproductive to the Company upon the discontinuance of such supply:

Provided that any person so requiring a supply of electricity shall give to the Company (if required by them so to do) security for the payment of all moneys which may become due to the Company under such contract.

Liability for failure to supply.

80. Whenever the Company make default in supplying electricity to any authorised undertakers to whom they may be required to supply electricity in accordance with the provisions of this Act they shall be liable to such undertakers in the same penalties as those for which such undertakers under the provisions of their Acts or Orders are liable and the amount of any penalty to be paid by the Company in the case of any such default shall not exceed the amount of any statutory penalties which have been found due and paid by such undertakers in consequence of such default and such undertakers shall have no claim against the Company in the event of the default of the Company arising by reason of accidents which could not have been avoided by reasonable foresight or care or owing to fire flood storm tempest breakdown of machinery or other casualty or force majeure or labour disputes whether between employers and workmen or otherwise or in respect of any default of so slight or unimportant a character as not materially to affect the value of the supply or any other cause for which the Company cannot reasonably be held to be responsible.

Limiting opposition to local authorities seeking Special Orders.

81. If any local authority company body or person shall at any time after the passing of this Act apply for a Special Order under the Electricity (Supply) Acts 1882 to 1922 to authorise them to generate and supply electricity within the area of supply or to extend within such area the area of such local authority company body or person for the supply of electricity the Company shall not be entitled to oppose such application merely on the ground that they have under this Act the powers to supply electricity thereby conferred upon them except so far as may be necessary in order to secure the insertion in such Order of clauses or amendments to protect their

electric lines and works and with respect to any provisions which may be contained in any such Order as to the taking over of any supply then given by the Company Provided that nothing in this section shall prejudice the right of the Company to oppose any such application if the Company shall have entered into a binding agreement with such authority company body or person to afford to the whole area proposed to be dealt with by such authority company body or person a supply of electricity for the same purposes and to the same extent as is proposed by such authority company body or person or shall have offered to enter into such an agreement on terms not less favourable than those on which the authority company body or person propose to provide such supply and if necessary to apply for powers in that behalf.

Notice of discontinuance of supply.

82.—(1) Any authorised undertakers company body or person supplied with electricity by the Company under this Act who desire or desires that the Company shall cease to give to them or him such supply shall in the case of a supply for lighting or general domestic purposes (including office purposes) give to the Company three months' notice in writing expiring on one of the usual quarter days and in all other cases shall give to the Company twelve months' notice in writing so expiring to cease giving such supply Such notice shall not be given so as to expire before the end of the period for which the authorised undertakers company body or person giving the notice have contracted to receive and pay for such supply.

(2) No such notice shall be of any effect unless it be in writing signed by or on behalf of the consumer and left with or sent by post to the Company or be given by the consumer personally at the head office or any recognised local office of the Company Notice of the effect of this subsection shall be endorsed upon any demand note of the Company for charges for electricity.

For prevention of improper use.

83. If any authorised undertakers company body or person uses or deals with the electricity supplied to them or him by the Company in such manner as to interfere unduly or improperly with the efficient supply of electricity to any other authorised undertakers company body or person by the Company the Company may if

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they think fit cease to supply electricity to the first-mentioned authorised undertakers company body or person.

Limitation of demand for maximum power.

84. The maximum power with which any authorised undertakers company body or person shall be entitled to be supplied shall be of such amount as they or he may require to be supplied with not exceeding what may be reasonably anticipated as their or his maximum consumption.

If any difference arises between any such undertakers company body or person and the Company as to what may be reasonably anticipated as their or his maximum consumption such difference shall be determined by arbitration.

Stated price.

85.—(1) Subject to the provisions of this Act the rates to be charged by the Company for electricity supplied by them under the powers of this Act shall not exceed those respectively stated in that behalf in the schedule to this Act:

Provided that any consumer taking a supply for lighting or general domestic or office purposes and not being a consumer taking a supply of electricity in bulk or for power shall be entitled at the option of the consumer to be charged either at rates not exceeding those stated in that behalf in section II. or at rates not exceeding those stated in that behalf in sections III. and IV. of the said schedule:

Provided also that no such consumer who has elected to be or is being charged at rates calculated in accordance with one of those methods of charge and who desires to be charged at rates calculated in accordance with the other of such methods shall be entitled to be so charged unless he shall have intimated such desire to the Company by not less than three months' notice in writing expiring at the end of one of the quarters mentioned in section III. of the said schedule.

(2) Nothing in this Act or in the principal Acts shall prevent the Company from making any agreements as provided by this Act and at such prices and on such terms and conditions as may be agreed.

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Separate meters in certain cases.

86. In any case where electricity supplied by the Company to any consumer (other than authorised undertakers) is used partly for the purposes mentioned in section II. of the schedule to this Act or any of them and partly for other purposes the Company may require that the electricity used for such first-mentioned purposes or any of them shall be measured by a separate meter and paid for as electricity to which the said section II. applies.

Revision of prices.

87. The local authority of any district within the area of supply or any authorised undertakers supplied by the Company or such number of consumers in any such district not being less than twenty as the Minister of Transport considers sufficient having regard to the population of such district or the Company may at any time after the expiration of three years after the passing of this Act make a representation to the said Minister that the rates or methods of charge for a supply of electricity authorised by this Act ought to be altered as regards such district or undertakers and on any such representation being made the said Minister after such inquiry as he may think fit may make an order varying such rates or methods of charge or substituting other rates or methods of charge and the rates or methods of charge so varied or substituted shall as regards such district or undertakers have effect on and after such day as may be mentioned in the order as if they had been stated in this Act Provided also that the rates and methods of charge for the time being in force may be altered in like manner at any time after the expiration of any or every period of three years after they were last altered.

Agreements for exercise of works &c.

88. The Company and any authorised undertakers or any company body or person to whom the Company are entitled to give a supply of electricity may enter into and carry into effect agreements and arrangements for and with respect to the construction laying down maintenance or repair by any such undertakers company body or person on behalf of the Company or by the Company on behalf of any such undertakers company body or person of electric lines or other works or apparatus connected therewith for the supply or use of electricity or the exercise by either party to any such agreement or arrangement of any powers of the other

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of them in reference to the matters aforesaid Provided that the execution or exercise of any such works or powers shall be subject to any statutory provisions or regulations which would have related to the exercise or execution thereof by such undertakers company body or person or by the Company as the case may be.

Agreements for supply of electricity.

89. Notwithstanding anything contained in the principal Acts or this Act the Company on the one hand and any authority company or person to whom the Company are under this Act authorised to supply electricity on the other hand may enter into and carry into effect vary and rescind contracts or agreements for or with respect to the supply of electricity by the Company to such authority company or person and at such price and on such terms and conditions as may be agreed and the Company may supply electricity accordingly Provided that the Company shall not in making any such contract or agreement show any undue preference to any such authority company or person.

For protection of Cambridge Electric Supply Company Limited.

90. For the protection of the Cambridge Electric Supply Company Limited (in this section called "the Cambridge Company") the following provisions shall notwithstanding anything contained in this Act unless otherwise agreed between the Cambridge Company and the Company have effect (that is to say):—

(1) The Company shall not under the powers of this Act either directly or indirectly supply electricity within or for use within any part of the area of the Cambridge Company for the supply of electricity under the Cambridge Electric Lighting Order 1890 and the Cambridge and District Electric Lighting Order 1903 (in this section called "the Cambridge area"):

(2) The Company shall not under this Act or under the Electricity (Supply) Acts 1882 to 1922 construct electric lines above ground within the Cambridge area except along such routes as the Cambridge Company may approve but such approval shall not be unreasonably withheld and if any question shall arise as to whether any such approval is unreasonably withheld such question shall be referred to and determined by an arbitrator to be agreed upon between the

parties or failing agreement appointed by the President of the Institution of Electrical Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference:

(3) Nothing in this section shall be deemed to prevent the Company supplying at any point within any part of the area of supply of the Company which is outside the Cambridge area electricity for the purposes of haulage or traction or signalling on any railway light railway tramway canal or navigation situate partly without and partly within the Cambridge area and for the purposes of lighting vehicles and vessels used on such railway light railway tramway canal or navigation.

Supply of electricity by agreement.

91. A consumer (other than any authorised undertakers) 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 electricity 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 the agreement and if the Company fail to supply electricity 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.

Company to submit to Commissioners proposals for supply.

92. The Company shall within a period of three years from the date of the passing of this Act or within such extended time as may be allowed by the Electricity Commissioners submit to the Commissioners proposals for the development of the supply of electricity in those parts of the area of supply in which there is a demand for a supply of electricity which the Company are by this Act authorised to give and a reasonable prospect of such supply being remunerative and those proposals shall subject to the provisions of this Act be carried into effect within the time prescribed by the Commissioners when giving their approval.

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Agreements with Government departments and others.

93. The Company on the one hand and any Government department or person interested in any river stream canal or navigation within the area of supply or any of them on the other hand may from time to time enter into and carry into effect contracts agreements and arrangements for and with respect to the construction laying down alteration maintenance repair and use of electric lines pipes works appliances and apparatus for the purposes of this Act on the bed banks and foreshore of any such river stream canal or navigation.

Agreements with railway companies for works.

94. The Company on the one hand and any railway company whose railway or any part thereof is situate within the area of supply on the other hand may enter into and carry into effect agreements for and in relation to the construction laying down alteration maintenance repair and use of works and electric lines for the purposes of this Act upon across or affecting railways bridges or other property of any such railway company.

For further protection of Postmaster-General.

95. Section 22 subsections (4) and (5) of the Electricity (Supply) Act 1919 shall so far as applicable extend and apply to any works executed under any contract agreement or arrangement made in pursuance of the last two preceding sections of this Act.

Bulk supplies.

96. The Company on the one hand and any local authority company or person authorised by Act of Parliament or Special or other Order to supply electricity within the area of supply for the time being of the Company or with the approval of the Electricity Commissioners (which approval such Commissioners are hereby authorised to give) any local authority company or person so authorised to supply electricity within any area adjoining the area of supply for the time being of the Company on the other hand may enter into and carry into effect agreements for the supply of electricity in bulk by or to the Company to or by such local authority company or person and the provisions of the respective Acts and Orders under which such authority company or person may be empowered to supply electricity shall so far as applicable have effect within the area of supply of such authority company or person for the purposes of a supply to be afforded under this section.

Inspectors.

97.—(1) The Minister of Transport on the application of any authorised undertakers or persons

supplied with electricity by the Company under the powers of this Act may appoint and keep appointed one or more competent and impartial person or persons to be electrical inspectors under this Act and the Minister may prescribe the fees to be taken by any such inspector and the mode of application thereof and those fees shall be accounted for and applied as may be directed by the Minister.

(2) The Company shall whenever reasonably required by any local authority through whose district any trunk main is laid test and furnish a record of the testing of any main of the Company passing through their district or if necessary that portion of the main within their district and in case the Company fail to comply with the provisions of this subsection any such local authority may apply to the Minister of Transport to appoint an inspector for the purpose of testing such main and the foregoing provisions of this section shall apply to the appointment of such inspector and the Company shall pay the cost of such testing.

Power to deal in apparatus.

98.—(1) The Company may provide sell let for hire or dispose of on terms of payment by instalments and fix repair maintain and remove electric lines fittings lamps and standards apparatus or appliances for lighting whether for public lighting or otherwise heating and motive power and for all other purposes for which electricity can or may be used and may provide all materials and work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon Provided that nothing herein contained shall authorise the Company to manufacture any such electric lines fittings apparatus or appliances.

(2) The Company may provide and carry on shops or show rooms for the exhibition or sale of any fittings apparatus or appliances referred to in this section.

(3) Any electric lines fittings apparatus and appliances provided by or on behalf of the Company on consumers' premises and any lands buildings or works held by them in connection therewith shall be deemed to form part of the undertaking of the Company.

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(4) Sections 24 and 25 of the Electric Lighting Act 1882 and section 16 of the Electric Lighting Act 1909 shall apply to all articles and things let for hire or supplied by the Company or disposed of on terms of payment by instalments under the provisions of this section.

Power to hold patent rights.

99. The Company may acquire and hold patent and other rights in relation to the generation transmission and use of electricity for the purposes of this Act.

Charges for re-connecting lines and works.

100. Any expenses reasonably incurred by the Company in re-connecting any electric line or other work which may have been lawfully cut off or disconnected by them by reason of any default of a consumer may be recovered in like manner as expenses lawfully incurred by them in such cutting off or disconnecting the same.

Entry upon premises.

101. Any person who shall hinder an officer appointed by the Company from entering any premises in pursuance of section 24 (Power to enter lands or premises for ascertaining quantities of electricity consumed or to remove fittings) of the Electric Lighting Act 1882 or from exercising the powers contained in that section shall be liable to a penalty not exceeding forty shillings.

Where any premises which the Company or their officers are entitled to enter in pursuance of section 24 of the Electric Lighting Act 1882 are unoccupied the Company or their officers may after giving not less than forty-eight hours' notice to the owner thereof or if he or his address is unknown to the Company and cannot be ascertained after diligent inquiry by affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

Transfer of undertakings of local authorities and others to Company.

102.—(1) The Company may by agreement (but not otherwise) acquire from any local authority or other undertakers to whom a Provisional Order or a Special or other Order under the Electricity (Supply) Acts 1882 to 1922 or any of those Acts shall have been or may be granted relating to a district or place within or partly within or adjoining the area of supply or any area of supply in which the Company are giving or are authorised to give a supply of electricity the undertaking authorised by such Order and the powers rights authorities and

privileges of the undertakers thereunder and the undertakers under any such Order which shall have been made or confirmed prior to the passing of this Act may with the approval of the Electricity Commissioners by deed approved by the Commissioners (which approval the Commissioners are hereby authorised to give) transfer such undertaking powers rights authorities and privileges to the Company subject to such exceptions and modifications (if any) and on such terms and conditions as may be specified in the deed and in the event of the Company so acquiring any such undertaking they shall subject to such modifications and exceptions as aforesaid be deemed to be the undertakers for all the purposes of the Provisional Order or Special or other Order the powers of which are so transferred Provided that—

(*a*) In the case of any such Provisional Order granted prior to the year one thousand nine hundred the provisions of the schedule to the Electric Lighting (Clauses) Act 1899 shall from and after such transfer be deemed to have been incorporated with such Order and shall control and supersede such of the provisions of that Order as are at variance or inconsistent therewith;

(*b*) In the event of any such undertaking being acquired by the Company under this section the provisions of the Electricity (Supply) Acts 1882 to 1922 shall subject to any modification of those Acts made by any such Order apply to that undertaking and when the undertakers are a local authority such undertaking shall be deemed to be subject to the provisions of section 2 of the Electric Lighting Act 1888 provided that the periods at which the local authority may under the provisions of the said section repurchase or purchase such undertaking or so much thereof as is within their jurisdiction shall be reckoned from the date of the acquisition thereof by the Company;

(*c*) None of the provisions of any such Order or of the Electricity (Supply) Acts 1882 to 1922 shall extend to authorise the purchase or repurchase by any local authority of any generating station or other works of the Company which are not exclusively used or required for the purposes of

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supplying electricity under such Order within the area defined by such Order;

(*d*) The powers conferred by this section may be exercised in respect of part only of any such undertaking or part only of any such powers rights authorities and privileges as aforesaid.

(2) The consideration payable by the Company in respect of the transfer to them of any such undertaking powers rights authorities and privileges or part thereof may if the undertakers transferring the same and the Company so agree be discharged wholly or in part by the allotment to such undertakers of fully paid-up shares or stock of the Company or of debentures or debenture stock and all shares or stock issued for the purposes of this section shall for all purposes be deemed to be fully paid up and any such undertakers may accept hold and dispose of such shares stock debentures or debenture stock.

(3) References in this section to a Provisional Order or a Special Order shall be deemed to include references to any Act or Acts of Parliament relating to the undertaking or powers rights authorities and privileges to be transferred.

(4) Any capital moneys received by any local authority in respect of any transfer under this section shall be applied by such authority in manner provided by subsection (2) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899.

(5) The provisions of this section shall not apply to any undertaking which is within or partly within the county of Hertford.

For protection of Wisbech Corporation.

103. For the protection of the mayor aldermen and burgesses of the borough of Wisbech (in this section called "the corporation") the following provisions shall unless otherwise agreed between the corporation and the Company apply and have effect (that is to say):—

In the event of the undertaking authorised by the Wisbech Corporation Order 1901 being transferred to the Company under the provisions of the section of this Act of which the marginal note is "Transfer of undertakings of local authorities and others to Company" such transfer shall

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not be deemed to prejudice the right to repurchase such undertaking reserved to the corporation by the deed of transfer of the said undertaking dated the twenty-sixth day of September one thousand nine hundred and seven and made between the corporation of the one part and the National Electric Construction Company Limited of the other part.

As to application for Special and other Orders.

104. The Company may apply for Special or other Orders under the Electricity (Supply) Acts 1882 to 1922.

Cesser of powers.

105. If within three years from the passing of this Act the Company have not in the opinion of the Electricity Commissioners substantially commenced their works for the purpose of carrying out their powers under this Act the Minister of Transport may order that the powers of the Company under this Act shall cease as to the whole or any part of the area of supply and on any such order being made those powers shall cease accordingly.

Reference to arbitration.

106. Where under this Act any question or dispute is to be referred to arbitration then unless other provision is made the reference shall be to an arbitrator agreed on between the parties or failing agreement appointed by the Minister of Transport.

Saving for public general Acts.

107. If any public general Act shall be passed in the present or in the ensuing session of Parliament to amend the law with respect to the supply of electricity any provisions of such public general Act which may be inconsistent with any provisions of this Act shall extend and apply to the Company and their undertaking to the exclusion of such last-mentioned provisions.

As to purchase of undertaking.

108.—(1) The undertaking of the Company authorised by this Act shall at the expiration of fifty years from the passing of this Act and at the expiration of every subsequent period of fifty years if so required by seven years' previous notice in writing given to the Company by any joint electricity authority which shall have been constituted under the provisions of the Electricity (Supply) Act 1919 or any Act amending the same for a district within which the area of supply shall be situate be transferred to such joint electricity

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(2) From and after the transfer of the said undertaking to such joint electricity authority all powers and obligations in relation thereto of the Company shall vest in and be exerciseable by and binding on the joint electricity authority in substitution for the Company and shall cease to be exerciseable by or binding on the Company Provided that no contract entered into by the Company after the establishment of the joint electricity authority and extending for more than three years beyond any date at which their undertaking shall be so purchaseable shall be binding on the joint electricity authority unless it has been approved by the Electricity Commissioners after giving the joint electricity authority an opportunity of being heard.

Recovery of penalties &c.

109. Save as is otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act 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.

110. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment 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.

Costs of Act.

111. 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.

The SCHEDULE referred to in the foregoing Act.

In this schedule :—

The expression " unit " means the electricity contained in a current of one thousand ampères flowing under an electromotive force of one volt during one hour;

The expression " kilovolt ampère " means the product of the current in ampères actually used multiplied by the declared pressure of supply in volts and divided by one thousand;

The expression " consumer " means any authorised undertakers local authority company body or person supplied by the Company with electricity under the powers of this Act.

SECTION I.

Where the Company charge any consumer taking a supply of electricity in bulk or for power by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates :—

Not exceeding six pounds per kilovolt ampère per annum of the maximum power required to be supplied to the consumer and in addition a sum not exceeding three halfpence per unit for all units supplied to such consumer.

SECTION II.

The Company shall be entitled to charge any consumer taking a supply of electricity for lighting or general domestic purposes (including office purposes) at the following rates :—

(*a*) An annual sum payable quarterly in advance not exceeding thirty pounds per kilowatt per annum based on seventy per centum of the wattage of the lighting installation in the case of premises used only for private residence and on the total wattage of the lighting installation in the case of other premises and in addition

(*b*) not exceeding twopence per unit for all units supplied to such consumer.

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SECTION III.

Where the Company charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the rate of one shilling per unit Provided that the Company may make the following minimum charges (exclusive of meter rental) if energy to the value of the following amounts is not actually consumed (that is to say) :—

(*a*) In respect of the quarters ending thirty-first March and thirty-first December fifteen shillings;

(*b*) In respect of the quarters ending thirtieth June and thirtieth September ten shillings.

SECTION IV.

Where the Company charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section III. of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Company under the regulations of the Electricity Commissioners.

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