CHAPTER xxx.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 to 1909 relating to Newquay (Amendment) and Wednesbury (Amendment). [30th July 1918.]

A.D. 1918.

WHEREAS under the authority of the Electric Lighting Acts 1882 to 1909 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act: 45 & 46 Vict. c. 56. 51 & 52 Vict. c. 12. 9 Edw. 7. c. 34.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Acts as set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore 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 Electric Lighting Orders Confirmation Act 1918.

Orders in schedule confirmed.

2. The several Orders as set out in the schedule to this Act are hereby confirmed and the same shall from and after the passing and subject to the provisions of this Act have full validity and effect.

A.D. 1918.

SCHEDULE.

LIST OF ORDERS.

1. NEWQUAY (Amendment).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 to 1909 to the Newquay Electric Light and Power Company Limited.

2. WEDNESBURY (Amendment).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 to 1909 to the mayor aldermen and burgesses of the borough of Wednesbury.

NEWQUAY ELECTRIC LIGHTING.

Newquay Order. *Provisional Order granted by the Board of Trade under the Electric Lighting Acts* 1882 *to* 1909 *to the Newquay Electric Light and Power Company Limited in respect of the urban district of Newquay in the county of Cornwall.*

WHEREAS by an Order entitled the Newquay Electric Lighting Order 1904 confirmed by the Electric Lighting Orders Confirmation (No. 3) Act 1904 (hereinafter called "the principal Order") Henry Foote Leonard Milne and Edward John Owen (trading as the Southern District Electricity Corporation) were authorised to supply electricity within the urban district of Newquay as constituted at the commencement of that Order:

And whereas by an indenture dated the twelfth day of August 1905 and made between the said Henry Foote Leonard Milne and Edward John Owen of the one part and the Newquay Electric Light and Power Company Limited of the other part the said Henry Foote Leonard Milne and Edward John Owen transferred as therein mentioned the undertaking authorised by the principal Order to the said Company and the said Company are the Undertakers for the purposes of the principal Order:

And whereas it is provided by subsection (1) of section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with the principal Order that the prices to be charged by the Undertakers for energy supplied by them shall not exceed those stated in the principal Order:

And whereas it is provided by subsection (2) of the said section 32 that if in the case where the local authority are not themselves the Undertakers either the local authority or the Undertakers at any time after the expiration of seven years after the commencement of the principal Order that is to say the fifteenth day of August 1904 make a representation to the Board of Trade that the prices or methods of charge stated in the principal Order ought to be altered the Board of Trade after such inquiry as they may think fit may make an order varying the prices or methods of charge stated in the principal Order or substitute other prices or methods of charge in lieu thereof and that the prices or methods of charge so varied or substituted shall have effect on and after such day as may be mentioned in the order as if they had been stated in the principal Order:

And whereas it is also provided by the said subsection that the prices 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 seven years after they were last altered:

And whereas it is provided by section 10 of the Electric Lighting Act 1909 that a period of five years shall be substituted for the period of seven years as stated in the said subsection (2) of section 32 of the schedule to the Electric Lighting (Clauses) Act 1899:

And whereas the maximum prices stated in section 1 of the Fourth Schedule to the principal Order which may be charged by the Undertakers to any consumer per quarter are as follows viz. For any amount up to twenty units ten shillings and for each unit over twenty units sixpence:

And whereas on the twenty-second day of March 1916 the Board of Trade made an order varying the said maximum prices stated in the principal Order and substituting therefor the following maximum prices (that is to say) For any amount up to seventeen units nine shillings and elevenpence and for each unit over seventeen units sevenpence:

And whereas it is expedient that the maximum prices which may be charged by the Undertakers shall be further varied:

The following provisions shall have effect under this Order:—

Short title.

1. This Order may be cited as the Newquay Electric Lighting Order 1918 and this Order and the principal Order may be cited together as the Newquay Electric Lighting Orders 1904 and 1918.

Maximum prices.

2. The maximum prices stated in the principal Order and varied by the said order of the Board of Trade of the twenty-second day of March 1916 shall be further varied and the following maximum prices shall be substituted therefor (that is to say) For any amount up to twelve units nine shillings and for each unit over twelve units ninepence.

A.D. 1918

Newquay Order.

Period of revision.

3. Subsection (2) of section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with the principal Order and as amended by section 10 of the Electric Lighting Act 1909 shall be read as if the words "one year" were substituted for the words "five years."

Commencement of Order.

4. This Order shall come into force upon the day when the Act confirming this Order is passed and that day shall be the commencement of this Order.

WEDNESBURY ELECTRIC SUPPLY (TRANSFER).

Wednesbury Order.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 *to* 1909 *to the mayor aldermen and burgesses of the borough of Wednesbury for the amendment of the Wednesbury Electric Supply Order* 1899.

Short title.

1. This Order may be cited as the Wednesbury Electric Supply (Transfer) Order 1918.

Transfer of powers.

2.—(1) The mayor aldermen and burgesses of the borough of Wednesbury (hereinafter called "the Corporation" and "the borough" respectively) being the Undertakers for the purposes of the Wednesbury Electric Supply Order 1899 (hereinafter called "the principal Order") may within three months after the commencement of this Order (or such extended period not exceeding in the whole six months as the Board of Trade may allow) with the consent of and upon such terms and conditions as may be approved by the Board of Trade by deed to be approved by that Board sell and transfer to the Midland Electric Corporation for Power Distribution Limited (in this Order referred to as "the Company") whose registered office is at No. 21 Waterloo Street in the city of Birmingham and the Company may purchase and take a transfer of the undertaking authorised by the principal Order and upon such transfer all rights powers authorities obligations and liabilities of the Undertakers in respect of the said undertaking shall except as in this Order provided and subject to the provisions contained in the deed of transfer be transferred to and may be exercised by and shall attach to the Company and thereupon the said undertaking shall become part of the undertaking of the Company under the Midland Electric Power Distribution and Lighting Order 1898 (hereinafter called "the Order of 1898") and the provisions of that Order shall subject to the provisions of this Order and of the said deed

of transfer apply to the undertaking authorised by the principal Order as fully and effectually as if that undertaking and all the works plant and mains connected therewith and all contracts of the Corporation in relation thereto had been originally established and entered into by the Company under the provisions and for the purposes of the Order of 1898.

(2) Upon the said transfer the principal Order shall be revoked and so much of the Electric Lighting Orders Confirmation (No. 11) Act 1899 as relates thereto shall be repealed.

(3) If at any time any of the payments to be made by the Company under the deed of transfer shall not be punctually made as therein provided the provisions of section 65 of the Order of 1898 shall have effect as if the Board of Trade had revoked that Order as to the borough of Wednesbury and as if the Corporation had under the provisions of the said section required the Company to sell to them so much of the undertaking as relates to the borough of Wednesbury Provided that the then value of all land buildings works materials and plant of the Undertakers to be paid by the Corporation shall be deemed to be and shall be the amount of the balance of the purchase money remaining unpaid at the date of such revocation and the Company shall be discharged from any obligation to pay the balance of the purchase price so remaining unpaid as aforesaid and such discharge shall be deemed to and shall satisfy any obligation by the Corporation to pay to the Company the then value of all land buildings works materials and plant as aforesaid or otherwise the intention of the parties being that in any such event as aforesaid the Corporation shall become the Undertakers under the Order of 1898 in respect of the borough of Wednesbury without any payment to the Company and that the Company shall forfeit any payments which have theretofore been made by them to the Corporation but shall be under no liability to make any further payments to the Corporation Provided further that upon any such revocation as aforesaid the Company shall pay and discharge all liabilities incurred by them in respect of the undertaking up to the date of such revocation as aforesaid.

As to moneys borrowed by the Corporation for the purposes of the principal Order.

3.—(1) Notwithstanding anything herein contained all moneys borrowed by the Corporation for the purposes of the principal Order and not paid off shall be paid off within the respective periods sanctioned by the Local Government Board and the Corporation shall pay all interest due from time to time upon any moneys so borrowed and not paid off.

(2) All moneys received by the Corporation from the Company in respect of the transfer of the undertaking authorised by the principal Order shall be applied to the payment off of any such borrowed moneys and the payment of interest upon any moneys so borrowed and not paid off.

A.D. 1918.

Wednesbury Order.

(3) The Corporation may pay any balance of the said purchase moneys which may remain after payment off of the said borrowed moneys and payment of all interest thereon to the credit of the local rate.

Commencement of Order.

(4) This Order shall come into force upon the day when the Act confirming this Order is passed and that day shall be the commencement of this Order.

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