STATUTORY INSTRUMENTS

1981 No. 1658

WATER, ENGLAND AND WALES

The Folkestone Water (Capital Powers) Order 1981

Made - - - - 20*th November* 1981

Coming into Operation 1*st December* 1981

The Secretary of State for the Environment, in exercise of powers conferred by sections 23 and 50 of the Water Act 1945 (a) and now vested in him (b) and of all other powers enabling him in that behalf, hereby orders as follows:—

Citation and commencement.

1.—(1) This order may be cited as the Folkestone Water (Capital Powers) Order 1981 and shall come into operation on 1st December 1981.

(2) This order shall be included among the enactments which may be cited together as the Folkestone Water Acts and Orders 1848 to 1981.

Interpretation.

2. In this order-

"the Company" means the Folkestone and District Water Company;

"the undertaking" means the undertaking of the Company as for the time being authorised by any enactment.

Application of section 94 of Third Schedule to Water Act 1945

3. For the purposes of this order, section 94 of the Third Schedule to the Water Act 1945 (which requires undertakers to keep a copy of the special Act at their principal office and to deposit copies with certain officers) shall apply to the undertaking and is hereby incorporated with this order.

Additional capital and borrowing powers

4. As from the commencement of this order:-

(*a*) subsection (1) of section 4 (Capital and borrowing powers) of the Folkestone Water Order 1973 (c) shall have effect as if -

(i) in paragraph (i) of the proviso, for the words "the amount" there were substituted the words "twice the amount";

(ii) in paragraph (ii) of the proviso, for the words "five per cent." there were substituted the words "ten per cent.";

(*b*) section 6 (Maximum rates of dividend) of the said order of 1973 shall have effect as if for the reference to the said order of 1973 and to the commencement of that order there were substituted references to this order and to the commencement of this order;

(a) 1945 c.42. (b) S.I. 1951/142, 1900, 1970/1681. (c) S.I. 1973/623.

(*c*) section 11 (Temporary borrowing) of the Folkestone Water Order 1961 (a) shall have effect as if in the proviso for the words "two hundred thousand pounds" there were substituted the words "five hundred thousand pounds".

J. A. L. Gunn,
An Under Secretary in the
Department of the Environment.

Signed by authority of
the Secretary of State
20th November 1981.

(a) S.I. 1961/1631.

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