CHAPTER viii.

An Act to empower the Pontypool Gas and Water Company to obtain further supplies of water and for other purposes. [30th May 1945.]

WHEREAS the Pontypool Gas and Water Company (hereinafter referred to as "the Company") are by the Pontypool Gas and Water Acts and Orders 1873 to 1944 authorised to construct and maintain gasworks and waterworks and to supply gas and water within the limits in the county of Monmouth thereby prescribed:

And whereas the demand for water within the limits of the Company for the supply of water has increased and is increasing and it is expedient that the Company be empowered to obtain further supplies of water from certain colliery works within the said limits and that the construction by the Company of a certain borehole and works and apparatus connected therewith be confirmed and the Company be authorised to obtain water by means thereof:

And whereas the authorised stock and share capital of the Company under the said Acts and Orders amounts in the aggregate to £398,760 of which £201,790 had been issued on the first day of March nineteen hundred and forty-five but of that sum of £398,760 the sum of £130,000 authorised by the Pontypool Gas Order 1937 and the Pontypool Gas Order 1944 and not yet issued can be raised only for the purposes of the gas undertaking mentioned in those Orders and the power conferred by section 51 of the Pontypool Gas and Water Act 1918 to raise by shares the sum of £15,000 is subject to the condition stated in the proviso to that section: 8 & 9 Geo. 5. c. x.

And whereas the Company are empowered by the said Acts and Orders to raise by borrowing on mortgage of the undertaking

or by the creation and issue of debenture stock an amount not exceeding one-half of the aggregate amount which at the time of borrowing has been or is deemed to have been actually paid up on any ordinary and preference shares and stock of the Company and in the case of any capital raised by the issue of redeemable preference shares or stock has not been redeemed by paying off the shares or stock and in pursuance of that power the Company had on the first day of March nineteen hundred and forty-five issued £96,636 four per centum debenture stock:

And whereas it is expedient that the authorised capital of the Company be increased and that further powers be conferred on the Company and further provision be made with reference to their undertaking as in this Act contained:

And whereas it is expedient that the other provisions of this Act be enacted:

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

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

Short and collective titles.

1.—(1) This Act may be cited as the Pontypool Gas and Water Act 1945.

(2) The Pontypool Gas and Water Acts and Orders 1873 to 1944 and this Act may be cited together as the Pontypool Gas and Water Acts and Orders 1873 to 1945.

Incorporation of general Acts.

2. The following Acts so far as applicable for the purposes of this Act are (subject to the provisions of the next succeeding section of this Act) hereby incorporated with and form part of this Act:—

8 & 9 Vict. c. 16. The Companies Clauses Consolidation Act 1845;

26 & 27 Vict. c. 118. The Companies Clauses Act 1863 except Part IV (Change of name);

8 & 9 Vict. c. 18. The Lands Clauses Acts except the provisions of the Lands Clauses Consolidation Act 1845 with respect to the purchase and taking of lands otherwise than by agreement and the entry upon lands by the promoters of the undertaking;

10 & 11 Vict. c. 17. 26 & 27 Vict. c. 93. The Waterworks Clauses Acts 1847 and 1863.

Application of general Acts.

3.—(1) Such of the public general Acts mentioned in subsection (2) of this section and the Gasworks Clauses Act 1847 and the Waterworks Clauses Act 1863 as are incorporated wholly or partly with any of the Pontypool Gas and Water Acts and Orders 1873 to 1945 shall be deemed to be so incorporated—

10 & 11 Vict. c. 15.

(*a*) as amended by subsequent Acts;

(*b*) so far as applicable for the purposes of the Act or Order with which they are so incorporated ;

(*c*) subject to the provisions of and so far as not inconsistent with the Pontypool Gas and Water Acts and Orders 1873 to 1945 ; and

(*d*) subject to the exceptions and modifications mentioned in subsection (2) of this section.

(2) (*a*) The Companies Clauses Consolidation Act 1845 shall be deemed to be so incorporated as if—

(i) section 17 and sections 56 to 60 (with respect to the conversion of the borrowed money into capital) were excepted from incorporation ; and

(ii) in section 98 the words " or of the next succeeding meeting " were inserted after the words " shall be signed by the chairman of such meeting " ; and

(iii) in section 116 the words " preceding year " were substituted for the words " preceding half-year."

(*b*) The Companies Clauses Act 1863 shall be deemed to be so incorporated subject to the exception of the words " and to the same amount as " in section 22.

(*c*) The Lands Clauses Acts shall be deemed to be so incorporated subject to the exception of sections 127 to 132 of the Lands Clauses Consolidation Act 1845 relating to the sale of superfluous lands and of section 5 (If lands purchased by way of rentcharge borrowing powers to be reduced proportionately) of the Lands Clauses Consolidation Acts Amendment Act 1860. 23 & 24 Vict. c. 106.

(*d*) The Waterworks Clauses Act 1847 shall be deemed to be so incorporated subject to the exception of (i) the words " with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner " in section 44 and (ii) sections 76 to 79.

(*e*) The Gasworks Clauses Act 1871 shall be deemed to be so incorporated subject to the exception of sections 6 7 8 12 and 28 to 34. 34 & 35 Vict. c. 41.

(3) The following provisions of the existing Acts and Orders are hereby repealed :—

Section.	Marginal note.	Extent of repeal.	
Act of 1873 2	Provisions of general Acts herein named incorporated.	The proviso.	36 Vict. c. lvii.
Act of 1909 66	Borrowed money not to be converted into capital.	The whole section.	9 Edw. 7. c. xxx.
Act of 1918 2	Incorporation of Acts	Subsection (2).	
Order of 1936 2	Incorporation of Acts	Subsection (2).	

Interpretation.

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

"the Company" means the Pontypool Gas and Water Company;

"the existing Acts and Orders" means the Pontypool Gas and Water Acts and Orders 1873 to 1944 and each of them is in this Act referred to as the Act or Order of the year in which it was passed or approved by Parliament;

"the water undertaking" and "the gas undertaking" respectively mean the water undertaking and the gas undertaking of the Company as for the time being authorised;

"the undertaking" includes the water undertaking and the gas undertaking and when construing the provisions of the Waterworks Clauses Acts 1847 and 1863 or the Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 means the water undertaking or the gas undertaking (as the case may be);

"the water limits" means the limits within which the Company are for the time being authorised to supply water;

"the Minister" means the Minister of Health.

WATER AND LANDS.

Power to take water from Glyn Pits and Quarry Level.

5.—(1) In this section—

"the Glyn Pits" means the pits or shafts now or formerly forming part of the mine or colliery known as the Glyn Collieries in the parish of Pontypool in the urban district of Pontypool and being the pits or shafts situate in or under the inclosure numbered on the Ordnance map (scale 1/2500) edition of 1920 Monmouthshire (sheet xxiii.2) 43 in the former parish of Panteg;

"the Quarry Level" means the level and return heading now or formerly forming part of the mine or colliery known as the Quarry Level in the said parish of Pontypool and situate in on or under the said inclosure numbered 43 in the former parish of Panteg;

"the colliery company" means the Crumlin Valley Collieries Limited and includes the successors and assigns of that company.

(2) The Company may from time to time enter into agreements with the Coal Commission and the colliery company or other

the owner or lessee for the time being of the Glyn Pits for and with respect to—

(i) the taking by the Company of all or any water which may for the time being be in any part of the Glyn Pits; and

(ii) the construction provision repair maintenance inspection working and use of pumps plant machinery aqueducts pipes meters and other works and apparatus for enabling any such water as aforesaid to be taken by the Company and pumped or caused to pass or flow into the Company's mains and for metering the quantity of water so taken.

(3) The Company may from time to time enter into agreements with the Coal Commission and the lessee (if any) for the time being of the quarry level for and with respect to—

(i) the taking by the Company of all or any water which may for the time being be in any part of the Quarry Level; and

(ii) the construction provision repair maintenance inspection working and use of pumps plant machinery aqueducts pipes meters and other works and apparatus for enabling any such water as last aforesaid to be taken by the Company and pumped or caused to pass or flow into the Company's mains and for metering the quantity of water so taken.

(4) Any agreement made pursuant to this section may be made for such period and on such terms and conditions as may be agreed between the parties thereto.

(5) Any water taken by the Company pursuant to this section may be utilised by the Company for the purposes of the water undertaking.

(6) The construction or provision by the Company before the passing of this Act of any such works or apparatus as are mentioned in paragraph (ii) of subsection (2) or subsection (3) of this section and the expenditure by the Company of money thereon are hereby sanctioned and confirmed.

For protection of South Wales Electric Power Company.

6. For the protection of the South Wales Electric Power Company (in this section called "the power company") the following provisions shall unless otherwise agreed in writing between the Company and the power company apply and have effect :—

(1) Nothing in the last preceding section of this Act shall—

(*a*) authorise any interference with any electric lines apparatus or works of the power company except in accordance with and subject to the provisions of section 15 of the Electric Lighting Act 1882 and of section 17 of the schedule to the Electric Lighting (Clauses) 45 & 46 Vict. c. 56. 62 & 63 Vict. c. 19.

Act 1899 and the said provisions shall (mutatis mutandis and subject to the provisions of this section) apply in relation to any such interference whether such line apparatus or work is under a street or not and shall be deemed to extend to any such electric line apparatus or work constructed upon or above the level of the ground;

(*b*) authorise the carrying out of any works near to which any electric lines apparatus or works of the Company have been lawfully placed except in accordance with and subject to the provisions of section 18 of the schedule to the Electric Lighting (Clauses) Act 1899:

(2) Any difference which may arise between the Company or any other party to any agreement made under the last preceding section of this Act on the one hand and the power company on the other hand under subsection (1) of this section shall be referred to and determined by an engineer to be agreed upon or failing agreement appointed by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject thereto the provisions of the Arbitration Act 1889 and the Arbitration Act 1934 shall apply to any such reference and determination.

52 & 53 Vict. c. 49.
24 & 25 Geo. 5. c. 14.

Confirmation and use of borehole.

7.—(1) The construction by the Company of the borehole and the pumping machinery and other works and apparatus connected therewith on and under the land hereinafter described and the expenditure of money on such borehole works and apparatus are hereby sanctioned and confirmed and the Company may maintain the said borehole works and apparatus and make or provide additional pumping machinery and other works and apparatus in connection with the borehole and retain hold and use the borehole works and apparatus for the purposes of the water undertaking.

The land hereinbefore referred to is the inclosure in the parish of Pontypool in the urban district of Pontypool numbered on the Ordnance map (scale 1/2500) edition of 1920 Monmouthshire (sheet xviii.6) 360 in the former parish of Abersychan.

(2) The Company may for the purposes of the water undertaking collect pump take appropriate and use all such underground springs and waters as will or may be intercepted by the borehole works and apparatus which by subsection (1) of this section the Company are authorised to maintain make or provide.

Revival of powers for compulsory purchase of land.

8. The power conferred on the Company by section 36 (Power to acquire lands) of the Act of 1937 to enter upon take and use the land hereinafter mentioned is hereby revived and the period

limited by that Act for the compulsory purchase of that land is hereby extended until the first day of October nineteen hundred and forty-seven but on that date the power for such compulsory purchase shall cease except so far as the power shall then have been exercised. 1 Edw. 8 & 1 Geo. 6. c. lxvi.

The land to which this section applies is the land at Cwmavon in the parish and urban district of Blaenavon in the county of Monmouth comprising part of the inclosure numbered 622 on the Ordnance map (scale 1/2500) edition of 1920 Monmouthshire (sheet xviii.2) and being the land numbered 21 on the plans deposited in connection with the Bill for the Act of 1937.

Additional lands by agreement.

9.—(1) The sections of the existing Acts and Orders mentioned in subsection (4) of this section are hereby repealed but notwithstanding the repeal of those sections the Company may continue to hold for any purposes of the undertaking all lands acquired by them under any of those sections before the passing of this Act.

(2) In addition to the lands now held or occupied by them and any other lands which they may acquire or hold under the powers of the existing Acts and Orders or this Act the Company may from time to time by agreement purchase or acquire and hold for any purposes of the undertaking any lands not exceeding in the whole twenty-five acres.

(3) Notwithstanding anything in this section the Company shall not create or permit a nuisance on any lands acquired by them before the passing of this Act under the sections mentioned in the next succeeding subsection or on any lands acquired after the passing of this Act under the last preceding subsection and shall not erect any buildings on any such lands other than offices and dwellings for their employees and such buildings and works as may be incident to or connected with the undertaking and no such land shall be used by the Company in contravention of the provisions of section 5 (Prohibition against erecting gasworks elsewhere than on lands specified in the schedule) of the Gasworks Clauses Act 1871.

(4) The sections of the existing Acts and Orders above referred to and which are repealed by this section are—

Act of 1909—
Section 24 (Additional lands by agreement) :

Act of 1918—
Section 44 (Additional lands by agreement) :

Act of 1937—
Section 42 (Additional lands by agreement).

Persons under disability may grant easements &c.

10. 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 the Pontypool Gas and Water Acts and Orders 1873 to 1945 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 the Pontypool Gas and Water Acts and Orders 1873 to 1945 in over or affecting any such lands and the provisions of the Lands Clauses 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.

FINANCIAL AND ADMINISTRATIVE.

Additional capital.

11.—(1) The aggregate amount which may be raised by the Company under Part VII (Financial provisions) of the Act of 1937 by the creation and issue of new ordinary shares or stock or new preference shares or stock is hereby increased from thirty thousand pounds to fifty thousand pounds and all the provisions of that Part shall have effect as if the sum of fifty thousand pounds were substituted for the sum of thirty thousand pounds in proviso (*b*) to subsection (1) of section 65 (Additional capital) and in paragraph (*a*) of section 66 (Increase of authorised capital of Company) of the Act of 1937.

(2) Nothing in this section shall affect the powers of the Company to raise additional capital under the Order of 1937 or the Order of 1944 or the increase of the authorised capital of the Company effected by either of those Orders.

Issue of debenture stock.

12. Any debenture stock issued by the Company after the passing of this Act may at the option of the Company be issued as—

(i) debenture stock forming part of the same class as and ranking in all respects pari passu with the four per centum debenture stock existing at the passing of this Act; or

(ii) redeemable debenture stock under the powers of section 71 (Redeemable preference capital and debenture stock) of the Act of 1937; or

(iii) debenture stock of such other class and entitled to such rate of interest and created on and subject to such terms and conditions as the Company may at the time of the creation thereof determine.

Application of capital moneys.

13.—(1) All money raised under this Act whether by ordinary or preference shares or stock or debenture stock (including premiums) or by borrowing (after deducting therefrom the expenses of and incidental to the issue of the shares or stock) shall be applied

only to purposes of the undertaking to which capital is properly applicable.

(2) All money which has been or may hereafter be raised by the Company by the creation and issue of ordinary or preference shares or stock or debenture stock (including premiums) or by borrowing on mortgage of the undertaking under the powers of the existing Acts and Orders other than the Order of 1937 and the Order of 1944 may notwithstanding anything in those Acts and Orders be applied to any purposes of the water undertaking or of the gas undertaking to which capital is properly applicable as the Company may determine and the sum of fifteen thousand pounds which the Company are by section 51 (Power to Company to raise additional capital) of the Act of 1918 authorised to raise in manner mentioned in that section may be raised by the Company and applied as aforesaid notwithstanding the proviso to that section.

Saving for emergency powers of Treasury.

14.—(1) So long as this section continues in force it shall not be lawful without the consent of the Treasury to exercise the powers of borrowing or raising capital conferred by this Act.

54 & 55 Vict. c. 39.

(2) Section 113 of the Stamp Act 1891 (which in the case of any increase in the amount of nominal share capital of a company being authorised by any Act charges stamp duty on a statement of the amount of such increase to be delivered within one month from the passing of the Act) shall as amended by any subsequent enactment have effect as respects any share capital authorised to be raised by this Act as if this Act had been passed on the date when such consent as aforesaid is given as respects that capital or on the date when this section expires whichever first occurs.

(3) This section shall continue in force so long as the making of an issue of capital in the United Kingdom without the consent of the Treasury is prohibited by regulations made under the Emergency Powers (Defence) Acts 1939 and 1940.

2 & 3 Geo. 6. c. 62.
3 & 4 Geo. 6. c. 20.

Issue of capital by subscription.

15.—(1) Notwithstanding anything in any Act or Order relating to the Company the Company may with the approval of the Minister and subject to such conditions as he may think fit to impose offer for subscription—

(*a*) by consumers of gas or water supplied by the Company and employees of the Company;

(*b*) by the public; and

(*c*) by private treaty;

or by any one or more of those modes any ordinary or preference shares or stock which they may for the time being be authorised to issue without offering the same for sale by public auction or tender.

(2) On the offer for sale by auction or tender or for subscription by the public of any ordinary or preference shares or stock or

debenture stock the Company may pay a commission not exceeding (except with the approval of the Minister) one and a half per centum to any person in consideration of his subscribing or agreeing to subscribe whether absolutely or conditionally for any such shares or stock or debenture stock or procuring or agreeing to procure subscriptions (whether absolute or conditional) therefor Provided that—

(*a*) the payment of the commission and the amount or rate per centum of the commission paid or agreed to be paid shall be disclosed in every prospectus advertisement or other document of the Company relating to the offer for sale or inviting subscriptions for such shares or stock or debenture stock; and

(*b*) no commission other than a normal underwriting commission shall be paid by the Company under the powers of this section when any ordinary or preference share or stock or debenture stock is issued by auction.

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

Proof of majority of votes only required when poll demanded

16. At any meeting of the Company a majority of votes shall only be required to be proved if a poll be demanded at the meeting If a poll be not demanded then a declaration by the Chairman that the resolution has been carried and an entry to that effect in the book of the proceedings of the Company shall be sufficient and conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour of or against the resolution.

Proxies of corporate bodies.

51 & 52 Vict. c. 48.
52 & 53 Vict. c. 37.

17. Section 76 of the Companies Clauses Consolidation Act 1845 relating to the appointment of proxies shall in its application to the Company have effect as though the following proviso were added thereto in lieu of the proviso contained in section 2 of the Companies Clauses Consolidation Act 1888 as amended by the Companies Clauses Consolidation Act 1889 (viz.) :—

"Provided that where the shareholder is a body corporate the proxy may be any member or officer of such body though not personally a shareholder in the Company."

Auditors.

18.—(1) The prescribed number of auditors shall be one but the number may be increased to two by a resolution of the Company at a general meeting of the Company or the Company may at any time and from time to time appoint a firm of properly qualified accountants to be the auditors of the Company.

(2) Notwithstanding anything in the Companies Clauses Consolidation Act 1845 the auditor or auditors or if a firm be so appointed as auditors the members of the firm need not hold shares or stock of the Company.

(3) If and so long as a firm appointed under the provisions of this section be the auditors of the Company the provisions of the existing Acts and Orders and this Act and of any Act incorporated therewith relating to the prescribed number of auditors shall not apply to the Company.

(4) If any auditor appointed under this section dies or resigns the directors may appoint an auditor in the place of the auditor so dying or resigning and any auditor so appointed shall hold office until the next ordinary meeting.

(5) (*a*) No person or firm of accountants not being a retiring auditor or retiring auditors of the Company shall be eligible to be elected at any general meeting of the Company as auditor or auditors of the Company unless notice in writing be given to the secretary or left at the principal office of the Company ten days at least before the date of the meeting that such person or firm will be proposed for election as an auditor or auditors of the Company.

(*b*) The secretary shall on receipt of any such notice send a copy thereof to the retiring auditor or auditors and during such ten days before the date of the meeting keep a copy of the notice fixed in some conspicuous place in the said office.

MISCELLANEOUS.

Power to make agreed charges for domestic supply.

19.—(1) The Company may agree with any person requiring a supply of water for domestic purposes to furnish the supply whether by meter or otherwise on such terms and conditions as may be agreed.

(2) Charges payable under this section (including charges for any meter supplied by the Company) shall be recoverable in the manner in which rates for the supply of water for domestic purposes are recoverable.

Revision of water rates and charges

20.—(1) The Minister on an application made to him by the Company or by a county council or the council of a borough or urban or rural district within whose county or borough or district the Company supply water or by twenty persons supplied with water by the Company may by order make such increase or reduction (if any) in the rates and charges which the Company are authorised by the existing Acts and Orders or this Act or any other enactment to levy and make for the supply of water as he considers reasonable but so as—

(*a*) to enable ; or

(*b*) not to endanger the ability of ;

the Company so long as the water undertaking is managed efficiently to provide a reasonable return upon the capital expenditure on the water undertaking and upon any capital expenditure which the Company may reasonably be expected to

incur on the water undertaking during the five years immediately following the date of the order after—

(i) paying all proper expenses of and connected with the working management and maintenance of the water undertaking ;

(ii) paying the proportion attributable to the water undertaking of all interest charges properly payable by the Company ;

(iii) providing for any sums which the Company may lawfully carry to any reserve fund or contingency fund in respect of the water undertaking ;

(iv) making good depreciation in respect of the water undertaking (in so far as provision therefor is not made by any such fund as aforesaid or is not included under any of the foregoing heads) ; and

(v) meeting all other costs charges and expenses (if any) properly chargeable to the revenue of the water undertaking.

(2) Applicants for an order under this section shall publish once at least in each of two successive weeks in one or more local newspapers circulating within the water limits a notice explaining the effect of their proposals and stating that objections thereto may be made to the Minister within forty-two days (exclusive of any day in the month of August) after the first publication of the notice and shall send a copy of the notice to the council of every county borough and urban and rural district within which the Company are supplying water and shall also publish in the London Gazette a notice stating that they are about to apply for an order under this section naming the counties boroughs urban districts and rural districts within which the Company are supplying water and giving the name and date of issue of a local newspaper in which the notice explaining the effect of the order applied for will be found.

(3) If before the expiration of the said forty-two days or before the expiration of thirty-nine days from publication of the notice in the London Gazette an objection is received by the Minister from any person appearing to him to be affected by the application and is not withdrawn the Minister before making any order on the application shall cause a local inquiry to be held.

(4) The Minister may at any time upon the application either of the Company or of any council or body of consumers entitled to make an application under subsection (1) of this section make an order in like manner and subject to the like provisions as the original order amending any order previously made by him under this section :

Provided that unless he considers that exceptional circumstances exist he shall not make an amending order in pursuance of an application under this subsection before the expiration of five years from the date of his decision on the last preceding application.

The making of any new valuation list under the Rating and Valuation Act 1925 shall be deemed to be an exceptional circumstance within the meaning and for the purposes of this subsection. 15 & 16 Geo. 5. c. 90.

(5) In relation to any period during which an order made under this section is in operation the enactments relating to the Company shall have effect as if the rates and charges specified in the order were substituted for the rates and charges for the supply of water by the Company specified in those enactments.

Register of meter to be evidence.

21.—(1) Where the Company supply water by meter the register of the meter shall be prima facie evidence of the quantity of water consumed.

(2) Any question arising between the Company and a consumer with respect to the quantity of water consumed may on the application of either party be determined by a court of summary jurisdiction.

(3) If the meter on being tested is proved to register incorrectly to any degree exceeding five per cent —

(*a*) the meter shall be deemed to have registered incorrectly to that degree since the last occasion but one before the date of the test on which a reading of the index of the meter was taken by the Company unless it is proved to have begun to register incorrectly on some later date ; and

(*b*) the amount of any refund to be made to or of any extra payment to be made by the consumer shall be paid or allowed by the Company or paid by the consumer as the case may be and in the case of an extra payment shall be recoverable in the manner in which rates for the supply of water for domestic purposes are recoverable.

Separate communication pipes may be required.

22.—(1) The Company shall not be bound to supply with water more than one house or building or part of a house or building occupied as a separate tenement by means of the same communication pipe and they may if they think fit by notice in writing require that a separate communication pipe be laid from the main of the Company into each house or building or part of a house or building occupied as a separate tenement supplied by them with water Provided that where the owner of a house or building the parts whereof are occupied as separate tenements is liable by law or undertakes in writing to pay the water rate in respect of that house or building then so long

as he punctually pays that rate the Company shall not require that separate communication pipes be laid for the parts of the house or building occupied as separate tenements.

(2) If the owner of any house or building or part of a house or building occupied as a separate tenement which is supplied with water by the Company and into which the Company shall have required a separate communication pipe to be laid pursuant to the preceding subsection shall for a period of one month after the receipt of a notice from the Company requiring him so to do fail to provide a separate pipe from the main of the Company into such house or building or part of a house or building the Company may themselves do the work necessary in that behalf and may recover from such owner the reasonable cost incurred by them summarily as a civil debt.

Amending section 48 of Act of 1873.

23. Subsection (2) of section 48 (For securing purity of water supplied by the Company) of the Act of 1873 shall be read and have effect as if the words "sealed by the urban district council of Pontypool or" were inserted therein after the words "by memorial in writing."

Further repeal.

24.—(1) In addition to any other provisions of the existing Acts and Orders which are repealed by the foregoing provisions of this Act the following provisions are hereby repealed :—

Section.	Marginal note.
Act of 1890	
12	Power to take easements &c. by agreement.
Act of 1909	
13	Persons under disability may grant easements &c.
19	Extending provisions of section 48 of Act of 1873.
21	Power to agree as to drainage of lands &c.
23	Power to hold lands for protection of waterworks.
24	Additional lands by agreement.
Act of 1918	
13	Power to hold lands for protection of waterworks.
14	Power to agree as to drainage of lands.
30	Provisions as to illuminating tests to cease to apply.
43	Persons under disability may grant easements &c.
44	Additional lands by agreement.
67	Auditors.
Act of 1937	
39	Persons under disability may grant easements &c.
42	Additional lands by agreement.
69	Power to offer capital for subscription by public employees and consumers.
82	As to auditors.

(2) Subsection (1) of section 72 (Commissions on sale of shares or stock or debenture stock) of the Act of 1937 is also hereby repealed.

Crown rights.

25. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Saving for public general Act.

26. If any public general Act to amend the law with respect to the supply of water shall be passed in the present session of Parliament before the date of the passing of this Act this Act shall for the purposes of the operation of the said public general Act be deemed to have become law before the said public general Act.

Costs of Act.

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

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