STATUTORY INSTRUMENTS

# 1982 No. 1579

# WATER, ENGLAND AND WALES

## The Rickmansworth and Uxbridge Valley Water (Financial Provisions, etc.) Order 1982

*Made* - - - *4th November* 1982

*Coming into Operation* *29th November* 1982

The Secretary of State for the Environment, in exercise of powers conferred by sections 23, 32, 33 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 Rickmansworth and Uxbridge Valley Water (Financial Provisions, etc.) Order 1982 and shall come into operation on 29th November 1982.

(2) The Rickmansworth and Uxbridge Valley Water Acts and Orders 1884 to 1977 and this order may be cited together as the Rickmansworth and Uxbridge Valley Water Acts and Orders 1884 to 1982.

Interpretation.

**2.** In this order unless the context otherwise requires—

"the Company" means the Rickmansworth and Uxbridge Valley Water Company;

"the Company's Acts and Orders" means the Rickmansworth and Uxbridge Valley Water Acts and Orders 1884 to 1977;

"the Order of 1972" means the Rickmansworth and Uxbridge Valley Water (Financial Provisions) Order 1972(**c**);

"the Order of 1977" means the Rickmansworth and Uxbridge Valley Water (Financial Provisions) Order 1977(**d**);

"the Third Schedule" means the Third Schedule to the Water Act 1945;

"the Third Schedule Order" means the Rickmansworth and Uxbridge Valley Water (Third Schedule) Order 1972(**e**);

"the undertaking" means the undertaking of the Company.

(**a**) 1945 c.42. (**b**) S.I. 1951/142, 1900, 1970/1681. (**c**) S.I. 1972/1483.
(**d**) S.I. 1977/564. (**e**) S.I. 1972/752.

Additional capital and borrowing powers.

**3.** As from the commencement of this order—

(*a*) section 4 (Capital and borrowing powers) of the Order of 1972 shall have effect as if—

(i) in paragraph (a) of the proviso to subsection (1), there were inserted at the begining the word "twice"; and

(ii) in paragraph (b) of the said proviso, for the word "five" there were substituted the word "ten";

(*b*) subsection (1) of section 5 (Maximum rates of dividend) of the Order of 1972, as having effect by virtue of section 3(b) of the Order of 1977, shall be read and have effect as if for the references to the Order of 1977 and to the commencement of that order there were substituted references to this order and to the commencement of this order.

Variation of section 76 of Third Schedule.

**4.** In the Schedule 2 to the Third Schedule Order (which modifies provisions of the Third Schedule as applied to the undertaking by section 3 of that order), for the second entry relating to section 76 (Reserve and contingency funds) of the Third Schedule there shall be substituted the following—

"In subsection (4) for the words "twelve and a half" there shall be substituted the words "twenty-five"; and in subsection (5) for the words "one and a quarter" there shall be substituted the words "two and a half".".

Closing of transfer books.

**5.**—(1) The directors may close the register of transfers of ordinary stock and preference stock of any class and the register of transfers of debenture stock or mortgages for any time or times not exceeding in the case of each such register thirty days in each year and the directors may in any such case fix a day for the closing of any register which they are authorised to close under the provisions of this section.

(2) Any transfer of any ordinary stock, preference stock or debenture stock or mortgages lodged for registration with the Company after the register of transfers relating to stock or mortgages of the same class has been so closed and before the next date of payment of any dividend, interim dividend or interest, as the case may be, thereon shall as between the Company and the persons claiming under the transfer but not otherwise be considered as made subsequently to the payment of such dividend, interim dividend or interest.

(3) Notwithstanding section 3 (Incorporation of general Acts) of the Rickmansworth and Uxbridge Valley Water Act 1885(a) or any other enactment relating to the Company, section 17 of the Companies Clauses Consolidation Act 1845(b) (closing of transfer books) shall cease to apply to the Company.

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(a) 1885 c.XX. (b) 1845 c.16.

**6.** Notwithstanding anything in the Companies Clauses Consolidation Act 1845:— Appointment of proxies

(*a*) a proxy appointed to vote for or on behalf of a member of the Company need not himself be a shareholder and accordingly section 76 of the said Act of 1845 as incorporated with the Company's Acts and Orders shall have effect as if the words "being shareholders" were omitted;

(*b*) the attorney of any member duly authorised in writing or, in the case of a corporation, an officer or attorney so authorised, may appoint a proxy to vote for and on behalf of the member and for that purpose may execute on behalf of the member the necessary form of proxy:

Provided that, except in cases where the instrument appointing the attorney shall have been previously registered with the Company, the said instrument or (in the case of an instrument deposited with the Central Office of the Supreme Court) an office copy thereof shall be transmitted to the secretary of the Company at the same time as the instrument appointing the proxy.

**7.** The provisions specified in column (1) of the Schedule to this order shall on the coming into force of this order be repealed to the extent shown in column (2). Repeals.

**8.** The costs, charges and expenses of and incidental to the application for, and the preparation and making of, this order shall be paid by the Company and may in whole or in part be defrayed out of revenue. Costs of order.

## SCHEDULE

| Enactment (1) | Extent of repeal (2) |
|---|---|
| Rickmansworth and Uxbridge Valley Water Act 1885 | So much of section 3 (Incorporation of general Acts) as incorporates section 17 of the Companies Clauses Consolidation Act 1845. |
| Rickmansworth and Uxbridge Valley Water Act 1928(a) | Section 55 (As to appointment of proxies) and section 57 (Closing of transfer books). |
| Rickmansworth and Uxbridge Valley Water Act 1936(b) | Section 46 (Appointment of proxies). |
| Rickmansworth and Uxbridge Valley Water (Financial Provisions) Order 1977(c) | Paragraph (b) of section 3 (Additional capital and borrowing powers). |

Signed by authority of
the Secretary of State
4th November 1982.

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

(a) 1928 c.XLIV. (b) 1936 c.LVI. (c) 1977/564