STATUTORY INSTRUMENTS

1977 No. 1647

WATER, ENGLAND AND WALES

The West Kent Water (No. 2) Order 1977

Made - - - - 10*th October* 1977

Coming into Operation 24*th October* 1977

The Secretary of State for the Environment, in exercise of powers conferred by sections 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 West Kent Water (No. 2) Order 1977 and shall come into operation on 24th October 1977.

(2) This order shall be included among the enactments which may be cited together as the West Kent Water Acts and Orders 1878 to 1977.

Interpretation.

2. In this order—

"the Company" means the West Kent Water Company;

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

and unless the context otherwise requires, any reference in this order to any enactment shall be construed as a reference to that enactment as amended by, or having effect by virtue of, any subsequent enactment, including this order.

Power to make single quarterly rate.

3. Section 55 (making and dates for payment of water rates) of the Third Schedule to the Water Act 1945 as applied to the undertaking by section 3 of the Sevenoaks and Tonbridge Water Order 1959(**c**) shall have effect as if there were inserted at the end of subsection (1) thereof the following proviso:—

"Provided that notwithstanding the foregoing provisions of this subsection the undertakers may make a water rate by fixing a rate poundage in respect of the period of three months next following the expiration of any one such period of twelve months.".

West Kent Water Order 1973 amended.

4. After section 4 of the West Kent Water Order 1973(**d**) there shall be inserted the following—

"Quorum. **4A.** For the purposes of section 72 of the Companies Clauses Consolidation Act 1845 as applied to the Company

(**a**) 1945 c. 42.
(**b**) S.I. 1951/142, 1900, 1970/1681 (1951 I, pp. 1348, 1347; 1970 III, p. 5551).
(**c**) S.I. 1959/2282. (**d**) S.I. 1973/1669.

by section 4 of this order the prescribed quorum shall be shareholders of the Company being present in person or by proxy in number not less than twenty and holding in the aggregate not less than one-twentieth of the issued capital of the Company to which voting rights are attached.".

Application of section 94 of Third Schedule to Water Act 1945.

5. 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.

Costs of order.

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

Signed by authority of
the Secretary of State
10th October 1977.

A. G. Semple,
An Under Secretary in the
Department of the Environment.

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