CHAPTER xliv.

An Act to confirm a Provisional Order of the Minister of Health relating to the Steyning and District Waterworks Company Limited. A.D. 1934.

[12th July 1934.]

WHEREAS under the provisions of the Gas and Water Works Facilities Act 1870 and the Gas and Water Works Facilities Act 1870 Amendment Act 1873 the Minister of Health has made a provisional order which needs confirmation by Parliament: 33 & 34 Vict. c. 70. 36 & 37 Vict. c. 89.

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:—

1. The order of the Minister of Health which is set out in the schedule to this Act is hereby confirmed and shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Steyning and District Water) Act 1934. Short title.

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SCHEDULE.

Steyning and District Water Order.

STEYNING AND DISTRICT WATER.

Provisional order under the Gas and Water Works Facilities Act 1870 *and the Gas and Water Works Facilities Act* 1870 *Amendment Act* 1873 *empowering the Steyning and District Waterworks Company Limited to maintain and continue certain existing waterworks and to construct additional waterworks to make further provision as to the capital and borrowing powers of the Company and for other purposes.*

The Minister of Health in pursuance of the powers given to him by the Gas and Water Works Facilities Act 1870 the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and of all other powers enabling him in that behalf hereby orders as follows :—

PART I.

PRELIMINARY.

Short and collective titles.

1.—(1) This order may be cited as the Steyning and District Water Order 1934.

(2) The Steyning and District Water Order 1897 the Steyning and District Water Order 1900 and this order may be cited together as the Steyning and District Water Orders 1897 to 1934.

Commencement of order.

2. This order shall come into operation upon the date of the passing of the Act of Parliament confirming it.

Incorporation of Acts.

3.—(1) The following enactments (so far as the same are applicable for the purposes and are not inconsistent with the provisions of the Steyning and District Water Orders 1897 to 1934) are hereby incorporated with this order (namely) :—

The Lands Clauses Acts (except the provisions with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking);

The Waterworks Clauses Acts 1847 and 1863 (except 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 of the Waterworks Clauses Act 1847) :

Provided that section 35 of the Waterworks Clauses Act 1847 in its application to the Undertakers shall be read and construed as if the words "one-eighth part" were substituted therein for the words "one-tenth part."

(2) In the construction of the enactments so incorporated with this order the expression "special Act" shall be read as a reference to this order and the expression "Company" shall mean the Undertakers.

Interpretation.

4.—(1) In this order the several words terms and expressions to which by the enactments incorporated with this order or by the Gas and Water Works Facilities Act 1870 meanings are assigned shall unless the context otherwise requires have the same respective meanings.

(2) In this order unless the context otherwise requires—

"employee" means any workman servant or officer of the Undertakers other than a director;

"the commencement of this order" means the date upon which this order comes into operation;

"the deposited plan" and "the deposited section" mean respectively the plan and section deposited for the purposes of this order;

"the directors" means the directors of the Undertakers;

"the limits of supply" means the limits within which the Undertakers are from time to time authorised to supply water;

"the Minister" means the Minister of Health;

"the order of 1897" means the Steyning and District Water Order 1897 as confirmed by the Water Orders Confirmation Act 1897;

"the order of 1900" means the Steyning and District Water Order 1900 as confirmed by the Gas and Water Orders Confirmation Act 1900;

"the Undertakers" means the Steyning and District Waterworks Company Limited;

"the undertaking" means the water undertaking of the Undertakers as for the time being authorised by any Act or order.

PART II.

WORKS &C.

Power to maintain &c. waterworks.

5.—(1) Subject to the provisions of this order the Undertakers may in upon or under the lands in upon or under which the same are now respectively situate so long as they are possessed of the said lands or any necessary rights or easements

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therein maintain and continue the existing waterworks hereinafter described and may from time to time alter enlarge renew and improve the same.

The existing waterworks hereinbefore referred to are situate in the parish of Upper Beeding in the rural district of Chanctonbury and county of West Sussex and are—

Work No. 1 A pumping station situate in the enclosure numbered 309 in the said parish on the 1/2500 ordnance map Sussex (West) sheet No. LII.9 (edition of 1911) with wells shafts adits engines pumps works appliances and conveniences used in connection with the said pumping station or subsidiary thereto;

Work No. 2 A service reservoir situate in the western corner of the enclosure numbered 358 in the said parish on the said ordnance map Sussex (West) sheet No. LII.13 (edition of 1912).

(2) The Undertakers may also maintain continue alter enlarge renew and improve any mains pipes and apparatus already laid down in connection with the before-mentioned works or either of them.

Power to construct additional waterworks.

6. Subject to the provisions of this order the Undertakers may in upon or under the lands delineated on the deposited plan so long as they are possessed of the same or any necessary rights or easements therein make and maintain in the line and according to the levels shown on the deposited plan and section the following additional waterworks and may alter enlarge renew and improve the same The additional waterworks authorised by this order will be situate in the parish of Upper Beeding in the rural district of Chanctonbury and county of West Sussex and are—

Work No. 3 A line or lines of pipes commencing at the pumping station (Work No. 1) hereinbefore in this order described and terminating in the service reservoir (Work No. 2) hereinbefore in this order described.

Subsidiary works.

7. In addition to the works described or referred to in the sections of this order of which the marginal notes are respectively "Power to maintain &c. waterworks" and "Power to construct additional waterworks" the Undertakers may in upon or under the lands delineated on the deposited plan and within the limits of lands for subsidiary works shown on the said plan so long as they are possessed of the said lands or of any necessary rights or easements therein make and maintain alter enlarge renew and improve all such new and additional cuts channels catchwaters tunnels adits pipes conduits culverts drains sluices byewashes shafts wells bores watertowers overflows wastewater channels gauges tanks banks walls bridges embankments piers approaches

engines machinery and appliances and buildings as may be necessary or convenient in connection with or subsidiary to the works hereinbefore by this order authorised to be made or maintained or any of them :

Provided that the Undertakers shall not under the powers of this section create or permit the creation or continuance of any nuisance on any such lands :

Provided also that any electrical works or apparatus made or maintained under the provisions of this section shall be so constructed maintained and used as not to interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line.

Limits of deviation.

8. In constructing the works shown on the deposited plan the Undertakers may deviate laterally to any extent within the limits of deviation shown on the deposited plan and vertically from the levels shown on the deposited section to any extent upwards or downwards :

Provided that the Undertakers shall not raise any pipe above the surface of the ground unless so shown on the deposited section and then only to the extent shown.

Completion of works.

9. The works shown on the deposited plan shall be commenced constructed and completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act 1870 :

Provided that subject to the restrictions and provisions of this order the Undertakers may alter enlarge renew deepen improve and extend their engines machinery tanks wells pipes mains connections and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

Power to take water.

10. The Undertakers may subject to the provisions of this order pump collect impound take use divert and appropriate for the purposes of the undertaking all such springs streams or waters as may be intercepted by the works by this order authorised to be constructed or maintained.

As to exercise of powers of section 12 of Waterworks Clauses Act 1847.

11. The Undertakers may in upon or under all or any of the lands for the time being held by them in connection with the undertaking execute for the purposes of or in connection with the undertaking any of the works (other than wells and works for taking and intercepting water) and exercise any of the powers mentioned in or conferred by section 12 of the Waterworks Clauses Act 1847 :

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Provided that the Undertakers shall not under the powers of this section create or permit the creation or continuance of any nuisance on any such lands.

Limiting powers of Undertakers to abstract water.

12. The Undertakers shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in this or some other order or in an Act of Parliament.

Temporary discharge of water into streams.

13.—(1) For the purpose of constructing enlarging extending repairing cleansing emptying or examining any reservoir well conduit or line of pipes or other work of the Undertakers the Undertakers may cause the water in such reservoir well conduit line of pipes or other work to be discharged into any available stream or watercourse :

Provided that any water so discharged shall so far as may be reasonably practicable be free from mud solid or offensive matter and other matter injurious to fish or spawn or spawning beds or food of fish.

(2) In the exercise of the power conferred by this section the Undertakers shall do as little damage as may be and shall make compensation to all persons interested for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

(3) The powers of this section shall not be exercised so as to damage or injuriously affect the railways or works of the Southern Railway Company.

PART III.

LANDS.

Purchase of additional lands by agreement.

14.—(1) In addition to any lands which the Undertakers are under the order of 1897 authorised to acquire and hold the Undertakers may from time to time purchase take on lease or otherwise acquire by agreement and hold and use for the purposes of the undertaking any lands and any easements rights or privileges (not being an easement right or privilege of water in which persons other than the parties to the easement have an interest) in over or under any lands which they may from time to time require :

Provided that the total quantity of land held by the Undertakers at any one time under this section shall not exceed ten acres.

(2) The Undertakers shall not on any lands so acquired so long as the same are held by them create or permit a nuisance or erect or authorise the erection thereon of any houses or similar buildings except offices and dwellings for employees and such buildings as may be required for the purposes of or in connection with the undertaking.

Land for protection of waters and waterworks.

15.—(1) For the purpose of protecting any of their waters and waterworks against pollution nuisance encroachment or injury the Undertakers may by agreement purchase take on lease and acquire any lands and may hold such lands so long as they shall deem it necessary or expedient for those purposes :

Provided that—

(*a*) the total quantity of land acquired under this section by the Undertakers shall not exceed two hundred acres ; and

(*b*) the Undertakers shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incidental to or connected with the undertaking.

(2) The Undertakers may in and upon any lands so acquired by them construct and lay down drains sewers watercourses and other works and conveniences necessary or proper for the purpose of intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Undertakers are empowered to take from being polluted and the Undertakers may for those purposes carry any such drain sewer or watercourse under across or along any street or road within any area in or through which any waters which may be taken by the Undertakers arise or flow subject and according to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

(3) The powers conferred by this section shall not authorise the grant or enclosure of common land without the consent of the Minister of Agriculture and Fisheries.

Power to retain sell &c. lands.

16.—(1) Notwithstanding anything in the Lands Clauses Acts or in any other Act to the contrary the Undertakers may—

(*a*) retain hold and use for the purposes of the undertaking for such time as they think fit any lands for the time being belonging to them ;

(*b*) from time to time sell lease exchange or otherwise dispose of the lands to such persons in such manner for such

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consideration and on such terms and conditions as they think fit; and

(c) execute and do any deed act or thing proper for effectuating any sale lease exchange or disposition.

(2) Upon any sale lease exchange or disposition of lands authorised by this section the Undertakers may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale lease exchange or disposition subject to such reservations accordingly and may also make any such sale lease exchange or disposition subject to such other reservations special conditions restrictions and provisions with respect to the use of water the exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

(3) Nothing in this section shall release the Undertakers or any person purchasing or acquiring any land from them under this section from any rents covenants restrictions terms or conditions made payable by or contained in any conveyance lease or other deed or instrument by which any such lands were or may hereafter be conveyed or leased to or otherwise acquired by the Undertakers or any person from whom or through whom the Undertakers may have derived or may derive title to the same.

Persons under disability may grant easements &c.

17. 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 this order and of any Acts or orders relating to the Undertakers lease any such lands to the Undertakers and may grant to the Undertakers any easement right or privilege (not being an easement right or privilege of taking water in which persons other than the grantors have an interest) required for purposes of the undertaking 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.

Dwelling-houses for employees offices showrooms &c.

18. The Undertakers may purchase or take on lease houses cottages and other buildings for employees and offices showrooms and other buildings for the purposes of the undertaking and may erect fit up maintain and let any such building upon any lands for the time being belonging or leased to the Undertakers for the purposes of the undertaking:

Provided that the total quantity of land held by the Undertakers at any one time under this section shall not exceed three acres.

PART IV.

FINANCIAL PROVISIONS.

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New capital.

19. The limitation prescribed by the order of 1897 as varied by the order of 1900 with respect to the amount of the share capital of the Undertakers for the purposes of the undertaking shall not prevent the Undertakers from raising for the purposes of the undertaking further share capital (in this order referred to as "new capital") not exceeding seven thousand pounds including any premiums that may be obtained on the sale of any shares under the provisions of this order:

Provided that the share capital of the Undertakers for the purposes of the undertaking shall not exceed in the whole twenty thousand pounds.

Limits of dividend on capital.

20. The Undertakers shall not in any one year pay out of their profits any larger dividend on the new capital than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend which shall have fallen short of the said sum of seven pounds per centum per annum or than six pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

Sale of shares by auction or tender.

21.—(1) Subject to the provisions of the Companies Act 1929 and save as otherwise expressly provided by this order all shares hereafter issued by the Undertakers for the purposes of the undertaking shall be issued in accordance with the provisions of this section.

(2) All shares so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the directors shall from time to time determine:

Provided as follows:—

(*a*) Notice of the intended sale shall be given in writing to the clerk of the council of every urban and rural district wholly or partly included within the limits of supply and to the secretary of the London Stock Exchange at least seven days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspaper or newspapers circulating within the limits of supply;

(*b*) A reserve price shall be fixed and notice thereof shall be sent by the Undertakers in a sealed letter to be

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received by the Minister not less than twenty-four hours before but not to be opened till after the day of auction or last day for the reception of tenders as the case may be;

(*c*) In the case of a sale by auction no lot offered for sale shall comprise shares of greater nominal value than one hundred pounds and a bid shall not be recognised unless it is in advance of the last preceding bid;

(*d*) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum except that the offer by tender of any holder of shares of the Undertakers may be accepted in preference to the offer of the same sum by any person not such a holder and preference may in like manner be given to the offer of any employee or of any consumer of water supplied by the Undertakers;

(*e*) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Undertakers within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares which have been so offered for sale and are not sold may be offered at the reserve price in manner prescribed by a resolution passed by the directors to the holders of shares of the Undertakers in respect of the undertaking and to the employees and to the consumers of water supplied by the Undertakers in such proportions as the directors may think fit or to one or more of these classes of persons only:

Provided that in the case of an offer to holders of shares if the aggregate amount of any class of shares applied for shall exceed the amount thereof so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

(4) Any shares which have been offered for sale in accordance with subsection (2) or with subsections (2) and (3) of this section and are not sold may be disposed of for the purpose of realising the best price obtainable at such price and in such manner as the directors may determine.

(5) As soon as possible after the conclusion of the sale or sales the Undertakers shall send a report thereof to the Minister stating the total amount of each class of shares sold the total amount (if any) obtained as premium in each case and the highest and lowest prices obtained for each class of shares.

Special provision for benefit of small investors.

22. Notwithstanding anything in the section of this order of which the marginal note is "Sale of shares by auction or tender" but subject nevertheless to the provisions of the Companies Act 1929 the directors may with the approval of a resolution of a general meeting of the Undertakers reserve a proportion not exceeding one-fourth of each issue of shares for the purposes of the undertaking for exclusive offer in the first instance to employees and to consumers of water supplied by the Undertakers at such price and upon such terms and conditions as to payment therefor and the payment of dividends thereon until the same become fully paid as the directors may prescribe:

Provided that every allotment of shares under this section shall be at a price not less than the reserve price at which the like class of shares of the same issue shall be offered under the provisions of the said section of this order.

Sale of shares to employees and consumers at a fixed price.

23. When any shares are to be issued by the Undertakers for the purposes of the undertaking the Undertakers before or in lieu of offering the shares for sale by public auction or tender may with the previous approval of the Minister and subject to the provisions of the Companies Act 1929 and to such conditions as the Minister may think fit to impose offer such shares to employees and to consumers of water supplied by the Undertakers at not less than the average price (after due allowance made for any enhancement in price by reason of any accrued dividend) at which according to the books of the Undertakers sales of shares of the same class were effected within the period of six months immediately preceding the date of application by the Undertakers for such approval as aforesaid or if there has been only one sale or no sale of such shares or stock during such period then the price at which the last sale of such shares or stock was effected making due allowance not exceeding five per centum for any probable change in value since such date due to the accrual or payment of dividend or any other cause.

Power to offer shares for subscription by public.

24. Notwithstanding anything in any Act or order relating to the Undertakers the Undertakers may with the approval of the Minister and subject to such conditions as the Minister may think fit to impose offer for subscription by the public any shares which they may for the time being be authorised to issue.

Power to grant pensions &c.

25.—(1) The directors may grant such gratuities pensions and superannuation allowances or make such other payments as they think fit to any employee or where in any particular case no adequate provision is in their opinion otherwise made to the widow or family or any dependent of an employee.

(2) The directors may enter into and carry into effect agreements with any local authority as defined by the Local Government and other Officers' Superannuation Act 1922 to which that

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Act applies or with any insurance company or other association or company for securing to any such employee widow family or dependent as aforesaid such gratuities pensions allowances or payments as are by this section authorised to be granted or made.

(3) The directors may subscribe or make donations to infirmaries hospitals convalescent homes and other institutions which would be for the benefit of the employees and to the benevolent and sick funds of the employees.

(4) The directors may apply the revenues of the undertaking for the purposes of this section.

Application of money.

26. All moneys raised under this order including premiums shall be applied only to purposes of the undertaking to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of shares under the provisions of this order shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limit of borrowing powers.

27.—(1) The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one-half of the amount of the capital of the Undertakers for the purposes of the undertaking at the time actually raised by the issue of shares including any premium that may have been or may be obtained on the sale of any such shares.

(2) No higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Minister in respect of any moneys borrowed by the Undertakers after the commencement of this order and secured as aforesaid.

Reserve fund.

28.—(1) The directors may if they think fit in any year set apart out of the clear profits of the undertaking such sum as they may determine (subject to the provisions of the section of this order of which the marginal note is "Limitation on reserve and contingency funds") and any sums so set apart may from time to time be invested in any investments in which trustees are authorised by law to invest money or in such other manner as shall be authorised by a resolution of the directors and the dividends and interest arising from such investments may also be invested in the same or like investments in order that the same may accumulate at compound interest The fund so formed shall form a reserve fund to answer any deficiency which may at any time happen or have happened in the amount of divisible profits or to meet any extraordinary claim or demand which may at any time arise against the Undertakers and if such fund be at any time reduced it may thereafter be again restored within the

limit prescribed by this section and so from time to time as often as such reduction shall happen :

Provided that no sum of money shall be taken from the said fund for the purpose of meeting any extraordinary claim or demand unless it be first certified by two justices that the sum so proposed to be taken is required for the purpose of meeting an extraordinary claim or demand within the meaning of this section.

(2) Any money standing to the credit of the reserve fund of the Undertakers at the commencement of this order shall forthwith be carried by the Undertakers to the credit of the reserve fund authorised by this section.

(3) Save as in this section provided no sum shall in respect of the undertaking in any year be carried by the Undertakers to any reserve fund.

Contingency fund.

29. The directors may if they think fit in any year appropriate out of the revenue of the undertaking as part of the expenditure on revenue account such sum as they may determine (subject to the provisions of the next succeeding section of this order) to a fund to be called " the contingency fund " which fund shall be applicable to meet contingencies or for renewing repairing or improving the works connected with the undertaking or any part thereof.

Limitation on reserve and contingency funds.

30.—(1) The aggregate amount which may be carried in any year to any reserve fund formed in pursuance of the section of this order of which the marginal note is " Reserve fund " and to any contingency fund formed in pursuance of the immediately preceding section of this order shall not together exceed a sum equal to one per centum of the capital for the time being expended by the Undertakers for the purposes of the undertaking.

(2) The aggregate amount standing to the credit of any such reserve fund and contingency fund of the Undertakers as aforesaid shall not together at any time exceed a sum equal to ten per centum of the capital for the time being expended by the Undertakers for the purposes of the undertaking.

Limitation on carry-forward.

31. It shall be lawful for the Undertakers in respect of the undertaking to carry forward at the end of any year to the credit of the profit and loss (net revenue) account any sum not exceeding the total of the following amounts (that is to say) :—

(*a*) The amount required by the Undertakers for paying any dividends or interest which the Undertakers are entitled or required to pay but have not paid in respect of that year;

(*b*) An amount equal to the total sum which the Undertakers would be lawfully entitled to distribute as dividends on

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their preference and ordinary capital in respect of the next following year;

(c) An amount equal to the total sum which the Undertakers will be required to pay during the next following year as interest in respect of that year on any mortgages debentures or debenture stock.

PART V.

SUPPLY OF WATER &C.

Guarantees by district councils.

32.—(1) Any district council whose district is in whole or in part within the limits of supply may give and enter into any guarantee or contract for securing payment to the Undertakers of such periodical or other sum or sums at such time or times in such manner and subject to such stipulations as may be agreed by and between such council and the Undertakers for the purpose of or with respect to the providing or laying down by the Undertakers of any main pipe or works for the supply of water within any part of such district within the limits of supply.

(2) Subject to the provisions of subsections (4) and (5) of section 190 of the Local Government Act 1933 any expenses incurred by a rural district council in pursuance of this section shall be defrayed as special expenses on the contributory places in respect of which the guarantee or contract is entered into.

(3) Nothing in this section shall be deemed to authorise any district council to use any water supplied by the Undertakers under any such guarantee or contract as aforesaid in any part of the district of such council which is beyond the limits of supply and within the limits for the supply of water of any other company or person supplying water under parliamentary authority without the consent of such other company or person.

Revision of water rates and charges.

33. If it appears to the Minister on the application of the council of any county borough urban or rural district having jurisdiction within the limits of supply of the Undertakers that the divisible profits of the Undertakers for the preceding year have exceeded the amount required for the payment of dividends upon the share capital of the undertaking at the maximum rates authorised in the case of the undertaking and that the reserve fund and contingency fund together amount to the prescribed maximum sum the Minister may by order make such reduction in the rates and charges which the Undertakers are authorised to levy as he considers reasonable:

Provided that the rates and charges as so reduced shall be sufficient to enable the Undertakers (after paying all proper expenses of and in connection with the working management and

maintenance of the undertaking and making good depreciation and providing for any contributions which the Undertakers may carry to any reserve fund or contingency fund formed under the provisions of this order and paying all other costs charges and expenses (if any) properly chargeable to revenue) to continue to pay dividends upon the share capital of the undertaking at the maximum rates authorised.

The Minister may amend any order made in pursuance of this section after the expiration of five years from the date of such order upon the application of the Undertakers or of any such council as aforesaid.

Rates for baths.

34. Section 20 (Rates for baths) of the order of 1897 shall be altered by the substitution for the words "in respect of every bath" of the words "in respect of every bath beyond the first."

Rates leviable half-yearly.

35.—(1) Notwithstanding anything in the Waterworks Clauses Act 1847 or in the existing orders or this order the rates leviable by the Undertakers for water supplied for domestic purposes shall if the Undertakers so determine be paid half-yearly one-quarter in arrear and one-quarter in advance at Christmas Day and Midsummer Day or at Lady Day and Michaelmas Day:

Provided that any person who shall occupy any premises during part only of any half-year in respect of which the rate is so required to be paid shall be liable for a part of the rate proportionate to that part of the half-year and if any such person shall have paid to the Undertakers a greater part of such rate the balance shall be refunded to him by the Undertakers.

(2) Particulars as to the effect of the provisions of this section shall be endorsed on all demand notes for the payment of rates served by the Undertakers.

Rates payable by owners of small houses.

36.—(1) Where the net annual value of a house supplied with water does not exceed fifteen pounds or the house is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Undertakers so determine pay the rate for the supply but the rate may be recovered by the Undertakers from the occupier and may if so recovered and if the occupier be not himself liable therefor under any lease or agreement be deducted by him from the rent from time to time due from him to the owner:

Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

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(2) The provisions of section 73 (Tenants under existing leases to repay the owner) of the Waterworks Clauses Act 1847 shall mutatis mutandis extend and apply to any payments made under the provisions of this section by the owner of any house and as if such first-mentioned provisions applied in the case of any lease or agreement whether made before or after the commencement of this order.

As to net annual value of two or more houses in one occupation.

37. Where two or more houses or buildings connected by any means of communication not being a public highway are in the occupation of one and the same company body firm or person they shall be deemed for the purpose of determining the amount of water rate chargeable by the Undertakers in respect of any supply of water for domestic purposes furnished by the Undertakers to any one or more of such two or more houses or buildings to be one tenement having a net annual value equal to the aggregate of the net annual values of the separate houses or buildings so occupied.

Water supplied by agreement.

38. Section 22 (Water supplied by agreement) of the order of 1897 in its application to agreements made after the commencement of this order shall be altered by the omission of the words " and every such agreement shall be by virtue of this order " determinable by the Undertakers on one month's notice in " writing."

Price of supply by measure.

39. Subject to the provisions of this order the price to be charged by the Undertakers for a supply of water by measure shall not exceed two shillings and sixpence a thousand gallons.

Supply to certain premises.

40.—(1) The Undertakers shall not be bound to supply with water otherwise than by measure—

(*a*) any building used by an occupier as a dwelling-house whereof a part is used by the same occupier for any trade or manufacturing purpose for which water is required; or

(*b*) any hospital (whether public or private) or any nursing home sanatorium school club hotel public-house restaurant or inn; or

(*c*) any boarding-house capable of accommodating at least twelve persons; or

(*d*) any public institution which is habitually occupied by at least twenty persons.

(2) Where a supply of water to a farmhouse is used for farming purposes the Undertakers may require that the supply for farming purposes shall be taken by measure and paid for accordingly but nothing in this section shall authorise the Undertakers to refuse a

supply of water for domestic purposes to a farmhouse at the ordinary rate calculated on the net annual value thereof.

(3) The minimum quarterly charge exclusive of meter rents for a supply of water by measure to any of the premises in this section mentioned shall be one-fourth of the annual amount which would be payable according to the scale for the time being in force for a domestic supply furnished to a dwelling-house of the same net annual value.

Charges for supply by hose-pipe.

41.—(1) Where water supplied for domestic purposes otherwise than by measure is used for horses or washing carriages or motor cars or for other purposes in stables garages or premises where horses carriages or motor cars are kept the Undertakers may if a hose-pipe or other similar apparatus is used charge such additional sum not exceeding twenty-five shillings per annum as they may prescribe and (where more motor cars than one are kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first.

(2) The additional sums chargeable under this section shall be payable in advance and be recoverable in all respects with and in the same manner as the rate for the supply of water for domestic purposes to the premises.

(3) Where water supplied by the Undertakers to a person who takes a supply both for domestic purposes and by measure for trade or other purposes is used by him by means of a hose-pipe or other similar apparatus for horses or washing carriages or motor cars or for other purposes in stables garages or premises where horses carriages or motor cars are kept the Undertakers may if they think fit require that all water so used shall be taken by measure and paid for accordingly.

Charges for supplies for refrigerating apparatus &c.

42. Where a person who takes a supply of water for domestic purposes from the Undertakers otherwise than by meter desires to use for or in connection with a refrigerating apparatus or for or in connection with any apparatus (other than apparatus used for softening water for domestic purposes which does not require water for cleaning cooling regenerating or for motive power or similar purposes) depending while in use upon a supply of continuously running water any of the water so supplied the Undertakers may if they think fit require that all water so used shall—

(*a*) be taken by measure and paid for accordingly and in that event the minimum quarterly charge for the water shall be ten shillings; or

(*b*) be paid for at such rates as may be agreed between such person and the Undertakers.

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Special terms for supplies to caravans &c.

43.—(1) Notwithstanding anything in the order of 1897 a person shall not be entitled to demand or continue to receive from the Undertakers a supply of water to any caravan shack hut tent or other like structure unless he has—

(*a*) agreed with the Undertakers to take a supply of water by measure and to pay to the Undertakers such minimum annual sum as will give them a reasonable return on the capital expenditure incurred by them in providing the supply or supplies required by him and will cover other standing charges incurred by them in order to meet the possible maximum demand for his caravan shack hut tent or structure and will yield a reasonable return on the cost of the water consumed or used by him; and

(*b*) secured to the reasonable satisfaction of the Undertakers by way of deposit or otherwise payment of such a sum as may be reasonable having regard to the possible maximum demand of such person for his caravan shack hut tent or structure.

(2) The sum to be so paid and the security to be so given shall be determined in default of agreement by a court of summary jurisdiction who may also order by which of the parties the costs of the proceedings before them shall be paid and the decision of the court shall be final and binding on all parties.

(3) Notwithstanding anything in this section or any other provisions of or incorporated with the order of 1897 the order of 1900 or this order the Undertakers shall not (unless required so to do by the Minister) supply water to any caravan shack hut tent or other like structure if the Chanctonbury rural district council objects to the supply being given.

Minimum charge for supply by measure.

44. Notwithstanding anything in any Act or order relating to the Undertakers the Undertakers shall be entitled to charge for each supply of water by measure (other than a supply given under the sections of this order of which the marginal notes are respectively "Supply to certain premises" and "Charges for supplies for refrigerating apparatus &c.") such minimum sum not exceeding fifteen shillings as they may prescribe in respect of the water supplied in any quarter of a year.

Cisterns.

45. The Undertakers may require that any dwelling-house erected after the commencement of this order situate on land at a higher level than fifty feet below the service reservoir or tank from which a supply of water is furnished by them to such dwelling-house shall be provided with a cistern or cisterns capable of containing a total quantity of water sufficient to provide an adequate supply to such dwelling-house for a period of twenty-four

hours and the Undertakers shall not be bound to supply such dwelling-house until the same is provided with a cistern or cisterns in conformity with the requirements of this section.

As to streets forming boundary of limits of supply.

46.—(1) Where the limits of supply are bounded by or abut upon any street or part of a street wholly outside those limits the Undertakers may for the purpose of supplying water to the owner or occupier of any premises abutting upon that street or part of a street and being within the limits of supply exercise with respect to such street or part of a street outside those limits the like powers of breaking up the same for the purposes of laying maintaining inspecting repairing and renewing pipes as are exerciseable by them with respect to streets within the limits of supply subject nevertheless to the observance of the conditions imposed on an exercise of those powers within the said limits.

(2) The owner and occupier of any premises to which subsection (1) of this section applies may for the purpose of laying any communication pipe or of complying with any obligation to maintain any pipe or apparatus which he is liable to maintain exercise the like power of opening the ground between any main or pipe of the Undertakers and his premises and of opening or breaking up so much of the pavement of the street as shall be between such main or pipe and his premises and any sewer or drain therein as if such street or part of a street were wholly within the limits of supply.

(3) Nothing in this section shall entitle or require the Undertakers to supply water to the owner or occupier of any premises abutting upon any such street and being outside the limits of supply.

(4) In this section the word "street" includes any square court or alley highway lane road thoroughfare or public passage or place.

Power to lay pipes in streets not dedicated to public use.

47. The Undertakers may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 of that Act were excepted from incorporation in this order:

Provided that in the exercise of the powers conferred by this section section 30 of the Waterworks Clauses Act 1847 shall apply to the county council of West Sussex as if that council were the persons having control or management of any such street:

Provided also that the Undertakers shall not exercise the powers of this section in respect of any street belonging to and forming the approach to any station or depot of the Southern

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Railway Company without the consent of that company but such consent shall not be unreasonably withheld.

Separate communication pipes may be required.

48.—(1) The Undertakers shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit by a notice in writing require the owner of any house to lay a separate pipe from the main pipe into that house.

(2) If the owner of any house supplied with water by the Undertakers fails within a period of one month after the receipt of a notice under subsection (1) of this section to provide a separate pipe from the main pipe into that house the Undertakers may themselves do the work and may recover from that owner the reasonable cost so incurred by them summarily as a civil debt.

Maintenance of common pipe.

49. Where several houses or parts of houses in the occupation of several persons are supplied by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Undertakers in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the officer duly authorised in that behalf by the Undertakers.

Undertakers to connect communication pipes with mains.

50. Notwithstanding anything contained in any Act or order relating to the Undertakers the Undertakers shall have the exclusive right of executing any works on any of the water mains of the Undertakers for connecting any communication pipe therewith and the Undertakers shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Undertakers execute on any such main (subject to the provisions as far as applicable of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes) any work which shall be necessary to connect the communication or service pipe of such owner or occupier therewith and the reasonable expenses incurred by the Undertakers in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Stop-cocks &c. to be fitted in communication pipes.

51.—(1) In the case of all new buildings (the erection of which is commenced after the commencement of this order) connected with the mains of the Undertakers the Undertakers may in cases where the communication pipes are laid by the person requiring the supply or by the Undertakers at his request require such person at the time when the pipes are laid to insert or to have inserted and thereafter to maintain a stop-cock (which expression where used in this section shall include the necessary covers or boxes for giving access and protection thereto) in the communication or service pipe from the said premises in some position as near as

is reasonably possible to the point at which such pipe passes the boundary of the street or to the point at which such pipe enters the said premises in or under the street whichever of those points is the nearer to the main of the Undertakers from which the supply is given to the said premises and if such person fails to comply with such requirement the Undertakers may insert and maintain a stop-cock in such communication or service pipe and recover the reasonable expenses incurred by them in so doing from such person as a civil debt.

(2) For the purpose of complying with any obligation under this section to insert or to maintain a stop-cock and for the purpose of maintaining any existing stop-cock in a communication or service pipe from any premises within the limits of supply the person liable shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

(3) The Undertakers may by agreement with any person liable to insert or to maintain any stop-cock and for that purpose authorised to open or break up any street within the limits of supply execute such works on behalf of such person and any expenses reasonably incurred by the Undertakers in so doing shall be repaid by the person with whom the agreement is made and shall be recoverable summarily as a civil debt.

Notice of discontinuance.

52. A notice to the Undertakers from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Undertakers or be given by the consumer personally at the office of the Undertakers.

Extension of powers for preventing waste &c. of water.

53.—(1) In addition to the powers conferred by section 21 (Regulations for preventing waste &c. of water) of the Order of 1897 the Undertakers may make byelaws as to the testing and stamping of taps cocks ferrules valves flushing cisterns flushing apparatus and other similar fittings and apparatus and prescribing the charge for such testing and stamping and all such byelaws shall be subject to the provisions contained in subsections (2) (3) (4) (5) (6) (7) and (10) of section 250 and in sections 251 and 252 of the Local Government Act 1933 and those provisions shall for the purpose of this section be construed as if the Undertakers were a local authority within the meaning of those sections and the secretary of the Undertakers were the clerk of the local authority The confirming authority for the purpose of the said section 250 shall be the Minister.

(2) Nothing in subsection (1) of this section or in any byelaws made thereunder shall apply to any pipes or fittings used on any

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premises which form part of the railway of a railway company so long as such fittings do not cause waste undue consumption misuse or contamination of water which is supplied by the Undertakers.

(3) Any person who shall forge or counterfeit any stamp or mark used by the Undertakers or by the authority of the Undertakers for any of the purposes of this section or who shall use or supply anything marked with any such stamp or mark knowing the same to be forged or counterfeited shall for every such offence be liable to a penalty not exceeding twenty pounds.

Power to Undertakers to repair communication pipes.

54. If it should appear to the Undertakers that by reason of any injury to or defect in any communication pipe which the Undertakers are not under obligation to maintain any waste of water or injury or risk of injury to person or property is caused or likely to be caused it shall be lawful for the Undertakers subject to the provisions so far as applicable of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the reasonable expense incurred by the Undertakers in executing such repairs shall be recoverable as a civil debt by the Undertakers from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier :

Provided that except in case of emergency the Undertakers shall not under the powers of this section enter into any house or private premises unless they shall have given to the owner and occupier of such house or premises not less than twenty-four hours' previous notice of their intention so to enter.

Meters &c. to measure water or detect waste.

55.—(1) Subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes the Undertakers may for the purpose of measuring the quantity of water supplied or of preventing and detecting waste affix and maintain meters and other apparatus on the service pipes and mains of the Undertakers and stop-cocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose stop up break up and interfere temporarily with public and private streets roads lanes footways sewers courts passages tramways gas or water pipes electric lines wires and apparatus.

(2) The Undertakers shall not under the powers of this section interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the said Act.

(3) The Undertakers shall not exercise the powers of this section in respect of any street road footway pipe wire or apparatus belonging to or maintainable by the Southern Railway Company without the consent of that company but such consent shall not be unreasonably withheld.

Power to sell or let meters &c.

56. The Undertakers may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

The provisions of section 14 of the Waterworks Clauses Act 1863 shall extend to authorise the Undertakers to let for hire any water fittings to any person supplied by them with water.

Notice to Undertakers of connecting or disconnecting meters.

57. Before any person connects or disconnects any meter by means of which any of the water of the Undertakers is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Undertakers of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under the due superintendence of any officer of or person authorised by the Undertakers and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Period of error in defective meters.

58. If any meter used by a consumer of water be proved to register erroneously the erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter and the amount of the allowance to be made to the consumer or of the surcharge to be made upon him by the Undertakers shall be paid by or to the Undertakers to or by the consumer as the case may be and shall in the case of a surcharge be recoverable in the like manner as rates for water are recoverable by the Undertakers.

Injuring meters &c.

59.—(1) Every person who—

(*a*) wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Undertakers; or

(*b*) fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied; or

(*c*) fraudulently abstracts consumes or uses water of the Undertakers;

shall (without prejudice to any other right or remedy for the protection of the Undertakers) be liable to a penalty for every

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such offence not exceeding five pounds and the Undertakers may in addition thereto recover from the person so offending the amount of any damage by them sustained.

(2) When any person has been convicted of an offence under subsection (1) of this section the Undertakers may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for ensuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Undertakers by the person so offending and may be recovered by them as water rates are recoverable.

(3) The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Undertakers when such pipe meter instrument or fittings are under the custody or control of the consumer shall be prima facie evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

Penalty for closing valves and apparatus.

60. Every person who—

(*a*) without the consent of the Undertakers shall wilfully; or

(*b*) shall negligently;

close or shut off any valve cock or other work or apparatus belonging to the Undertakers whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Undertakers) be liable on conviction to a penalty not exceeding five pounds and the Undertakers may in addition thereto recover the amount of any damage by them sustained:

Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe.

Penalty for opening valves &c.

61. Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of a supply of water by the Undertakers who shall without the authority of the Undertakers turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Undertakers and provided or available for the purposes of affording such supply shall be deemed to commit an offence under section 60 of the Waterworks Clauses Act 1847 and the said section shall extend and apply accordingly.

Extension of power to inspect premises.

62. In addition to the powers conferred by section 57 of the Waterworks Clauses Act 1847 any duly authorised officer of the Undertakers may at all reasonable times between the hour of four of the clock in the afternoon and one hour after sunset

enter into any house or premises supplied with water by the Undertakers in order to examine if there be any waste or misuse of such water and if any person hinder any such officer from entering either under the said section 57 or under this section or from making an examination under that section or this section he shall for every such offence be liable to a penalty not exceeding five pounds :

Provided that no person shall for the same offence have the water supplied to him turned off in pursuance of the said section 57 and be liable to a penalty under this section.

Power to supply materials.

63. The Undertakers may if requested by any person supplied or about to be supplied by them with water furnish to him and repair and alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans water closets and other fittings as are required or permitted by their regulations or byelaws and may provide all materials and do all work necessary or proper in that behalf and the reasonable charges of the Undertakers in providing such materials and executing such works shall be paid by the person requiring the same.

Fittings let for hire not to be subject to distress &c.

64.—(1) If any fittings let for hire by the Undertakers shall bear either a distinguishing metal plate affixed to them or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners of the fittings those fittings shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be.

(2) All fittings let for hire by the Undertakers notwithstanding that they be fixed or fastened to any part of the premises in which they may be situate or to the soil under any such premises shall if they bear a plate brand or mark such as is mentioned in subsection (1) of this section at all times continue to be the property of and removable by the Undertakers :

Provided that nothing in this subsection shall affect the valuation for rating of any rateable hereditament.

Entry on premises to remove fittings and meters.

65. The Undertakers by their agents or workmen after forty-eight hours' notice in writing under the hand of the agent or other officer of the Undertakers to the occupier or if there be no occupier then to the owner or lessee of any house building or land in which any water pipe meter or fitting belonging to the Undertakers is laid or fixed and through or in which the supply of water is from any cause other than the default of the Undertakers discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning

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and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

Opening of ground by person liable to maintain pipes &c.

66.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 or under any other Act or order relating to the Undertakers to maintain or repair any pipe or apparatus used for the supply of water from the works of the Undertakers the person liable to maintain or repair the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

(2) The Undertakers by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any street may subject to the like conditions execute such works on behalf of such owner or occupier and except so far as such agreement otherwise provides any reasonable expenses incurred by the Undertakers shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

Purchase of water in bulk.

67. The Undertakers may enter into and carry into effect agreements with any local authority company body or person supplying water under parliamentary authority for the purchase of water in bulk by the Undertakers for such price and on such terms and conditions and for such period as may be agreed upon and any water so purchased may be used by the Undertakers for the purpose of the undertaking.

PART VI.

MISCELLANEOUS.

Authentication and service of notices by Undertakers.

68.—(1) Any notice to be served by the Undertakers shall be sufficiently authenticated by the signature of the secretary or other officer of the Undertakers for the time being authorised in writing by the directors or by the name of the officer being printed or stamped on the notice.

(2) Any such notice may be served either personally or by a prepaid letter sent by post and addressed to the person to be served by name at his last known or usual place of abode or of business or by delivering the notice to any inmate of the premises supplied with water or if the premises are unoccupied and the place of abode of the person to be served cannot be found after proper inquiry any notice not being a notice to pay any charge may be affixed to some conspicuous part of the premises.

Recovery of demands.

69. Proceedings for the recovery of any demand made under the authority of any Act or order from time to time relating to the Undertakers whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Recovery of penalties &c.

70. Save as otherwise expressly provided by any Act or order from time to time relating to the Undertakers all offences against any such Act or order and all penalties forfeitures costs and expenses imposed by or recoverable under any such Act or order or any byelaw made in pursuance of a power thereby conferred may be prosecuted and recovered in a summary manner:

Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Several sums in one summons or warrant.

71. Where the payment of more than one sum by any person is due under any Act or order from time to time relating to the Undertakers any summons or warrant issued for any of the purposes of those Acts or orders in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Justices not disqualified.

72. A judge of any court or a justice shall not be disqualified from acting in the execution of any Act or order from time to time relating to the Undertakers by reason of his being liable to the payment of any rate.

Penalties not cumulative.

73. Penalties imposed under any Act or order for the time being relating to the Undertakers for one and the same offence shall not be cumulative.

Copy of confirmation Act to be registered.

74.—(1) The Undertakers shall deliver to the Registrar of Companies a printed copy of the Act passed for the confirmation of this order and he shall retain and register the same and if such copy is not so delivered within three months from the passing of that Act the Undertakers shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Undertakers who knowingly and wilfully authorises such default shall incur a like penalty Every penalty under this section shall be recoverable summarily.

(2) There shall be paid to the registrar by the Undertakers on such copy being registered the like fee as is for the time being payable under the Companies Act 1929 on registration of any document other than a memorandum of association or the

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abstract required to be delivered to the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding up in England.

Costs of order.

75. All costs charges and expenses of and incidental to the application for this order and the preparation making and confirmation of this order shall be paid by the Undertakers and may in whole or in part be defrayed out of revenue.

Inquiries and expenses.

76. The Minister may direct any inquiries to be held by his inspectors which he may deem necessary for the purposes of his powers under this order and section 290 of the Local Government Act 1933 shall apply as if the Undertakers were a local authority and as if this order were an enactment relating to the functions of a local authority.

Repeal.

77. The orders mentioned in the schedule to this order are hereby repealed to the extent shown in the second column of that schedule.

SCHEDULE.

(1)	(2)	(3)
Order.	Extent of repeal.	Subject-matter of repealed provisions.
The Steyning and District Water Order 1897 as confirmed by the Water Orders Confirmation Act 1897 (60 & 61 Vict. c. clvi).	Section 3 (so far as it relates to the definition of the expressions "superior court" and "court of competent jurisdiction").	Interpretation.
	Section 9 - - -	Limit of borrowing powers.
	Section 27 - -	When several houses supplied by one pipe each to pay.
	Section 28 - -	Supply of water to tenements in a row.
	Section 29 - -	Injuring meters.
	Section 30 - -	Misuser where supply to several houses is by a pipe common to all.
	Section 31 - -	Incoming tenant not liable to pay arrears.

(1) Order.	(2) Extent of repeal.	(3) Subject-matter of repealed provisions.
The Steyning and District Water Order 1897—*cont.*	Section 32 - -	Several names in one summons.
	Section 33 - -	Warrant of distress to include costs.
	Section 34 - -	Liability to water rent not to disqualify justices from acting.
The Steyning and District Water Order 1900 as confirmed by the Gas and Water Orders Confirmation Act 1900 (63 & 64 Vict. c. lviii).	Section 7 - - -	New shares to be offered by auction or tender.
	Section 8 - - -	Purchase money of shares to be paid within three months.
	Section 9 - - -	Notice to be given as to sale of shares.
	Section 10 - -	Shares not sold by auction or by tender to be offered to shareholders.
	Section 13 - -	Limit of borrowing powers.

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