EXPLANATORY NOTE

(This Note is not part of this Order, but is intended to indicate its general purport.)

This order transfers from the British Electricity Authority to the North of Scotland Hydro-Electric Board the main transmission line between Dundee and Abernethy and the sub-stations at those places. This property vested in the Authority under the Electricity Act, 1947, by virtue of having been the property of the Central Electricity Board.

Provisions are inserted for the modification of contracts and other matters, as authorised by section 19 of the Electricity Act, 1947, in order to give effect to the transfer.

The Electricity (Falmouth, Dartmouth and Kingswear) (Transfer) Order, 1949

1949 No. 1181

Made - - - -	*24th June*, 1949
Laid before Parliament	*28th June*, 1949
Coming into Operation	*5th July*, 1949

The Minister of Fuel and Power, on the application of the South Western Electricity Board and after consulting the Central Authority, in exercise of the powers conferred upon him by sections nineteen and fifty-seven of the Electricity Act, 1947,(a) (in this order referred to as "the Act"), and of all other powers him enabling, hereby makes the following order:—

Transfer of property, rights, etc.

1.—(1) All such property, rights, liabilities and obligations are hereby transferred without further assurance to the South Western Electricity Board as—

(*a*) immediately before the vesting date were property, rights, liabilities or obligations of the undertakers for the purposes of the Falmouth Electric Lighting Order, 1903, (in this order referred to as "the Falmouth order") or of the undertakers for the purposes of the Dartmouth Electric Lighting Order, 1900, (in this order referred to as "the Dartmouth order") or of the undertakers for the purposes of the Kingswear Electric Lighting Order, 1913, (in this order referred to as "the Kingswear order"); and

(*b*) on the date aforesaid vested by virtue of the Act in the South West Scotland Electricity Board or in the East Midlands Electricity Board, as the case may be, and remain so vested at the coming into operation of this order.

(2) For the purpose of giving effect to the foregoing paragraph, the South West Scotland Electricity Board shall on receipt of a proper indemnity against reasonable costs or expenses grant to the South Western Electricity Board all such deeds or other instruments as that last mentioned Board may require, or as the Minister of Fuel and Power may determine to be necessary.

(a) 10 & 11 Geo. 6. c. 54.

Modification of agreements, etc.

2.—(1) Every agreement to which either the South West Scotland Electricity Board or the East Midlands Electricity Board as undertakers as aforesaid are party, whether or not of such a nature that rights, liabilities and obligations thereunder could be assigned by the Board concerned, shall, unless its terms or subject matter make it impossible that it should have effect as modified by this article, have effect in so far as concerns any property, right, liability or obligation transferred by virtue of the foregoing article, as if—

(*a*) the South Western Electricity Board had been a party to the agreement;

(*b*) for any reference (however worded, and whether express or implied) to the South West Scotland Electricity Board or to the East Midlands Electricity Board, as the case may be, there were substituted, as respects anything falling to be done on or after the date of the coming into operation of this order, a reference to the South Western Electricity Board;

(*c*) for any reference (however worded, and whether express or implied) to so much of the business carried on by the South West Scotland Electricity Board or the East Midlands Electricity Board as corresponded to the undertaking authorised by the Falmouth order, the Dartmouth order or the Kingswear order, as the case may be, or to any part of the said undertaking, there were substituted, as respects anything falling to be done on or after the date aforesaid, a reference to so much of the business carried on by the South Western Electricity Board as corresponds to the said undertaking or the said part.

(2) Every other document not being an enactment which refers, whether specifically or generally, to the South West Scotland Electricity Board or the East Midlands Electricity Board shall, in so far as concerns any property, right, liability or obligation transferred as aforesaid, or the business carried on by either of them referred to in the foregoing paragraph, be construed in accordance with the provisions of that paragraph.

Modification of orders

3. The Falmouth order, the Dartmouth order and the Kingswear order shall, as respects anything falling to be done after the coming into operation of this order, have effect subject to the modification that the undertakers for the purposes of each of them shall be the South Western Electricity Board.

Commencement and Citation

4. This order shall come into operation on the fifth day of July, nineteen hundred and forty-nine, and may be cited as the Electricity (Falmouth, Dartmouth and Kingswear) (Transfer) Order, 1949.

Dated this twenty-fourth day of June, nineteen hundred and forty-nine.

Hugh Gaitskell,
Minister of Fuel and Power.

EXPLANATORY NOTE

(This note is not part of this order, but is intended to indicate its general purport.)

This order transfers to the South Western Electricity Board—

(*a*) the Falmouth electricity undertaking, vested by the Electricity Act, 1947, in the South West Scotland Electricity Board ; and

(*b*) the Dartmouth and Kingswear electricity undertakings, vested by that Act in the East Midlands Electricity Board.

Those undertakings lie entirely within the South Western area ; but, having been at 31st March, 1948, the undertakings of companies whose main undertakings lay in the South West Scotland and the East Midlands area respectively, they passed under the Electricity Act, 1947, to the Boards for those areas.

The Electricity House Ltd. (Transfer) Order, 1949

1949 No. 658

Made - - - -	1*st April*, 1949
Laid before Parliament	2*nd April*, 1949
Coming into Operation	9*th April*, 1949

The Minister of Fuel and Power, after consulting the Central Authority, in exercise of the powers conferred upon him by section nineteen of the Electricity Act, 1947,(a) (in this order referred to as " the Act ") and of all other powers him enabling, hereby makes the following order :—

Transfer of interest in shares.

1. All interest of the Central Authority in any of the shares of Electricity House Limited (in this order referred to as " the company "), specified in Part I or Part II of the schedule to this order is hereby transferred without further assurance to the Yorkshire Electricity Board.

Modification of declarations of trust.

2. Every declaration of trust executed with respect to any of the shares specified in the first column of Part II of the said schedule by the person specified in the second column of the said part as the holder thereof shall, as respects anything falling to be done after the coming into operation of this order, have effect subject to the modification that for any reference to the Central Authority there shall be substituted a reference to the Yorkshire Electricity Board.

Registration of membership and deposit of certificates.

3. The company, the Central Authority and the holder of any share specified in the said Part II, shall do all such things as are necessary, or as the Yorkshire Electricity Board may direct to be done, for the purpose of securing the registration of the said Board as members of the company, and the delivery to that Board of any document constituting evidence of the title of the Board to any share specified in the said schedule.

(a) 10 & 11 Geo. 6. c. 54.