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STATUTORY INSTRUMENTS

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**1991 No. 1479**

**WATER, ENGLAND AND WALES**

**The North Surrey Water Company  
(Constitution and Regulation) Order 1991**

<i>Made</i>	- - - -	<i>27th June 1991</i>
<i>Laid before Parliament</i>		<i>4th July 1991</i>
<i>Coming into force</i>	- -	<i>1st August 1991</i>

Whereas provision is made for the constitution and regulation of The North Surrey Water Company (“the Company”) in local statutory provisions (“the local statutory provisions”):

And whereas the Company holds an appointment as a water undertaker under Chapter I of Part II of the Water Act 1989<sup>(1)</sup> (“the Act”):

And whereas the local statutory provisions would, if the Company became a registered water company<sup>(2)</sup> have effect in accordance with paragraph 5 of Schedule 21 to the Companies Act 1985<sup>(3)</sup>:

And whereas the Company has by a special resolution passed on 4th April 1991 (“the special resolution”) proposed that provision contained in a memorandum and articles described in Schedule 1 to this Order (“the memorandum and articles”), copies of which have been certified as such by the Secretary of State, shall have effect in substitution for the local statutory provisions (“the proposal”):

And whereas it appears to the Secretary of State that the requirements set out in paragraphs (a) and (b) of section 101(3) of the Act are satisfied as respects the proposal:

And whereas it appears to the Secretary of State appropriate in consequence of his approval of the proposal by this Order that certain provisions of the North Surrey Water Acts and Orders 1877 to 1988 be repealed:

Now, therefore, the Secretary of State, in exercise of powers conferred on him by section 101(2), (6) and (7) of the Act, hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the North Surrey Water Company (Constitution and Regulation) Order 1991 and shall come into force on 1st August 1991.

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(1) 1989 c. 15.

(2) See section 101(8) of the Water Act 1989.

(3) 1985 c. 6.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(2) In this Order—

“the 1845 Act” means the Companies Clauses Consolidation Act 1845<sup>(4)</sup>;

“the 1863 Act” means the Companies Clauses Act 1863<sup>(5)</sup>; and

“the Third Schedule” means the Third Schedule to the Water Act 1945<sup>(6)</sup>.

### **Approval of proposal contained in the special resolution**

2. The proposal contained in the special resolution is hereby approved.

### **Cessation of local statutory provisions**

3. The date specified for the purposes of section 101(2) of the Act as the date on which the local statutory provisions shall cease to have effect and the memorandum and articles shall come into force is 1st August 1991.

### **Consequential provision**

4. The provisions of the North Surrey Water Acts and Orders 1877 to 1988 referred to in Schedule 2 hereto are repealed to the extent indicated in that Schedule with effect from 1st August 1991.

27th June 1991

*Michael Heseltine*  
One of Her Majesty’s Principal Secretaries of  
State

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<sup>(4)</sup> 1845 c. 16.

<sup>(5)</sup> 1863 c. 118, amended by the Companies Clauses Act 1869 (c. 48).

<sup>(6)</sup> 1945 c. 42.

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## SCHEDULE 1

### DOCUMENTS HAVING EFFECT AS MENTIONED IN SECTION 101(2)(b) OF THE WATER ACT 1989

The documents comprising the Memorandum of Association of The North Surrey Water Company and the Articles of Association of The North Surrey Water Company(7)

## SCHEDULE 2

Article 4

### PROVISIONS OF THE NORTH SURREY WATER ACTS AND ORDERS 1877 TO 1988 REPEALED

## PART 1

### PROVISIONS OF ENACTMENTS REPEALED

Title	Reference	Extent of repeal
The Sunningdale District Water Act 1877	<a href="#">1877 c.clxii.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act.
The South West Suburban Water Act 1883	<a href="#">1883 c.cxlvii.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act.  Sections 6, 20, 42, 46 and 47.
The South West Suburban Water Act 1908.	<a href="#">1908 c.xciv.</a>	Sections 2, 12, 15 and 16
The South West Suburban Water Act 1928.	<a href="#">1928 c.lxxviii.</a>	Section 2 so far as relating to the 1845 Act and the 1863 Act.  Sections 17, 19, 21, 22, 56 to 58, 60 to 64 and 66.
The South West Suburban Water Act 1934.	<a href="#">1934 c.xxxvi.</a>	Section 3 so far as relating to the 1845 Act and the 1863 Act.  Sections 25 to 27, 29 to 32, 34, 37, 38, 40 to 42, 44 to 49 and 51.
The Norwood (Middlesex) Water Order 1878.	Confirmed by <a href="#">1878 c.lvi.</a>	Section 35.
The South West Suburban Water Order 1893.	Confirmed by <a href="#">1893 c.cxxiii.</a>	Sections 3, 10, 11 and 14
The South West Suburban Water Order 1900.	Confirmed by <a href="#">1900 c.clxxxiii.</a>	Sections 4, 8 and 14

(7) A copy of the documents may be inspected at the Department of the Environment, Romney House, 43 Marsham Street, London SW1P 3PY.

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Title	Reference	Extent of repeal
The South West Suburban Water (no.2) Order 1965.	<a href="#">S.I. 1965/1681</a> .	Section 3 so far as relating to sections 74 to 77 of the Third Schedule.  In Schedule 2, the entries relating to sections 74 and 75 of the Third Schedule.
The North Surrey Water Order 1973	<a href="#">S.I.1973/1604</a>	Sections 2(1), 5, 7, 29, 37 to 39 and 43 to 45.
The North Surrey Water Order 1983.	<a href="#">S.I. 1983/156</a>	Section 3 so far relating to the 1845 Act and the 1863 Act.  Sections 4 to 9 and 11.
The North Surrey Water Order 1986.	<a href="#">S.I. 1986/249</a>	Sections 4 to 6.
The North Surrey Water Order 1988.	<a href="#">S.I. 1988/861</a> .	The whole Order.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 101(2) of the water Act 1989 provides for the replacement of provisions relating to the constitution and regulation of a statutory water company contained in its local Acts and Orders by provisions contained in a memorandum and articles which have been approved by special resolution of the members of the company. The replacement provisions have effect only if they are approved by the Secretary of State and come into force on such date as he determines.

This Order approves a proposal by The North Surrey water Company that a memorandum and articles of association should have effect in substitution for provisions contained in the North Surrey Water Acts and Orders 1877 to 1988 (article 2). It also provides that the date on which those provisions cease to have effect is 1st August 1991 (article 3) and for the repeal of the superseded provisions and for consequential repeals (article 4).

This Order is associated with the company's proposal to convert to the status of a registered company under the Companies Act 1985.